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FLOODPLAIN MANAGEMENT ORDINANCE

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ARTICLE I - PURPOSE AND ESTABLISHMENT

Certain areas of the Town of Washington, Maine are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the Town of Washington, Maine has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as delineated in this Floodplain Management Ordinance.

It is the intent of the Town of Washington, Maine to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The Town of Washington has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352 and 4401-4407.

The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the Town of Washington having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This Ordinance establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the Town of Washington, Maine.

The areas of special flood hazard, are identified by the Federal Emergency Management Agency in a map entitled “Flood Hazard Boundary Map - Town of Washington, Maine, Knox County,” dated October 22, 1976, which is hereby adopted by reference and declared to be a part of this Ordinance.

ARTICLE II - PERMIT REQUIRED

Before any construction or other development (as defined in Article XIII), including the placement of manufactured homes, begins within any areas of special flood hazard established in Article I, a Flood Hazard Development Permit shall be obtained from the Code Enforcement Officer. This permit shall be in addition to any other permits which may be required pursuant to the codes and ordinances of the Town of Washington, Maine.

ARTICLE III - APPLICATION FOR PERMIT

The application for a Flood Hazard Development Permit shall be submitted to the Code Enforcement Officer and shall include:

A. The name, address and phone number of the applicant, owner, and contractor;

B. An address and a map indicating the location of the construction site;

C. A site plan showing location of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;

D. A statement of the intended use of the structure and/or development;

E. A statement of the cost of the development including all materials and labor;
F. A statement as to the type of sewage system proposed;

G. Specification of dimensions of the proposed structure and/or development;

[Items H-K.2. apply only to new construction and substantial improvements.]

H. The elevation in relation to the National Geodetic Vertical Datum (NGVD), or to a locally established datum, of the:

1. base flood at the proposed site of all new or substantially improved structures, which in Zone A is determined:

   a. from any base flood elevation data from federal, state, or other technical sources (such as FEMA’s Quick-2 model, FEMA 265/July 1995), including information obtained pursuant to Article VI.J. and VIII.D.;

   b. from the contour elevation extrapolated from a best fit analysis of the floodplain boundary when overlaid onto a USGS Quadrangle Map or other topographic map prepared by a Professional Land Surveyor or registered professional engineer, if the floodplain boundary has a significant correlation to the elevation contour line(s); or, in the absence of all other data,

   c. to be the elevation of the ground at the intersection of the floodplain boundary and a line perpendicular to the shoreline which passes along the ground through the site of the proposed building.

I. A description of an elevation reference point established on the site of all developments for which elevation standards apply as required in Article VI;

J. A written certification by a Professional Land Surveyor, registered professional engineer or architect, that the base flood elevation and grade elevations shown on the application are accurate;

K. The following certifications as required in Article VI by a registered professional engineer or architect:

1. a Floodproofing Certificate (FEMA Form 81-65, 08/99, as amended), to verify that the floodproofing methods for any non-residential structures will meet the floodproofing criteria of Article III.H.4.; Article VI.G.; and other applicable standards in Article VI;

2. a Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Article VI.K.2.a.;

3. a certified statement that bridges will meet the standards of Article VI.L.;

4. a certified statement that containment walls will meet the standards of Article VI.M.;

L. A description of the extent to which any water course will be altered or relocated as a result of the proposed development; and,

M. A statement of construction plans describing in detail how each applicable development standard in Article VI will be met.

ARTICLE IV - APPLICATION FEE AND EXPERT'S FEE

3
A non-refundable application fee of $___________ shall be paid to the Town Clerk and a copy of a receipt for the same shall accompany the application.

An additional fee may be charged if the Code Enforcement Officer and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the town submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for the issuance of a stop work order. An expert shall not be hired by the municipality at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.

ARTICLE V - REVIEW STANDARDS FOR FLOOD HAZARD DEVELOPMENT PERMIT APPLICATIONS

The Code Enforcement Officer shall:

A. Review all applications for the Flood Hazard Development Permit to assure that proposed developments are reasonably safe from flooding and to determine that all pertinent requirements of Article VI (Development Standards) have been, or will be met;

B. Utilize, in the review of all Flood Hazard Development Permit applications:
   1. the base flood data contained in the "Flood Hazard Boundary Map - Town of Washington, Maine," as described in Article I;
   2. in special flood hazard areas where base flood elevation data are not provided, the Code Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Article III.H.1.; Article VI.J.; and Article VIII.D., in order to administer Article VI of this Ordinance; and,
   3. when the community establishes a base flood elevation in a Zone A by methods outlined in Article III.H.1., the community shall submit that data to the Maine Floodplain Management Program in the State Planning Office.

C. Make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Article I of this Ordinance;

D. In the review of Flood Hazard Development Permit applications, determine that all necessary permits have been obtained from those federal, state, and local government agencies from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344;

E. Notify adjacent municipalities, the Department of Environmental Protection, and the Maine Floodplain Management Program in the State Planning Office prior to any alteration or relocation of a water course and submit copies of such notifications to the Federal Emergency Management Agency;

F. If the application satisfies the requirements of this Ordinance, approve the issuance of one of the following Flood Hazard Development Permits based on the type of development:
   1. A two part Flood Hazard Development Permit for elevated structures. Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an Elevation Certificate completed by a Professional Land Surveyor, registered professional engineer or architect based on the Part I permit construction, “as built”, for verifying compliance with the elevation requirements of Article
VI, paragraphs F, G, or H. Following review of the Elevation Certificate data, which shall take place within 72 hours of receipt of the application, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project; or,

2. A Flood Hazard Development Permit for Floodproofing of Non-Residential Structures that are new construction or substantially improved non-residential structures that are not being elevated but that meet the floodproofing standards of Article VI.G.1.,2., and 3. The application for this permit shall include a Floodproofing Certificate signed by a registered professional engineer or architect; or,

3. A Flood Hazard Development Permit for Minor Development for all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. Minor development also includes, but is not limited to: accessory structures as provided for in Article VI.I., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves and piers.

G. Maintain, as a permanent record, copies of all Flood Hazard Development Permit Applications, corresponding Permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted under the provisions of Article IX of this Ordinance, and copies of Elevation Certificates, Floodproofing Certificates, Certificates of Compliance and certifications of design standards required under the provisions of Articles III, VI, and VII of this Ordinance.

ARTICLE VI - DEVELOPMENT STANDARDS

All developments in areas of special flood hazard shall meet the following applicable standards:

A. All Development - All development shall:

1. be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse or lateral movement of the development resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

2. use construction materials that are resistant to flood damage;

3. use construction methods and practices that will minimize flood damage; and,

4. use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.

B. Water Supply - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.

C. Sanitary Sewage Systems - All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.

D. On Site Waste Disposal Systems - On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.
E. **Watercourse Carrying Capacity** - All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.

F. **Residential** - New construction or substantial improvement of any residential structure located within Zone A shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B; or Article VIII.D.

G. **Non Residential** - New construction or substantial improvement of any non-residential structure located within Zone A shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B; or Article VIII.D., or together with attendant utility and sanitary facilities shall:

1. be floodproofed to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B; or Article VIII.D., so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;

2. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,

3. be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K. and shall include a record of the elevation above mean sea level to which the structure is floodproofed.

H. **Manufactured Homes** - New or substantially improved manufactured homes located within Zone A shall:

1. be elevated such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B; or Article VIII.D.;

2. be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and,

3. be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:
   a. over-the-top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side); or by;
   b. frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).
   c. all components of the anchoring system described in Article VI.H.3.a.& b. shall be capable of carrying a force of 4800 pounds.

I. **Accessory Structures** - Accessory Structures, as defined in Article XIII, located within Zone A, shall be exempt from the elevation criteria required in Article VI.F. & G. above, if all other requirements of Article VI and all the following requirements are met. Accessory Structures shall:
1. be 500 square feet or less and have a value less than $3000;

2. have unfinished interiors and not be used for human habitation;

3. have hydraulic openings, as specified in Article VI.K.2., in at least two different walls of the accessory structure;

4. be located outside the floodway;

5. when possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters and be placed further from the source of flooding than is the primary structure; and,

6. have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the base flood elevation and when possible outside the Special Flood Hazard Area.

J. Floodways - Encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in a floodway which, in Zone A riverine areas, is the channel of the river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high water mark to the upland limit of the floodplain, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development:

1. will not increase the water surface elevation of the base flood more than one foot at any point within the community; and,

2. is consistent with the technical criteria contained in Chapter 5 entitled "Hydraulic Analyses," Flood Insurance Study - Guidelines and Specifications for Study Contractors, (FEMA 37/ January 1995, as amended).

K. Enclosed Areas Below the Lowest Floor - New construction or substantial improvement of any structure in Zone A that meets the development standards of Article VI, including the elevation requirements of Article VI, paragraphs F, G, or H and is elevated on posts, columns, piers, piles, "stilts," or crawlspaces may be enclosed below the base flood elevation requirements provided all the following criteria are met or exceeded:

1. Enclosed areas are not "basements" as defined in Article XIII;

2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:

   a. be engineered and certified by a registered professional engineer or architect; or,

   b. meet or exceed the following minimum criteria:

      (1) a minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;

      (2) the bottom of all openings shall be below the base flood elevation and no higher than one foot above the lowest grade; and,

      (3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence.
or control such as human intervention, including the use of electrical and other non-automatic mechanical means;

3. The enclosed area shall not be used for human habitation; and,

4. The enclosed areas are usable solely for building access, parking of vehicles, or storage.

L. **Bridges** - New construction or substantial improvement of any bridge in Zone A shall be designed such that:

1. when possible, the lowest horizontal member (excluding the pilings, or columns) is elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B; or Article VIII.D; and

2. a registered professional engineer shall certify that:
   a. the structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Article VI.J.; and
   b. the foundation and superstructure attached thereto are designed to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

M. **Containment Walls** - New construction or substantial improvement of any containment wall located within Zone A shall:

1. have the containment wall elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.; Article V.B.; or Article VIII.D.

2. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and

3. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K.

N. **Wharves, Piers and Docks** - New construction or substantial improvement of wharves, piers, and docks are permitted in Zone A in and over water and seaward of the mean high tide if the following requirements are met:

1. wharves, piers, and docks shall comply with all applicable local, state, and federal regulations; and

2. for commercial wharves, piers, and docks, a registered professional engineer shall develop or review the structural design, specifications, and plans for the construction.

**ARTICLE VII - CERTIFICATE OF COMPLIANCE**

No land in a special flood hazard area shall be occupied or used and no structure which is constructed or substantially improved shall be occupied until a Certificate of Compliance is issued by the Code Enforcement Officer subject to the following provisions:
A. For New Construction or Substantial Improvement of any elevated structure the applicant shall submit to the Code Enforcement Officer, an Elevation Certificate completed by a Professional Land Surveyor, registered professional engineer, or architect, for compliance with Article VI, paragraphs F, G, or H.

B. The applicant shall submit written notification to the Code Enforcement Officer that the development is complete and complies with the provisions of this ordinance.

C. Within 10 working days, the Code Enforcement Officer shall:
   1. review the Elevation Certificate and the applicant’s written notification; and,
   2. upon determination that the development conforms with the provisions of this ordinance, shall issue a Certificate of Compliance.

ARTICLE VIII - REVIEW OF SUBDIVISION AND DEVELOPMENT PROPOSALS

The Planning Board shall, when reviewing subdivisions and other proposed developments that require review under other federal law, state law or local ordinances or regulations and all projects on 5 or more disturbed acres, or in the case of manufactured home parks divided into two or more lots, assure that:

A. All such proposals are consistent with the need to minimize flood damage.

B. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.

C. Adequate drainage is provided so as to reduce exposure to flood hazards.

D. All proposals include base flood elevations, flood boundaries, and, in a riverine floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.

E. Any proposed development plan must include a condition of plan approval requiring that structures on any lot in the development having any portion of its land within a Special Flood hazard Area, are to be constructed in accordance with Article VI of this ordinance. Such requirement will be included in any deed, lease, purchase and sale agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The condition shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated on any map, plat, or plan to be signed by the Planning Board or local reviewing authority as part of the approval process.

ARTICLE IX - APPEALS AND VARIANCES

The Board of Appeals of the Town of Washington may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or Planning Board in the administration or enforcement of the provisions of this Ordinance.

The Board of Appeals may grant a variance from the requirements of this Ordinance consistent with state law and the following criteria:

A. Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
B. Variances shall be granted only upon:

1. a showing of good and sufficient cause; and,

2. a determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances; and,

3. a showing that the issuance of the variance will not conflict with other state, federal or local laws or ordinances; and,

4. a determination that failure to grant the variance would result in "undue hardship," which in this subsection means:
   a. that the land in question cannot yield a reasonable return unless a variance is granted; and,
   b. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and,
   c. that the granting of a variance will not alter the essential character of the locality; and,
   d. that the hardship is not the result of action taken by the applicant or a prior owner.

C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as it deems necessary.

D. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally dependent use provided that:

1. other criteria of Article IX and Article VI.J. are met; and,

2. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

E. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of Historic Structures upon the determination that:

1. the development meets the criteria of Article IX, paragraphs A. through D. above; and,

2. the proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure’s continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

F. Any applicant who meets the criteria of Article IX, paragraphs A. through E. shall be notified by the Board of Appeals in writing over the signature of the Chairman of the Board of Appeals that:

1. the issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as $25 per $100 of insurance coverage;

2. such construction below the base flood level increases risks to life and property; and,
3. the applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.

G. Appeal Procedure for Administrative and Variance Appeals

1. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party within thirty days after receipt of a written decision of the Code Enforcement Officer or Planning Board.

2. Upon being notified of an appeal, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.

3. The Board of Appeals shall hold a public hearing on the appeal within thirty-five days of its receipt of an appeal request.

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

5. The Board of Appeals shall decide all appeals within thirty-five days after the close of the hearing, and shall issue a written decision on all appeals.

6. The Board of Appeals shall submit to the Code Enforcement Officer a report of all variance actions, including justification for the granting of the variance and an authorization for the Code Enforcement Officer to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.

7. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five days from the date of any decision of the Board of Appeals.

ARTICLE X - ENFORCEMENT AND PENALTIES

A. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance pursuant to Title 30-A MRSA § 4452.

B. The penalties contained in Title 30-A MRSA § 4452 shall apply to any violation of this Ordinance.

C. In addition to any other actions, the Code Enforcement Officer, upon determination that a violation exists, shall submit a declaration to the Administrator of the Federal Insurance Administration requesting a denial of flood insurance. The valid declaration shall consist of:

1. the name of the property owner and address or legal description of the property sufficient to confirm its identity or location;

2. a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance;

3. a clear statement that the public body making the declaration has authority to do so and a citation to that authority;
4. evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and,

5. a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

ARTICLE XI - VALIDITY AND SEVERABILITY

If any section or provision of this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

ARTICLE XII - CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, bylaw, permit, or provision of law. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall control.

ARTICLE XIII - DEFINITIONS

Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Accessory Structure - means a small detached structure that is incidental and subordinate to the principal structure.

Adjacent Grade - means the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Area of Special Flood Hazard - means the land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Hazard Boundary Map cited in Article I of this Ordinance.

Base Flood - means the flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement - means any area of the building having its floor subgrade (below ground level) on all sides.

Building - see Structure.

Certificate of Compliance - A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of this Ordinance.

Code Enforcement Officer - any person or board responsible for performing the inspection, licensing, and enforcement duties required by a particular statute or ordinance.

Development - means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities.

Elevated Building - means a non-basement building...
a. built, in the case of a building in Zone A, to have the top of the elevated floor, elevated above the ground level by means of pilings, columns, post, piers, or "stilts;" and 

b. adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.

In the case of Zone A, Elevated Building also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Article VI.K.

**Elevation Certificate** - An official form (FEMA Form 81-31, 07/00, as amended) that:

a. is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and,

b. is required for purchasing flood insurance.

**Flood or Flooding** - means:

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
   1. The overflow of inland or tidal waters.
   2. The unusual and rapid accumulation or runoff of surface waters from any source.

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

**Flood Elevation Study** - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**Flood Hazard Boundary Map (FHBM)** - means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of the base flood have been designated.

**Floodplain or Flood-prone Area** - means any land area susceptible to being inundated by water from any source (see flooding).

**Floodplain Management** - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

**Floodplain Management Regulations** - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Floodproofing** - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and contents.
Floodway - see Regulatory Floodway.

Freeboard - means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

Functionally Dependent Use - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Historic Structure - means any structure that is:

a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
   1. By an approved state program as determined by the Secretary of the Interior, or
   2. Directly by the Secretary of the Interior in states without approved programs.

Locally Established Datum - means, for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD) or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

Lowest Floor - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Article VI.K. of this ordinance.

Manufactured Home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Hazard Boundary Map are referenced.
**Minor Development** - means all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes, but is not limited to: accessory structures as provided for in Article VI.I., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves and piers.

**National Geodetic Vertical Datum (NGVD)** - means the national vertical datum, whose standard was established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD was based upon mean sea level in 1929 and also has been called “1929 Mean Sea Level (MSL)”.

**New Construction** - means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

**100-year flood** - see **Base Flood**.

**Regulatory Floodway** -

a. means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot, and

b. in Zone A riverine areas, the floodway is considered to be the channel of a river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

**Riverine** - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Special Flood Hazard Area** - see **Area of Special Flood Hazard**.

**Start of Construction** - means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

**Structure** - means, for floodplain management purposes, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

**Substantial Damage** - means, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial Improvement** - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of
construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

b. Any alteration of a Historic Structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and a variance is obtained from the community’s Board of Appeals.

**Variance** - means a grant of relief by a community from the terms of a floodplain management regulation.

**Violation** - means the failure of a structure or development to comply with a community's floodplain management regulations.

**ARTICLE XIV - ABROGATION**

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

60.3 (b)
TOWN OF WASHINGTON, MAINE
LAND USE ORDINANCE (REVISED)

ADOPTED
22 DECEMBER 1988

AMENDED
1 APRIL 1989
29 DECEMBER 1989
28 DECEMBER 1990
23 MARCH 1991
27 MARCH 1993
26 MARCH 1994
27 MARCH 1999
24 MARCH 2000
23 MARCH 2002
27 MARCH 2004
25 MARCH 2005
24 MARCH 2006
27 MARCH 2009
26 MARCH 2010

This is to certify that this revised ordinance was adopted by majority of the referendum vote on Article 3 at the Annual Town Meeting held March 26, 2010 and amended by majority of the referendum vote on Article 6 at the Annual Town Meeting held March 29, 2013.

True and Attested copy:

Town Clerk
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ARTICLE I - TITLE

This Ordinance shall be known and may be cited as the “Land Use Ordinance of the Town of Washington, Maine,” and will be referred to herein as “the Ordinance” or “this Ordinance”.
ARTICLE II - PURPOSE

This Ordinance, adopted in accordance with Maine Revised Statutes Annotated, Title 30-A, Sections 3301-3302, and Title 38, Sections 435-449, is designed

A. to encourage the most appropriate use of the land throughout the Town;

B. to ensure consistency with the Town’s Comprehensive Plan;

C. to preserve the town character and assure that it remains a thriving place which will attract compatible residential and commercial development;

D. to protect the town’s rural character, maintain its visual quality, and to acknowledge the value of its watersheds, lakes, forest, and farmland;

E. to encourage commercial and industrial development that would provide employment opportunities and strengthen the tax base for the town; and

F. to provide for adequate public services and safety.

G. to ensure continuity with the Land Use Ordinance originally adopted in 1988 and still in force as amended subsequently and as amended herein. Permits issued previous to the adoption of the amendments herein are still valid and in force.
ARTICLE III – ESTABLISHMENT OF DISTRICTS

Section 1. Applicability

This Ordinance applies to all land within the boundaries of the Town of Washington.

Section 2. Districting Map

A map entitled “Town of Washington Land Use Map” and the “Town of Washington Tax Map” overprinted with the district boundaries are hereby adopted as part of this Ordinance and shall be referred to as the Official Land Use Map. The Official Land Use Map shall be identified by the signatures and date signed by the Board of Selectmen and attested to by the signature and date signed by the Town Clerk. The Official Land Use Map shall be located in the Town office, and it shall be utilized in the application of this Ordinance. The map shall be prepared and signed by the Selectmen within 90 days of the adoption of this Ordinance.

Section 3. Land Use Districts

The Town is divided into the following nine districts, as shown by the district boundary lines on the official Land Use Map:

- Resource Protection (RP) District
- Farm and Forest (FF) District
- Rural (RU) District
- Rural/Commercial (RC) District
- Village (VI) District
- Planned Development (PD) District
- Shoreland Limited Residential (LR) District
- Watershed (WS) District
- Historic Preservation (HP) District

Section 4. District Boundaries

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Land Use Map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of State or Town maintained roads, highways, or rights-of-way shall be construed to follow such center lines;
B. Boundaries indicated as approximately following well established lot lines shall be construed as following such lot lines;

C. Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits;

D. Boundaries indicated as following shorelines shall be construed to follow the normal high water line, and in the event of natural change in the shoreline shall be construed as moving with the actual shoreline;

E. Boundaries indicated as approximately following the center line of streams or other water bodies shall be construed to follow such center lines;

F. Boundaries indicated as following contour lines and ridge lines shall be construed to follow such lines as indicated by U.S.G.S. topographic maps, which may, however, be superseded by field surveys sealed by registered land surveyors.

G. Boundaries indicated as being parallel to or extensions of features indicated in paragraphs (a) through (f) above shall be so construed. Distances not specifically indicated on the Official Land Use Map shall be determined by the scale of the map. Any conflict between the Official Land Use Map and a description by metes and bounds in a deed shall be resolved in favor of the description by metes and bounds;

H. Where physical or cultural features existing on the ground are at variance with those shown on the Official Land Use Map, or in circumstances where the items covered by paragraphs A through G above are not clear, the Board of Appeals shall interpret the district boundaries. See Article XII, Section 3.

Section 5. Establishment of Districts

A. The Resource Protection District is established to protect all fragile environmental systems, including steep slopes, freshwater wetlands, floodplains, and shoreland areas on which development would degrade water quality or disrupt productive habitat and biotic systems.

1. It shall include all State numbered wetlands as identified on the “Town of Washington Tax Map” as defined by Section 2 of this Article as shaded areas, as well as any additional wetlands which the Town accepts as such in the future.
2. It may include all slopes in excess of 25% grade within the Shoreland area which the Town specifically chooses to designate for protection.

3. Any additional areas to be designated as a part of the Resource Protection District per subsections (1) or (2) above shall be made by amendment of this Article.

4. It shall include wildlife habitats and deer wintering yards specifically designated for protection by the Maine Department of Inland Fisheries and Wildlife.

5. All areas depicted on the overprinted tax map as swamps, marshes, wetlands, etc., (shaded areas) shall be construed to be located in the Resource Protection District.

B. The **Farm and Forest District** is established to protect the open space and forestland which have historically provided the residents of the Town with income.

   1. Any area not included in the Resource Protection, Rural, Rural/Commercial, Planned Development, Village, or Shoreland Limited Residential Districts shall be determined to be in the Farm and Forest District.

C. The **Rural District** is established to provide for flexibility and innovation in the use of the rural lands according to sound standards of development, while at the same time protecting this natural, rural quality from developmental sprawl.

   1. Where established, as determined by the “Town of Washington Land Use Map” as defined by Section 2 of this Article, the Rural District shall extend 500 feet from either side of the centerline of roads or as otherwise determined by the “Town of Washington Land Use Map”.

D. The **Rural/Commercial District** is established to provide for continued business and residential growth while maintaining an aesthetic balance between the two.

   1. Where established, as determined by the “Town of Washington Land Use Map” as defined by Section 2 of this Article, the Rural/Commercial District shall extend 500 feet from either side of the centerline of the road.

E. The **Village District** is established to preserve the physical, historic, aesthetic and social quality of Washington Village.
1. The Village District boundaries shall be determined by the “Town of Washington Land Use Map” as indicated by Section 2 of this Article.

F. The **Planned Development District** is established for industrial activity that provides needed jobs and a stable tax base that conforms with the overall rural character of the Town.

1. The Planned Development District boundaries shall be determined by the “Town of Washington Land Use Map” as indicated by Section 2 of this article.

G. The **Shoreland Limited Residential District** is established to protect the water quality of Washington Pond, Crystal Pond, Iron Pond, Spring Pond, Muddy Pond, Lily Pond, Medomak River, Little Medomak River, Davis Stream, Jackson Stream, the stream between Crystal and Washington Ponds, Burns Brook, Calderwood Brook, Jones Brook, Washington Brook, Hope Brook, Vanner Brook, and Pitcher Brook.

1. The Shoreland Limited Residential District applies to all land areas within 250 feet, horizontal distance, of the normal high water mark of all water bodies listed in this subsection.

H. The **Watershed District** is established to protect the unique Washington Pond/Crystal Pond watershed into which only water from this town flows.

1. The Watershed District shall be considered an “overlay district” in that it shall place restrictions on otherwise allowable activities in any district.

I. The **Historic Preservation District** is established to preserve unique historic areas and locations in Washington.

1. The Historic Preservation District shall be considered an “overlay district” in that it shall place restrictions on otherwise allowable activities in any district.

J. This Ordinance recognizes that new development or change of use proposals may not necessarily extend over the full area of any lot.

1. The Planning Board shall determine the extent of the portion of the lot to be used in the development or change of use proposal and shall document that portion at the applicant’s expense.

2. In all cases where any lot or portion of a lot to be used in a development or change of use proposal is in two or
more districts, provisions of the more restrictive of the districts shall apply, however if the development or change of use is to be confined to an area of the lot that is entirely within one district then the provisions of that district shall apply. The applicant may apply to the Board of Appeals for a Practical Difficulty Variance from dimensional standards per Article XII, Section 5(B).

3. Lots to be subdivided will be divided in accordance with the standards of the district in which each new lot is located; any lot or lots that remain in two or more districts shall each conform with the minimum requirements of the more restrictive of the districts.

4. The districts defined herein shall be considered to be from more restrictive to less restrictive in this order: Resource Protection, Shoreland Limited Residential, Watershed, Historic Preservation, Farm & Forest, Rural, Village, Rural-Commercial, and Planned Development.
ARTICLE IV – ADMINISTRATION AND ENFORCEMENT

Section 1. Administrative Officials

Unless otherwise specifically stated, the Town Planning Board shall administer and the Code Enforcement Officer shall enforce this Ordinance.

Section 2. Permits Required

A. After adoption of this Ordinance, a permit issued by the Code Enforcement Officer shall be required for all buildings or other structures to be erected, moved, altered, retrofitted, or added to except as stated in Section 3, Work For Which a Permit is Not Required, below.

B. A change of use may not occur without the appropriate permit.

C. Other activity which may be referenced elsewhere in this Ordinance as requiring a permit shall not commence without a permit issued by the Code Enforcement Officer.

D. Permits shall be issued in conformity with the provisions of this Ordinance and the provisions of other applicable State statutes, codes, rules, and regulations and local ordinances or codes, and after the necessary approvals have been secured from local officials.

Section 3. Work For Which a Permit is Not Required.

[NOTE: There may be State or ADA Standards that apply.]

Provided all required performance standards and State standards for the applicable district are met, a building permit shall not be required for:

A. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.

B. Fences or stone walls that are out of the public right of way.

C. The construction of a single story free-standing accessory structure or an attached deck or open porch of 240 square feet or less, subject to the Shoreland standards, Article VIII, Section 1, if applicable.

D. Re-siding, re-roofing, changing windows or changing doors.

E. Alterations or repairs of structures which do not change the building footprint or volume.

F. Baby Sitting Services.
Section 4. Permit Applications

Applications for permits shall be made on forms available at the Town Office. Each application for a building permit shall be accompanied by the following:

A. A subsurface wastewater disposal permit is required, if the proposed structure will have pressurized water, in compliance with the Maine State Plumbing Code.

B. A site plan drawn to approximate scale, showing the measurements of the lot and of all buildings, setbacks, disposal fields, the location of abutting streets or ways, existing and proposed parking spaces.

C. A clear statement as to the intended use of the property.

D. An assigned 911 Address.

E. An MDOT or town access, driveway or entrance permit, if required.

F. Any State or Federal permits that may be required.

Section 5. Permit Fees and Administrative Costs

A. Permit applications shall be accompanied by a fee or fees in accordance with a fee schedule determined by the Board of Selectmen.

B. The completed application, all other required permits, and required fee(s) shall be filed at the Town Office. The fee(s) shall be given to the Town Treasurer for use in administering and enforcing this Ordinance.

C. In addition to the fee(s), the Planning Board shall require the applicant to pay all administrative, legal, and consulting costs in connection with the application process. All costs shall be paid within 30 days of billing notice from the Planning Board.

D. No permit shall be issued until all costs are paid.

Section 6. Action on Permit Applications

A. For applications for CEO Permitted Uses as defined in Article VII, District Regulations, the Code Enforcement Officer shall review the application for completeness and, when the activity is found to be in conformance with this Ordinance and other applicable codes and regulations, the Code Enforcement Officer shall issue a written permit within 15 days. The Code Enforcement Officer may refer any application to the Planning Board for approval as per Section 6 B, below.
The Code Enforcement Officer shall notify the applicant in writing if the application is approved, approved with conditions, referred to the Planning Board, or denied.

B. For all other applications, the Code Enforcement Officer shall review the application for completeness and advise the Planning Board (PB) as to the effect of this Ordinance on the application. The PB may request further explanation of the application; after it is determined by the PB that the application is complete, the PB shall schedule the applicable Public Hearing within 45 days. When the activity is found to be in conformance with this Ordinance and other applicable codes and regulations, the PB shall issue a written decision within 45 days, notifying the applicant in writing if the application is approved, approved with conditions, or denied. The Code Enforcement Officer shall issue applicable permits based on the Planning Board approval or approval with conditions.

Section 7. Time Limit

The work authorized by a building permit and/or the uses authorized under a use permit must be started within 24 months. Permits may be renewed without cost for additional 24 month periods by the permit approving authority if reasonable cause can be shown as to why the activity permitted was not completed within the timeframe allowed in the previously approved permit.

Section 8. Violations

If the Code Enforcement Officer finds that any provision of this Ordinance is being violated, he shall notify by certified mail, return receipt requested, the property owner and such other person as may be responsible for the violations, indicating the nature of the violations, ordering the action necessary to correct it, including, but not limited to, the issuance of a Stop Work Order, and the date by which it must be corrected. The Board of Selectmen shall institute, in the name of the Town, any and all actions, legal and equitable, that may be appropriate or necessary for the enforcement of the provisions of this Ordinance. Any person, firm or corporation owning or having control of any building or premises or part thereof violating any provision of this Ordinance, or failing to take the required corrective measures, or complying with a stop work order after receiving written notice of violation, shall be guilty of a civil violation and, upon conviction thereof, shall be subject to a fine in accordance with 30-A M.R.S.A. §4452. Each day such violation exists shall constitute a separate offense.
ARTICLE V - NONCONFORMANCE

Section 1. Purpose

The purpose of this Article is to regulate nonconforming lots, structures, and uses, as defined in this Ordinance, such that they can be reasonably developed, maintained, or repaired, or changed to other less nonconforming or to conforming uses.

Section 2. Continued Nonconformance

A. Any nonconforming lot which, at the effective date of this Ordinance, does not meet the minimum lot area, minimum lot area per dwelling unit, or minimum frontage requirements of the district in which it is located is allowed to continue if it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

B. Any nonconforming structure that does not meet the minimum setback, maximum lot coverage, or maximum height standards of the district in which it is located is allowed to continue if it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

C. Any nonconforming use that is not permitted in the district in which it is located is allowed to remain if it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

Section 3. Nonconforming Lots

A. Vacant Lots

A nonconforming lot may be built upon provided that such lot is not contiguous with any other lot in the same ownership, and that all provisions of this Ordinance except lot size and road or shore frontage can be met. If two or more vacant, contiguous lots or parcels are in the same ownership of record at the time of adoption or amendment of this Ordinance, and if these lots do not individually meet the minimum lot size, minimum lot area per dwelling unit, or minimum road frontage standards, the lots shall be combined to the extent necessary to meet these standards, except:

1. where the contiguous lots front onto different roads; or

2. where the lots each have at least 20,000 square feet of lot area, and have soils suitable for on-site sewage
Article V: Nonconformance

disposal. Waterfront lots shall have at least 100 feet of shoreline frontage.

B. Lots with Structures

1. A structure built on a lot prior to enactment of this Ordinance, which lot does not conform to lot size, lot area per dwelling unit, or frontage requirements, may be repaired, maintained, or improved, and may be enlarged in conformity with the applicable space, bulk, and performance standards other than minimum lot size or minimum frontage. Structures shall not be enlarged in a manner that violates or worsens the standard relative to minimum lot area per dwelling unit.

2. If two or more contiguous lots or parcels are in the same ownership of record at the time of adoption or amendment of this Ordinance, if all or part of the lots do not meet the minimum lot or minimum frontage requirements, and if a principal use exists on each lot, or if the lots were legally created as part of a recorded subdivision after the effective date of the Maine Subdivision Act (September 22, 1971), the nonconforming lots may be conveyed separately or together, providing all other State law and local ordinance requirements are met.

3. On a non-conforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the code enforcement officer may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure shall not exceed eighty (80) square feet in area nor eight (8) feet in height, and shall be located as far from the shoreline or tributary stream as practical and shall meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case shall the structure be located closer to the shoreline or tributary stream than the principal structure.

Section 4. Nonconforming Uses

A. Continuance

Except as provided in paragraph D(3) “Expansion of Use” below, the use of land, building, or structure, lawful at the time of adoption or subsequent amendment of this Ordinance,
may continue, although such use does not conform to the provisions of this Ordinance.

B. Resumption

Whenever a nonconforming use of land and/or a structure is superseded by a permitted use, such structure and/or land shall thereafter conform to the provisions of this Ordinance and the nonconforming use may not be resumed.

C. Discontinuance

A nonconforming use which is discontinued for a period of two years or that has been discontinued for two years prior to the enactment of this ordinance may not be resumed. The uses of the land, building, or structure shall thereafter conform to the provisions of this Ordinance.

D. Expansion of Use

A nonconforming use in lawful existence as of the effective date of this Ordinance, including a non-conforming outdoor use of land, may not be expanded except upon the following conditions:

1. the expansion shall occur only on the lot of record on which the non-conforming use existed as of the effective date of this Ordinance.

2. the person proposing such expansion shall document his/her right, title, or interest in the land.

3. the expansion shall meet all space and bulk requirements set forth in this Ordinance, or if the use includes a non-conforming lot or structure, the nonconforming aspect may not be worsened.

4. expansion of a non-conforming use may be granted by the Planning Board only in the event that the applicant has established to the satisfaction of the Planning Board that all applicable standards required by this Ordinance have been met.

Section 5. Nonconforming Structure

A. Maintenance and Enlargement

A structure in existence as of the effective date of this Ordinance that does not meet the minimum setback, maximum lot coverage, or maximum height requirements of the district in which it is located, including shoreland area standards,
may be repaired, maintained, and improved. It may be enlarged and/or accessory structures may be added to the site without a variance, provided that:

1. the enlargement or accessory structure does not itself exceed the prescribed height standard; and

2. the enlargement in combination with the existing structure does not exceed, or worsen the existing violation of, the prescribed maximum lot coverage; and

3. if any portion of a structure is less than the prescribed minimum setback requirements from lot lines or the normal high-water line, the structure shall not be expanded in floor area or volume, by 30 percent or more, during the lifetime of the structure.

4. no structure which is less than the required setback from the normal high-water line of a water body, tributary stream, or upland edge of a wetland shall be expanded toward the water body, tributary stream, or wetland.

5. the enlargement or accessory structure itself meets the prescribed setback requirements; or, if the enlargement of an existing structure is no closer to the front, side, or rear lot line than the nonconforming structure, except that unenclosed stairs or wheelchair ramp that serve specifically as an entrance to the structure may be placed closer to the lot lines than the prescribed setback.

B. Reconstruction

Any nonconforming building or structure which is hereafter damaged or destroyed by fire or any cause may be restored or reconstructed and used as before within 24 months of the date of said damage or destruction; provided, however, that such reconstruction and use shall not be more nonconforming than the prior nonconforming building, structure, or use. Expansion of prior structure during reconstruction shall be governed by Sections 5A and 7.

Section 6. Transfer of Ownership

Ownership of nonconforming lots, structures, or uses as defined in this Ordinance may be transferred without loss of their lawful use but will still retain their nonconforming status.
Section 7. Changes in Nonconforming Lots, Structures, and Uses

Upon approval of the Planning Board, a nonconforming aspect of a lot, structure, or use may be changed upon a finding by the Board that such a change will bring the lot, structure, or use into closer conformance with the provisions of this Ordinance, or will make the nonconforming aspect no worse. A lot or structure will be deemed to have been brought into closer conformance with the provisions of this Ordinance, or have been made no worse, if its dimensions are unchanged or more nearly meet the prescribed standards. A use will be deemed to have been brought into closer conformance with the provisions of this Ordinance, or have been made no worse, if it is less or no more intense than the previous nonconforming use, as measured by volume and type of traffic expected to be generated, size of building or structure housing the use, number of potential customers, number of bedrooms, or similar measures of intensity of the use. The Planning Board may approve, approve with condition, or disapprove requests under this section.

Section 8. Creating a Nonconforming House Lot for Family Members

A. Notwithstanding other provisions of this Ordinance and pursuant to the Certificate of Exemption to the Maximum Lot Size Requirement policy adopted by the Planning Board on May 5, 2003, the Washington Planning Board may allow an exemption to the minimum lot size, minimum lot area per dwelling unit, and minimum frontage, provided that the following conditions and standards are met.

1. Property owners (grantor) may give land only to their immediate family members (grantee), specifically, spouses or domestic partners, parents, grandparents, children, step children (including children of a domestic partner), siblings, or grandchildren under provisions of this section with reductions in minimum lot size, minimum lot area per dwelling unit, and minimum frontage.

2. The grantee does not already own a buildable lot in the Town of Washington.

3. This exemption cannot be used to add property to a grantee who is an abutting property owner whose lot already meets the appropriate conforming requirements for that district. In other words, a grantor cannot create a nonconforming lot from a parcel and give the remainder of the parcel to an otherwise qualifying abutting property owner whose lot already conforms to the requirements for that district.
4. The land shall be conveyed as a gift.

5. The property owner shall have owned the primary parcel for at least the immediate previous five years.

6. No previous transfer of property under this provision shall have been approved for the grantee in the Town of Washington.

7. Grantees described above shall not transfer the land to any non-family member for at least 5 years. This restriction shall be noted in the deed.

8. The grantee is at least 18 years of age and able to hold real estate under the laws of the State of Maine.

9. The transfer is not for the purpose of circumvention of the Town Subdivision Ordinance or other applicable Town Ordinances.

10. The land, or any part of it, is not in the Resource Protection or Shoreland Limited Residential Districts.

11. The lot created meets the minimum lot size, minimum lot area per dwelling unit, and minimum frontage in a district as closely as possible, but in any case the newly created lot shall not be less than 50% of the minimum lot size, minimum lot area per dwelling unit, or minimum frontage, for a particular district.

12. The lot(s) created may not be less than one half (1/2) acre in size.

13. If lot(s) can be created that meet minimum lot size, minimum lot area per dwelling unit, and minimum frontage, no exemption shall be granted.

14. The use of the lot(s) is for a residential dwelling.

B. New lot(s) created shall be considered nonconforming lot(s) of record, which are buildable lot(s), provided the setback requirements of the district and sewage disposal regulations can be met.

C. Persons wishing to take this exemption shall make application to the Washington Planning Board on forms prepared by the Board. After notice and hearing as stated in Article IV Administration & Enforcement, Section 6B, the Board shall issue written Findings of Fact and Decision that the above conditions and standards above have been met. The exception shall become valid upon return to the Town, by the applicant, within 90 days of the approval, a certified copy of the
deed(s) registered in the Knox County Registry of Deeds. The CEO may issue applicable building permits after receipt of the copy of the registered deed.

D. The information required by the Planning Board in making its decision shall include the following:

1. The grantor and grantees name, mailing address and phone number.

2. The Parcel Tax map and lot number, and District.

3. The size of the parcel and lot(s) to be created.

4. The length of time the property has been held.

5. The relationship of all parties involved.

6. A site plan showing the proposed lot(s), with any existing or proposed structures, roads or other improvements.

7. Evidence that a dwelling can be constructed meeting the setbacks and sewage disposal requirements.

8. A copy of the proposed deed.

9. Other information the Planning Board deems necessary to make its decision.
ARTICLE VI - DISTRICT REGULATIONS

Section 1. Resource Protection District (RP)

A. Purpose

The purpose of the Resource Protection District is to protect fragile ecological systems, which if intensively developed or substantially altered, would damage water quality, wildlife and aquatic habitat and biotic systems, and ecological relationships; to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; and to protect freshwater wetlands. To accomplish this purpose, uses are allowed which avoid disruption of the natural environment while allowing productive use to be made of the land.

B. Uses By Right

The following uses in the Resource Protection District do not need a permit:

1. Primitive recreation.
2. Forest management.
3. Wildlife management.
4. Emergency and fire protection activities as determined by the Washington Fire Department.
5. Harvesting of wild crops.
6. Traditional hunting, fishing, and trapping.
7. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.
8. Fences or stone walls that are out of the public right of way.
9. Re-siding, re-roofing, changing windows or changing doors.
10. Alterations or repairs of structures which do not change the building footprint or volume.
11. Soil and Water conservation practices.


C. Uses Requiring a CEO Permit

The following uses in the Resource Protection District require a permit issued by the Code Enforcement officer:

1. Timber harvesting up to 40% of the total volume of trees four (4) inches or more in diameter measured at 4-1/2 feet above ground level on any lot in any ten year period, except that all cutting is prohibited within 75 feet of the high-water line in any Resource Protection District adjacent to any Great Pond except as provided for in Article XIII “Amendment & Other Legal Provisions” Section 5C.

2. Farm ponds and fire protection ponds less than 5,000 square feet in size.

3. Residential utility poles and services.

D. Uses Requiring Planning Board Review

The following uses in the Resource Protection District may be undertaken only upon approval of the Washington Planning Board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer:

1. Timber harvesting in excess of 40% of the total volume of trees four (4) inches or more in diameter measured at 4-1/2 feet above ground level on any lot in any ten year period except as provided for in Article XIII “Amendment & Other Legal Provisions” Section 5C.

2. Rice and Cranberry culture.

3. Small non-residential facilities for educational, scientific, or nature interpretation purposes.

4. Structures accessory to, or essential for permitted uses.

5. Utility structures and services and essential services.

6. Seasonal to Year-round Residential Conversions where occupants will reside more than 180 days per year.

7. Laundromats connected to a sanitary sewer.
E. Prohibited Uses

The following uses in the Resource Protection District are specifically prohibited:

1. Uses not otherwise permitted
2. Mobile home parks.
3. Aquaculture.
4. Agriculture except for Cranberries and Rice.
5. Storage of more than twelve used tires.
7. Automobile washing facilities.
8. Automobile or other vehicle service and/or repair operations, including body shops.
9. Chemical and bacteriological laboratories.
10. Commercial painting, wood preserving, and furniture stripping.
11. Dry cleaning establishments.
13. Laundromats, unless connected to a sanitary sewer.
14. Metal plating, finishing, or polishing.
15. Commercial Photographic processing.
16. ATV Trails.
17. Junkyards or storage of junk.
18. Application of fertilizers in commercial operations.
19. Agribusiness.
20. Commercial agriculture including piggeries.
22. Adult Business Establishments or Entertainment.
23. Commercial Printing.

25. All Industrial and Light Industrial Uses.


27. Above-ground or in-basement storage of petroleum or liquid fuel products in quantities greater than 350 gallons.

28. Storage of more than one liquid gallon or more than five pounds dry pesticide or herbicide; or of building debris; of lead-acid batteries.

29. Single-, or double-, or triple-wide mobile homes.


31. Waste oil burners.

32. Septage Waste, Sewerage, or Sludge disposal.

F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.

3. Structures in this district shall be set back:
   a. 75 feet from the upland edge of wetlands.
   b. 100’ from the Normal High Water Mark.
   c. 75’ from Tributary Streams.
   d. 25’ from the lot line(s) opposite the shore.
   e. 25’ from private road centerlines.
   f. 50’ from public road rights-of-way.
   g. 10’ from all other lot lines.

4. The maximum footprint of structures and non-vegetated surfaces shall be 20% of lot area.
Section 2. Farm and Forest District (FF)

A. Purpose

With the waning of agriculture and forestry as predominant means of livelihood in the community, the preservation of undeveloped land, so important to the rural character of the community, is a concern to all. The purpose of the Farm and Forest District is to maintain the fields and forest lands which traditionally have been accepted as part of the landscape. This district also serves to protect those areas of town characterized by steep slopes and soils not suitable for intensive development.

B. Uses by right

The following uses in the Forest and Farm District do not need a permit:

1. Primitive recreation.
2. Forest management.
3. Wildlife management.
4. Emergency and fire protection activities as determined by the Washington Fire Department.
5. Harvesting of wild crops.
6. Traditional hunting, fishing, and trapping.
7. Farm ponds and fire protection ponds less than 5,000 square feet in size.
8. Home Farming
9. Commercial or Non-commercial Agriculture (except piggeries), including the storage and application of fertilizers, pesticides, herbicides, or manure.
10. Timber harvesting and approved construction clearing in compliance with this ordinance.
11. Home occupations.
12. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.
13. Fences or stone walls that are out of the public right of way.

14. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less.

15. Re-siding, re-roofing, changing windows or changing doors.

16. Alterations or repairs of structures which do not change the building footprint or volume.

17. Municipal structures and uses.

18. Aquaculture.


C. Uses Requiring a CEO Permit

The following uses in the Farm & Forest District require a permit issued by the Code Enforcement officer:

1. Non-residential structures up to 1,200 square feet in size.

2. Commercial storage or warehousing in existing buildings.

3. Single-, or Two-family dwellings.

4. Mobile or Modular Homes.

5. Seasonal to year-round residential conversions where the occupants will reside for more than 180 days per year.

6. Structures accessory to or essential for permitted uses.

7. Uses accessory to CEO reviewed permits.

8. Commercial wood processing and sales.

9. Tradesman shops.

10. Licensed baby sitting services.
11. Residential utility poles and services.

12. Small non-residential facilities for educational, scientific, or nature interpretation purposes.

13. Public or private Recreation Facilities involving minimal structural development.


15. Signs.

D. Uses Requiring Planning Board Review

The following uses in the Farm & Forest District may be undertaken only upon approval of the Washington Planning Board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer:

1. Mineral extraction.

2. Commercial outdoor recreation.

3. Campgrounds.

4. Utility structures and services.

5. Essential Services.


7. Licensed Day care centers and nursery schools.

8. Cluster development as defined in this Ordinance.


10. Farm ponds and fire protection ponds 5,000 square feet or greater in size.

11. Piggeries

12. Uses accessory to projects requiring Planning Board review.


14. Structures greater than 1,200 square feet in size and their uses except single family or two family dwellings.
15. Fraternal, religious, philanthropic, social, or educational institutions.

16. Multi family dwellings.

17. Wineries, breweries, and distilleries.

18. Commercial water extraction, bottling, and distribution facilities.

19. Automobile or other vehicle service and/or repair operations, including body shops and automobile washing facilities.

20. Dry cleaning establishments.

21. Laundromats.

22. Neighborhood Stores.

23. Medical or Professional Offices.


25. Solid Waste Facilities.


27. Nursing Homes, Assisted Living, Congregate Care, Elderly Housing Facilities.

28. Light Industrial Uses employing three or fewer people.

29. Shooting Ranges.

30. Exterior storage of Salt or Similar Products greater than one hundred pounds.

31. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers exceeding 350 gallons with approved containment area for the total volume being stored.

32. Underground storage of Petroleum or Liquid Fuel Products.

33. Communications Towers except as required for Municipal Emergency Services.

34. Road and/or Parking Facilities Construction.
35. Similar uses included in North American Industry Classification System—United States (NAICS, 2002 or subsequent) category 11 (see appendix) as determined by the Planning Board.

E. Prohibited Uses

The following uses in the Farm & Forest District are specifically prohibited:

1. Uses not otherwise permitted.
2. Outside storage of more than fifty used tires.
3. Adult Business Establishments or Entertainment.
5. Junkyards or storage of Junk.
6. Mineral Processing except that the CEO may grant a temporary permit for crushing operations for up to 15 working days per year per site not including set up and dismantle time.
7. Above ground or in-basement storage of Petroleum or Liquid Fuel Products in non-approved containers greater than 350 gallons.
8. Exterior storage of Building Debris or Lead-acid Batteries.

F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.
2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.
3. The following space and bulk standards shall apply:
   a. Minimum lot area within 500’ measured from the property line nearest a public road ........3 acres
   b. Minimum lot area outside 500’ measured from the property line nearest a public road ........5 acres
   c. Minimum lot area per dwelling structure within 500’ measured from the property line nearest a public road ..........3 acres
Article VI: District Regulations: Farm & Forest District

d. Minimum lot area per dwelling structure outside 500’ measured from the property line nearest a public road............5 acres

e. Minimum road frontage.........................300 feet

f. Minimum setbacks from:
   Public or private road right-of-way .......... 50 feet
   All other lot lines ................................25 feet

g. Minimum setback from normal high water mark as defined in the Shoreland Zoning provisions of this Ordinance.
Section 3. Rural District (RU)

A. Purpose

This district is generally composed of those areas of the town which are settled, but sparsely, are open or wooded and rural in nature and generally beyond areas that will likely be served by public water and sewer. Thus it is intended that open space, agricultural and low density residential uses be encouraged, since such uses tend to enhance, reinforce and protect the rural, open space atmosphere now characterizing much of the town. At the same time it is intended to discourage the higher density development in those sections of the town that are not best suited for such development, and to which it would be more difficult and expensive to provide essential services and utilities.

B. Uses by right

The following uses in the Rural District do not need a permit:

1. Primitive recreation.

2. Forest management.

3. Wildlife management.

4. Emergency and fire protection activities as determined by the Washington Fire Department.

5. Harvesting of wild crops.

6. Traditional hunting, fishing, and trapping.

7. Farm ponds and fire protection ponds less than 5,000 square feet in size.

8. Home farming.

9. Commercial or Non-commercial Agriculture (except piggeries), including the storage and application of fertilizers, pesticides, herbicides, or manure.

10. Timber harvesting and approved construction clearing in compliance with this ordinance.

11. Home occupations.
12. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.

13. Fences or stone walls that are out of the public right of way.

14. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less.

15. Re-siding, re-roofing, changing windows or changing doors.

16. Alterations or repairs of structures which do not change the building footprint or volume.

17. Municipal structures and uses.

18. Aquaculture.

19. Soil and Water Conservation Practices


C. Uses Requiring a CEO Permit

The following uses in the Rural District require a permit issued by the Code Enforcement officer:

1. Commercial storage or warehousing in existing buildings.

2. One or two-family dwellings of any size.

3. Structures accessory to, or essential for, permitted uses.

4. Mobile or Modular Homes.

5. Uses accessory to CEO reviewed permits.

6. Commercial wood processing and/or sales.

7. Tradesman shops.

8. Structures up to 1,200 square feet in size for non-residential uses.
9. Licensed baby sitting services.

10. Seasonal to year-round residential conversions where the occupants will reside for more than 180 days per year.

11. Small non-residential facilities for educational, scientific, or nature interpretation purposes.

12. Public or Private Recreation Facilities involving minimal structural development.


15. Signs.

D. Uses Requiring Planning Board Review

The following uses in the Rural District may be undertaken only upon approval of the Washington Planning Board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer:

1. Mineral extraction.

2. Commercial outdoor recreation.

3. Fraternal, religious, philanthropic, social, or educational institutions.

4. Licensed Day care facilities and nursery schools.

5. Campgrounds.


7. Veterinary clinics and kennels.

8. Cluster development as defined in this Ordinance.

9. Utility structures and services.


11. Restaurants.

12. Automobile or other Vehicle Service and/or Repair Operations, including Body Shops, and Automobile Washing Facilities.

14. Light Industrial Uses employing three or fewer people.

15. Mobile Home Parks (see Mobile Home Park Ordinance).

16. Farm ponds and fire protection ponds 5,000 square feet or greater in size.

17. Uses accessory to projects requiring Planning Board review.

18. Structures greater than 1,200 square feet in size and their uses, except single family or two family dwellings.

19. Piggeries.

20. Wineries, breweries, and distilleries.

21. Commercial water extraction, bottling, and distribution facilities.

22. Agribusiness.

23. Dry cleaning Establishments or Laundromats.

24. Medical or Professional Offices.


27. Stump Dumps.

28. Nursing Homes, Assisted Living, Congregate Care, or Elderly Housing Facilities.

29. Shooting Ranges.

30. Essential Services.

31. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers exceeding 350 gallons with approved containment area for the total volume being stored.

32. Exterior Storage of Salt or similar products greater than one hundred pounds.

33. Underground storage of Petroleum or Liquid Fuel Products.
34. Communications Towers except as required for Municipal Emergency Services.

35. Road and/or Parking Facilities Construction.

36. Similar uses included in North American Industry Classification System—United States (NAICS, 2002 or subsequent) categories 51 through 92 inclusive (see appendix) as determined by the Planning Board.

E. Prohibited Uses

The following uses in the Rural District are specifically prohibited:

1. Uses not otherwise permitted.

2. Outside storage of more than fifty used tires.

3. Adult Business Establishments or Entertainment.

4. Storage, Treatment, or Disposal Facilities for Hazardous Wastes.

5. Junkyards or Storage of Junk.

6. Mineral Processing except that the CEO may grant a temporary permit for crushing operations for up to 15 working days per year per site not including set up and dismantle time.

7. Above ground or in-basement storage of Petroleum or Liquid Fuel products in non-approved containers greater than 350 gallons.

8. Exterior storage of Building Debris or Lead-Acid Batteries.

F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.

3. The following space and bulk standards shall apply:
   a. Minimum lot area........................................2 acres
   b. Minimum lot area per dwelling structure..................2 acres
   c. Minimum road frontage..........................200 feet
d. Minimum setbacks from:
   Public or private road right-of-way............50 feet
   All other lot lines.............................10 feet

e. Minimum setback from normal high water mark
   as defined in the Shoreland Zoning provisions
   of this Ordinance.
Section 4. Rural/Commercial District (RC)

A. Purpose

The purpose of the Rural/Commercial District is to allow the continued growth and development along the major highway.

B. Uses by right

The following uses in the Rural/Commercial District do not need a permit:

1. Primitive recreation.
2. Forest management.
3. Wildlife management.
4. Emergency and fire protection activities as determined by the Washington Fire Department.
5. Harvesting of wild crops.
6. Traditional hunting, fishing, and trapping.
7. Farm ponds and fire protection ponds less than 5,000 square feet in size.
8. Home farming.
9. Commercial or Non-commercial Agriculture (except piggeries), including the storage and application of fertilizers, pesticides, herbicides, or manure.
10. Timber harvesting and approved construction clearing in compliance with this ordinance.
11. Home occupations.
12. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.
13. Fences or stone walls that are out of the public right of way.
14. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less.
15. Re-siding, re-roofing, changing windows or changing doors.

16. Alterations or repairs of structures which do not change the building footprint or volume.

17. Municipal structures and uses.


19. Aquaculture.


21. Structures accessory to, or essential for permitted uses.


C. Uses Requiring a CEO Permit

The following uses in the Rural-Commercial District require a permit issued by the Code Enforcement Officer:

1. Commercial storage or warehousing in existing buildings.

2. Structures up to 1,200 square feet in size for non-residential uses.

3. Retail Businesses.

4. Tradesman shops.

5. Personal services.


7. Financial services.

8. Medical or Professional Offices.


10. Commercial wood processing and/or sales. See definition.

11. Seasonal to year-round residential conversions where the occupants will reside for more than 180 days per year.

12. Uses accessory to CEO reviewed projects.
13. One or two-family dwellings of any size.
14. Mobile or Modular Homes.
15. Licensed Day care centers and nursery schools.
16. Utility structures and services.
17. Licensed Baby Sitting Services.
19. Public or Private Recreation Facilities involving minimal structural development.

D. Uses Requiring Planning Board Review

The following uses in the Rural-Commercial District may be undertaken only upon approval of the Washington Planning board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer.

1. Automobile or other Vehicle Service and/or Repair Operations, including Body Shops, or Automobile Washing Facilities.
2. Retail vehicle and farm machinery sales.
3. Warehousing or storage.
4. Commercial enterprises and sales.
5. Light industrial uses.
6. Nursing Homes, Assisted Living, Congregate Care, or Elderly Housing Facilities.
7. Multi-family dwellings.
8. All structures greater than 1,200 square feet in size and their uses, except single family or two family dwellings.
10. Automobile graveyards and automobile recycling operations.
11. Junkyards or Storage of Junk.
12. Mineral Extraction or Processing.
13. Commercial Outdoor Recreation.
15. Veterinary clinics and kennels.
16. Cluster development as defined in this Ordinance.
17. Mobile Home Parks (see Mobile Home Park Ordinance).
18. Farm ponds and fire protection ponds 5,000 square feet or greater in size.
19. Agribusiness.
20. Uses accessory to projects requiring Planning Board review.
21. Fraternal, religious, philanthropic, social, or educational institutions.
22. Wineries, breweries, and distilleries.
23. Commercial water extraction, bottling, and distribution facilities.
24. Restaurants.
25. Dry Cleaning Establishments or Laundromats.
27. Commercial Photographic Processing.
28. Commercial Printing.
29. Septage Waste, Sewerage, or Sludge Disposal.
30. Solid Waste Facilities.
31. Stump Dumps.
32. Commercial Electronic Circuit Assembly.
33. Commercial Metal Plating, Finishing, or Polishing.
34. Commercial Painting, Wood Preserving, or Furniture Stripping.
35. Shooting Ranges.


37. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers exceeding 350 gallons with approved containment area for the total volume being stored.

38. Exterior Storage of Salt or similar products greater than one hundred pounds.

39. Exterior storage of Building Debris or Lead Acid Batteries.

40. Underground Storage of Petroleum or Liquid Fuel Products.

41. Communications Towers except as required for Municipal Emergency Services.

42. Road and/or Parking Facilities Construction.

43. Signs.

44. Similar uses included in North American Industry Classification System—United States (NAICS, 2002 or subsequent) categories 42 through 92 inclusive (see appendix) as determined by the Planning Board.

E. Prohibited Uses

The following uses in the Rural-Commercial District are specifically prohibited:

1. Uses not otherwise permitted.

2. Outside storage of more than fifty used tires.

3. Piggeries.

4. Adult Business Establishments or Entertainment.

5. Storage, Treatment, or Disposal Facilities for Hazardous Wastes.

6. Above ground or in-basement storage of Petroleum or Liquid Fuel Products in non-approved containers greater than three hundred and fifty gallons.
F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.

3. The following space and bulk standards shall apply:

   a. Minimum lot area.......................1 acre
   b. Minimum lot per dwelling structure...1 acre
   c. Minimum Road Frontage..............100 feet
   d. Minimum set backs from:
      Public or private road right-of-way..50 feet
      All other lot lines....................10 feet
   e. Minimum setback from normal high water mark
      as defined in the Shoreland Zoning provisions
      of this Ordinance.
Section 5. Planned Development District (PD)

A. Purpose

The purpose of the Planned Development District is to allow for regulated industrial activity that provides needed jobs and a stable tax base that conforms with the overall rural character of the Town.

B. Uses by right

The following uses in the Planned Development District do not need a permit:

1. Primitive recreation.
2. Forest management.
3. Wildlife management.
4. Emergency and fire protection activities as determined by the Washington Fire Department.
5. Harvesting of wild crops.
6. Traditional hunting, fishing, and trapping.
7. Farm ponds and fire protection ponds less than 5,000 square feet in size.
8. Home farming.
9. Commercial or Non-commercial Agriculture (except piggeries), including the storage and application of fertilizers, pesticides, herbicides, or manure.
10. Timber harvesting and approved Construction Clearing in compliance with this Ordinance.
11. Home occupations.
12. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.
13. Fences or stone walls that are out of the public right of way.
14. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less.
15. Re-siding, re-roofing, changing windows or changing doors.

16. Alterations or repairs of structures which do not change the building footprint or volume.

17. Municipal structures and uses.

18. Aquaculture.


20. Structures accessory to, or essential for permitted uses.


C. Uses Requiring a CEO Permit

The following uses in the Planned Development District require a permit issued by the Code Enforcement Officer:

1. Commercial storage or warehousing in existing buildings.

2. Structures up to 1,200 square feet in size for non-residential uses.

3. Retail Businesses.

4. Personal services.

5. Business services.

6. Financial services.

7. Medical or Professional Offices.

8. Neighborhood stores.

9. Commercial wood processing and/or sales.

10. Uses accessory to CEO reviewed projects.

11. Licensed Day care centers and nursery schools as part of a commercial development.

12. Utility structures and services.

13. Tradesman shops.
14. Seasonal to year-round residential conversions where the occupants will reside more than 180 days per year.

15. Automobile Washing Facilities.


17. Fraternal, Religious, Philanthropic, Social, or Educational Institutions.

18. Public or Private Recreation Facilities involving minimal structural development.


D. Uses Requiring Planning Board Review

The following uses in the Planned Development District may be undertaken only upon approval of the Washington Planning board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer.

1. Automobile or other vehicle service and/or repair operations, including body shops.

2. Retail vehicle and farm machinery sales.

3. Storage or Warehousing.

4. Commercial enterprises and sales.

5. Light industrial uses.

6. All structures greater than 1,200 square feet in size and their uses.

7. Automobile graveyard and automobile recycling operations.

8. Junkyards or the Storage of Junk.

9. Mineral Extraction or Processing.


11. Stump dumps.

12. Transfer Station.
13. Farm ponds and fire protection ponds 5,000 square feet or greater in size.

14. Uses accessory to projects requiring Planning Board review.

15. Wineries, breweries, and distilleries.

16. Commercial water extraction, bottling, and distribution facilities.

17. Biodiesel processing facilities.

18. Restaurants.

19. Adult business establishments or entertainment.

20. Agribusiness.

21. Dry Cleaning Establishments or Laundromats.


27. Chemical or Biological Laboratories.


29. Nursing Homes, Assisted Living, Congregate Care, or Elderly Housing Facilities.

30. Electronic Circuit Assembly.

31. Metal plating, Finishing, or Polishing.

32. Commercial Painting, Wood Preserving, or Furniture Stripping.

33. Motels and Inns.

34. Shooting Ranges.

35. Essential Services.
36. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers exceeding 350 gallons with approved containment area for the total volume being stored.

37. Exterior storage of Salt or similar products greater than one hundred pounds.

38. Storage of Building Debris or Lead-acid Batteries.


41. Road and/or Parking facilities Construction.

42. Signs.

43. One or two family dwellings of any size.

44. Mobile or modular homes.

45. Similar uses included in North American Industry Classification System—United States (NAICS, 2002 or subsequent) categories 11 through 92 inclusive, except 21 (2123 and 213 are included), 324, 325 (32519, 3254, and 3256 are included), and 331 (see appendix) as determined by the Planning Board.

E. Prohibited Uses

The following uses in the Planned Development District are specifically prohibited:

1. Uses not otherwise permitted.

2. Outside storage of more than fifty used tires.

3. Piggeries.

4. Storage, Treatment, or Disposal Facilities for Hazardous Wastes.

5. Above ground or in-basement storage of Petroleum or Liquid Fuel Products in non-approved containers greater than 350 gallons.
F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.

3. The following space and bulk standards shall apply:
   a. Minimum lot area.......................2 acres
   b. Maximum impervious area of lot.........40%
   c. Maximum building height...............65 feet
   d. Minimum Road Frontage...............100 feet
   e. Minimum setbacks from:
      Public or private road right-of-way.60 feet
      All other lot lines.......................20 feet
   f. Minimum setback from normal high water mark as defined in the Shoreland Zoning provisions of this Ordinance.
Section 6. Village District (VI)

A. Purpose

The purpose of the Village District is to preserve and promote the historic concept of the Village as the center of the Town's commercial and residential activity.

B. Uses by right

The following uses in the Village District do not need a permit:

1. Primitive recreation.
2. Forest management.
3. Wildlife management.
4. Emergency and fire protection activities as determined by the Washington Fire Department.
5. Harvesting of wild crops.
6. Traditional hunting, fishing, and trapping.
7. Farm ponds or fire protection ponds less than 5,000 square feet in size.
8. Municipal structures and uses.
9. Timber harvesting and approved construction clearing in compliance with this ordinance.
10. Home farming or commercial agriculture except for piggeries, limited to the keeping of less than 50 fowl or 5 large animals.
11. Alterations or repairs of structures which do not change the building footprint or volume.
12. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.
13. Fences or stone walls that are out of the public right of way.
14. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less.
15. Re-siding, re-roofing, changing windows or changing doors.


17. Individual Private Campsites.


C. Uses Requiring a CEO Permit

The following uses in the Village District require a permit issued by the Code Enforcement Officer:

1. Commercial storage or warehousing in existing buildings.

2. Structures up to 1,200 square feet in size for non-residential uses.

3. Commercial Outdoor recreation excluding all terrain vehicles (ATV) and motorcycles.

4. Home occupations.

5. Uses accessory to CEO reviewed projects.

6. One or two-family dwellings of any size except mobile homes.

7. Modular homes.

8. Utility structures and services.

9. Tradesman shops.

10. Seasonal to year-round residential conversions where the occupants will reside for more than 180 days per year.


12. Public or Private Recreation Facilities involving minimal structural development.

13. Storage of more than one liquid gallon or five pounds dry pesticides or herbicides.

14. Residential utility poles and services.

15. Structures accessory to, or essential for permitted uses.
D. Uses Requiring Planning Board Review

The following uses in the Village District may be undertaken only upon approval of the Washington Planning board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer.

1. Automobile or other vehicle service and/or repair operations, including body shops.

2. Retail vehicle and farm machinery sales.

3. Storage or Warehousing.

4. Commercial enterprises and sales.

5. Nursing homes, assisted living, congregate care, or elderly housing facilities.

6. Multi-family dwellings.

7. All structures greater than 1,200 square feet in size and their uses, except single family or two family dwellings.

8. Bed and Breakfasts, motels and inns.

9. Cluster development as defined in this Ordinance.

10. Farm ponds and fire protection ponds 5,000 square feet or greater in size.

11. Uses accessory to projects requiring Planning Board review.

12. Fraternal, religious, philanthropic, social, or educational institutions.

13. Wineries, breweries, and distilleries.

14. Retail Businesses.

15. Restaurants.

16. Personal services.

17. Business services.

18. Financial services.

19. Medical or Professional Offices.

21. Commercial wood processing and/or sales.

22. Licensed Day care centers and nursery schools.

23. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers exceeding 350 gallons with approved containment area for the total volume being stored.

24. Underground storage of Petroleum or Liquid Fuel Products.

25. Road and/or Parking Facilities Construction.

26. Signs.

27. Home farming of 51 or more fowl or 6 or more large animals.

28. Laundromats.

29. Light Industrial Uses employing three or fewer people.

30. Essential Services.

31. Similar uses included in North American Industry Classification System—United States (NAICS, 2002 or subsequent) categories 42 through 92 inclusive (see appendix) as determined by the Planning Board.

E. Prohibited Uses

The following uses in the Village District are specifically prohibited:

1. Uses not otherwise permitted.

2. Mobile home parks.

3. Outside storage of more than fifty used tires.

4. Automobile graveyards and automobile recycling operations.

5. Veterinary clinics and kennels.


7. Single- or double- or triple-wide mobile homes.

9. Commercial agriculture and agribusinesses including the commercial application of fertilizers and the storage of more than 10 cubic yards of manure.


11. Exterior storage of Salt or similar products greater than one hundred pounds.

12. Exterior storage of Building Debris or Lead-acid Batteries.


14. Above ground or in-basement storage of Petroleum or Liquid Fuel Products in non-approved containers greater than 350 gallons.

15. Aquaculture.

16. Adult Business Establishment or Entertainment.

17. Junkyards or the Storage of Junk.

18. Mineral Extraction or Processing.

19. Septage Waste, Sewerage, or Sludge disposal.

F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All uses shall meet the appropriate requirements of Article IV “Administration and Enforcement”.

3. The following space and bulk standards shall apply:
   a. Minimum lot area ......................... 30,000 s.f.
   b. Minimum lot area
      per dwelling structure .................. 30,000 s.f.
   c. Minimum road frontage ................... 100 feet
   d. Minimum setbacks
      Public or private road right-of-way ...... 25 feet
      * Rear lot line .............................. 25 feet
      All other lot lines ....................... 10 feet
The Rear Lot Line is defined as the most parallel side to, or opposite side from, the road that defines the street address of the building(s) or proposed building(s) as determined by the Planning Board.

e. Minimum setback from normal high water mark as defined in the Shoreland Zoning provisions of this Ordinance.
Section 7. Shoreland Limited Residential District (LR)

A. Purpose

The purpose of the Shoreland Limited Residential District is to protect and maintain the high water quality of the Town’s surface waters; to protect the scenic qualities of the shorelands which are important to the character of the Town; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas. This district shall pertain to all shoreland areas listed in Article III, Section 5(G) of this Ordinance.

B. Uses by right

The following uses in the Shoreland Limited Residential District do not need a permit:

1. Primitive recreation.

2. Forest management.

3. Wildlife management.

4. Emergency and fire protection activities as determined by the Washington Fire Department.

5. Harvesting of wild crops.

6. Traditional hunting, fishing, and trapping.

7. Replacement of exterior steps and walkways which do not increase the existing footprint by more than 240 square feet, or as required by ADA or NFPA standards.

8. Fences or stone walls that are out of the public right of way.

9. The construction of a free-standing single story accessory structure or an attached open porch or deck of 240 square feet or less in compliance with Article VIII, Section 1 of this ordinance.

10. Re-siding, re-roofing, changing windows or changing doors.
11. Alterations or repairs of structures which do not change the building footprint or volume.


14. Timber harvesting, and approved construction clearing in compliance with this ordinance.

15. Home farming and Non-commercial Agriculture except Piggeries.

16. Filling or earth moving of 10 cubic yards or less.

17. Municipal structures and uses.


C. Uses Requiring a CEO Permit

The following uses in the Shoreland Limited Residential District require a permit issued by the Code Enforcement Officer:

1. Individual private campsites.

2. Single family dwellings and single family seasonal cottages and conversions.

3. Structures accessory to, or essential for, permitted uses.

4. Home occupations and tradesman shops.

5. Modular homes.

6. Small non-residential facilities for educational, scientific, or nature interpretation purposes.

7. Filling and earth moving of more than 10 cubic yards.

8. Signs.

9. ATV trails for public use.

10. Farm ponds and fire protection ponds less than 5,000 square feet in size.

D. Uses Requiring Planning Board Review

The following uses in the Shoreland Limited Residential District may be undertaken only upon approval of the Washington Planning board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer.

2. Utility structures and services.
3. Campgrounds.
4. Uses accessory to projects requiring Planning Board review.
5. Fraternal, Religious, Philanthropic, Social, or Educational Institutions.
6. Licensed Day Care Centers and nursery schools.
7. Licensed baby sitting services.
8. Neighborhood stores.
10. Seasonal to year-round residential conversions whereby the occupants will reside more than 180 days per year.
11. Essential services.
13. Public or private recreational areas involving minimal structural development.
14. Road and/or Parking Facilities construction.
15. Aquaculture.
16. Laundromats connected to a sanitary sewer.

E. Prohibited Uses

The following uses in the Shoreland Limited Residential District are specifically prohibited:

1. Uses not otherwise permitted.
2. Mobile home parks.
3. Outside storage of more than twelve used tires.

4. Automobile graveyards and automobile recycling operations.

5. Veterinary clinics and kennels.


7. Automobile washing facilities.

8. Automobile or other vehicle service and/or repair operations, including body shops.

9. Chemical or bacteriological laboratories.

10. Commercial painting, wood preserving, and furniture stripping.

11. Dry cleaning establishments.


13. Laundromats not connected to a sanitary sewer.

14. Metal plating, finishing, or polishing.

15. Commercial Photographic processing.


17. Single- or double- or triple-wide mobile homes.

18. Commercial agriculture and agribusiness.

19. Piggeries

20. Commercial water extraction, bottling, and distribution facilities.

21. Storage of more than one liquid gallon or five pounds dry pesticide or herbicide.

22. Junkyards or Storage of Junk.

23. Application of fertilizer in commercial operations.


Article VI: District Regulations: Shoreland Limited Residential District

26. All Industrial and Light Industrial Uses.

27. Above ground or in-basement storage of Petroleum or Liquid Fuel Products greater than 350 gallons.

28. Storage of Building Debris or Lead-acid batteries.


30. Waste Oil Burners.

31. Septage Waste, Sewerage, or Sludge disposal.

32. Mineral Extraction and Processing.

F. Performance, Review, Space and Bulk Standards

1. The general standards of performance of Article VII shall be observed.

2. All standards in the Shoreland Limited Residential District set forth in Article VIII “Shoreland Zoning” of this Ordinance shall be met.

3. The following space and bulk standards shall apply:

<table>
<thead>
<tr>
<th></th>
<th>Lakes</th>
<th>Rivers &amp; Ponds &amp; Streams</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Minimum lot area</td>
<td>..........1 acre ...3 acres</td>
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<tr>
<td>b. Minimum lot per dwelling structure</td>
<td>.1 acre ...3 acres</td>
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<tr>
<td>c. Minimum shore frontage</td>
<td>............200 feet ..300 feet</td>
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<tr>
<td>d. Minimum setback from High water mark</td>
<td>............100 feet ..100 feet</td>
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<tr>
<td>Tributary streams</td>
<td>............75 feet ...75 feet</td>
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<tr>
<td>Upland Edge of Wetlands</td>
<td>............75 feet ...75 feet</td>
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<tr>
<td>e. Minimum setbacks from: side(s) opposite shore frontage</td>
<td>...25 feet ...25 feet</td>
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<tr>
<td>private road centerline</td>
<td>............25 feet ...25 feet</td>
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<tr>
<td>All other lot lines</td>
<td>............10 feet ...25 feet</td>
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<tr>
<td>Public road right-of-way</td>
<td>............50 feet ...50 feet</td>
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</tbody>
</table>

4. Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area.
5. The maximum footprint of structures and non-vegetated surfaces shall be 20% of lot area.

6. The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.

7. Any repair, replacement, or reconstruction of 50% or more of a non-conforming structure within one year, shall require the approval of the Planning Board, notwithstanding repair or reconstruction described in Article V “Nonconformance”. When 50% or more of a structure is repaired or replaced within one year, alternatives for eliminating or reducing the nonconforming features shall be considered, as set forth in Article V “Nonconformance”.

Explanation Note: In the Shoreland Limited Residential District, if a person is doing major reconstruction of a nonconforming structure, it may be an opportunity to bring the structure into conformance. For example, an old camp falling down may be rebuilt; but instead of being rebuilt on the current site which is 25 or 30 feet from the water, it could be rebuilt further back. This will eliminate a loophole that allows essentially new construction to occur without following current building standards in the Shoreland Limited Residential District.
Section 8. Watershed District (WS)

A. Purpose

The purpose of the Watershed District is to maintain the current high water quality in the Crystal Pond/Washington Pond watershed. Washington is unique and fortunate in that the two major bodies of water are not influenced by surface waters originating from outside the town. Every effort must be made to keep and protect this valuable resource.

B. Permitted Uses

The Watershed District shall be considered an “overlay district” in that all permitted uses in the underlying district shall be allowed in the Watershed District except as listed below.

C. Uses Requiring Planning Board Review

The following uses in the Watershed District may be undertaken only upon approval of the Washington Planning Board in accordance with the appropriate provisions of this Ordinance and a permit issued by the Code Enforcement Officer:

1. Above ground or in-basement storage of petroleum or liquid fuel products in approved containers in excess of 350 gallons provided the installation includes an approved containment area for the total volume being stored.

2. Manure storage in excess of 10 cubic yards.

3. Application of fertilizers in commercial agriculture operations.

D. Prohibited Uses

The following uses in the Watershed District are prohibited:

1. Underground storage of petroleum or liquid fuel products.

2. Above ground or in-basement storage of petroleum or liquid fuel products in non-approved containers in excess of 350 gallons.

3. Junkyards, the storage of Junk, automobile graveyards, and automobile recycling operations.
4. Mineral extraction and processing.

5. Automobile or other vehicle service and/or repair operations, including body shops.


7. Sewerage and sludge disposal.

8. Solid waste facilities.

9. Storage, treatment, or disposal facilities for hazardous wastes.

10. Storage of more than one liquid gallon or five pounds dry pesticide or herbicide material.

11. Mobile Home Parks.


13. Storage of lead-acid batteries.


15. Stump dumps.

16. Exterior storage of more than 100 pounds of salt or other similar products.

17. Waste oil burners.

18. Outside storage of more than twelve used tires.

19. All industrial or light industrial uses.

Section 9. Historic Preservation District (HP)

A. Purpose

The purpose of the Historic Preservation District is:

1. To preserve the town character and assure that it remains a thriving place which will attract compatible residential and commercial development.

2. To protect the town’s rural character, and to maintain its visual quality.

3. To protect historic sites and buildings.

B. Permitted and Prohibited Uses

The Historic Preservation District shall be considered an “overlay district” in that all permitted uses in the underlying district shall be allowed in the Historic Preservation District except as detailed in this section.

1. Nothing in this Section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in a historic district or of any historic landmark which does not involve a change in the design, material, or outward appearance thereof.

2. The construction of legally required ramps for access by the handicapped, shall be specifically excluded from the scope of this Section.

3. Nothing in the Section shall prevent the construction, reconstruction, restoration, or demolition of any feature which the Code Enforcement Officer shall determine is a required condition because of concerns about the safety of the building and its occupants.

4. Nothing in this Section shall regulate the construction, reconstruction, restoration, elimination or demolition of any interior feature, or of any exterior feature that cannot be seen from a public way or space.

5. The following uses are prohibited:
   a. All Industrial Uses.
   b. Light Industrial Uses.
   c. Communication Towers except as required for Municipal Emergency Services.
C. Standards

1. The standards and requirements in the U.S. Secretary of the Interior's "Standards for Rehabilitation", as revised in 1990 (36 CFR Part 67, Historic Preservation Certifications), as well as the standards of this section, shall be used in review of construction and demolition projects in this district.

2. Design consideration and structural factors related to maintaining historic structures in good condition shall be the primary area of focus.

3. Every reasonable effort shall be made to provide a compatible appearance for new or renovated buildings, structures, and yards in the historic preservation district, or to maintain the integrity of existing buildings, structures or grounds, giving due consideration to the economic feasibility of maintaining such buildings, structures or grounds.

4. The following standards apply:
   a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
   b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
   c. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
   d. The façade of the building as seen from any public way or space shall match neighboring structures in design, color, texture, and other visual qualities to the greatest extent possible.
   e. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
   f. New additions, exterior alterations, or related new construction shall not destroy any existing historic features that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and
architectural features to protect the historic integrity of the neighborhood and its environment.

g. The following shall be compatible with those buildings to which the building is visually related, particularly to adjacent historic buildings of the same period, when viewed from a public way or space.

i. The height and width of a proposed building or addition.

ii. The relationship of windows and doors in a building.

iii. The relationship of the building to the open space between it and adjoining buildings.

iv. The relationship of entrance and porch projections to sidewalks.

v. The relationship of materials and texture.

vi. The roof shape of a building.

vii. The size of a building and its mass.

viii. The windows, door openings, porches and balconies.

D. Construction of New Buildings and Structures

In addition to the standards above, the construction of a new building or structure or an addition to an existing building or structure within a historic district or on a historic site shall be generally of such design, form, proportion, mass, configuration, building material, texture, and location on a lot as will be compatible with other buildings in the historic district and with streets and open spaces to which it is visually related and in keeping with the area.

E. Demolition or Removal

1. When the demolition or removal of an existing structure or structures in the Historic Preservation District is proposed, before permitting the project to advance the Planning Board shall find that no prudent and feasible alternative to demolition or removal exists and that the structure or structures or predominant portions thereof proposed for demolition or removal:

a. Are not a contributing structure in the historic district nor an historic landmark or site; or
Article VI: District Regulations: Historic Preservation District

b. Are not of historical significance; or
c. Have been determined by the Code Enforcement Officer to represent an immediate hazard to the public health or safety because of severe structural deficiencies, which hazard can not be abated by reasonable measures; or
d. Are deteriorated beyond repair.

2. No provision in this section shall be construed to prevent the alteration, demolition, or relocation of a building, when the Code Enforcement Officer certifies that such action is required for the public safety.

F. Signs

1. Contemporary signage needs shall be met with signs designed to be consistent with the architectural style of a building, respectful of neighboring buildings, and carefully designed to fit the facade in the case of attached signs. Materials and workmanship shall convey a sense of permanence and durability.

2. The design shall take into account:
   a. The scale, character and design of the building,
   b. The traditional location of signage on area buildings,
   c. The location of existing sign boards, lower cornices, lintels, and other architectural elements, and
   d. The opportunity to use signage as an element to enhance the appearance of building entrances.
### Section 10. Table of Land Uses

<table>
<thead>
<tr>
<th><strong>Agriculture</strong></th>
<th>RP 17</th>
<th>LR 47</th>
<th>FF 21</th>
<th>RU 26</th>
<th>RC 31</th>
<th>PD 36</th>
<th>VI 42</th>
<th>WS† 53</th>
<th>HP† 55</th>
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<td>Agriculture except for Cranberries and Rice</td>
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<td>Aquaculture</td>
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<td>Commercial Agriculture except piggeries (in VI &lt;= 50 fowl and/or 5 large animals)</td>
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<tr>
<td>Harvesting of wild crops</td>
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<tr>
<td>Home Farming (in VI &gt; 50 fowl and/or 5 large animals)</td>
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<td>BR</td>
<td>BR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home farming &lt;= 50 fowl and/or 5 large animals</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manure storage &gt; 10 cubic yards</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>XX</td>
<td>PB</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piggeries</td>
<td>XX</td>
<td>XX</td>
<td>PB</td>
<td>PB</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rice and Cranberry culture</td>
<td>PB</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soil and Water conservation practices</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
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<td>BR</td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alterations, Conversions, Renovations, Repairs, Replacements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alters, replacements of structures which do not change the building</td>
</tr>
<tr>
<td>Conversions, Seasonal to year-round residential where occupants will reside</td>
</tr>
<tr>
<td>Replacement of exterior steps and walkways for structures that do not increase the footprint by more than 240 square feet, or as required by ADA or NFPA Standards</td>
</tr>
<tr>
<td>Re-siding, re-roofing, changing windows or changing doors</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Automobiles</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile graveyards and automobile recycling operations</td>
</tr>
<tr>
<td>Automobile or other vehicle service and/or repair operations, including body shops</td>
</tr>
<tr>
<td>Automobile washing facilities</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Child Care</strong></th>
<th>RP 17</th>
<th>LR 47</th>
<th>FF 21</th>
<th>RU 26</th>
<th>RC 31</th>
<th>PD 36</th>
<th>VI 42</th>
<th>WS† 53</th>
<th>HP† 55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baby Sitting services</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensed Baby Sitting services</td>
<td>PB</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td></td>
</tr>
<tr>
<td>Licensed Day care centers and nursery schools</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td>CO</td>
<td></td>
</tr>
<tr>
<td>Licensed Day care centers &amp; nursery schools in a commercial development</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th><strong>Cluster Development</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>As defined in this Ordinance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Commercial Businesses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Business Establishments or Entertainment</td>
</tr>
<tr>
<td>Commercial Enterprises and Sales</td>
</tr>
<tr>
<td>Dry cleaning establishments</td>
</tr>
<tr>
<td>Fuel Distribution Operations</td>
</tr>
<tr>
<td>Home occupations</td>
</tr>
<tr>
<td>Laundromats</td>
</tr>
<tr>
<td>Laundromats, not connected to a sanitary sewer</td>
</tr>
<tr>
<td>Neighborhood stores</td>
</tr>
<tr>
<td>Photographic Processing</td>
</tr>
<tr>
<td>Printing</td>
</tr>
<tr>
<td>Restaurants</td>
</tr>
<tr>
<td>Retail Businesses</td>
</tr>
<tr>
<td>Retail vehicle and farm machinery sales</td>
</tr>
<tr>
<td>Storage or Warehousing</td>
</tr>
<tr>
<td>Storage or Warehousing in existing buildings</td>
</tr>
<tr>
<td>Tradesman shops</td>
</tr>
<tr>
<td>Water Extraction, Bottling, and Distribution Facilities</td>
</tr>
<tr>
<td>Wineries, breweries, and distilleries</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Disposal</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Septage Waste, Sewerage, or Sludge disposal</td>
</tr>
</tbody>
</table>

† All underlying uses are applicable in overlay districts except as specifically listed.

Use Codes: BR=By Right CO=CEO Permit PB=PB Approval XX=Specifically Prohibited

Blank spaces indicate if a use is not specifically prohibited (XX) and NAICS uses are specified for the district, then the Planning Board may make findings.
to allow a similar use. < means less than; > greater than; = equal to.
### EMERGENCY SERVICES

Emergency and fire protection activities as determined by the Washington Fire Department.

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
<tr>
<td>XX</td>
<td>Specifically Prohibited</td>
</tr>
</tbody>
</table>

### FACILITIES & INSTITUTIONS

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### HEALTH CARE

<table>
<thead>
<tr>
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<th>Use Description</th>
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</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### INDUSTRIAL

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
<tr>
<td>XX</td>
<td>Specifically Prohibited</td>
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### JUNK

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<tbody>
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</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
<tr>
<td>XX</td>
<td>Specifically Prohibited</td>
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</table>

### LODGING

<table>
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<tr>
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<th>Use Description</th>
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</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### MINING & EXCAVATING

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### PONDS

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
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### RECREATION

<table>
<thead>
<tr>
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<th>Use Description</th>
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</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### SERVICES

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR</td>
<td>By Right</td>
</tr>
<tr>
<td>CO</td>
<td>CEO Permit</td>
</tr>
<tr>
<td>PB</td>
<td>PB Approval</td>
</tr>
</tbody>
</table>

### See Article III, Section 3 for District Abbreviations

**District Page Number:**

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Blank spaces indicate if a use is not specifically prohibited (XX) and NAICS uses are specified for the district, then the Planning Board may make findings to allow a similar use. < means less than; > greater than; = equal to.

<table>
<thead>
<tr>
<th>STORAGE OF ITEMS</th>
<th>RP</th>
<th>LR</th>
<th>FF</th>
<th>RU</th>
<th>RC</th>
<th>PD</th>
<th>VI</th>
<th>WS†</th>
<th>HP†</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above ground or in-basement storage of petroleum or liquid fuel products in approved containers &gt; 350 gallons with approved containment area for the total volume being stored</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Above ground or in-basement storage of petroleum or liquid fuel products in non-approved containers &gt; 350 gallons</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Exterior storage of Salt or Similar Products &gt; 100 #</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Storage &gt; 1 liquid gallon or &gt; 5 pounds dry pesticide or herbicide</td>
<td>XX</td>
<td>XX</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>BR</td>
<td>CO</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Storage of building debris or lead-acid batteries</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>PB</td>
<td>PB</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Outside storage of more than 12 used tires</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Outside storage of more than 50 used tires</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
<tr>
<td>Underground storage of petroleum or liquid fuel products</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>PB</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
<td>XX</td>
</tr>
</tbody>
</table>

| STRUCTURES                                                                                                                                 |
|---------------------------------------------------------------------------------|----|----|----|----|----|----|----|-----|-----|
| Free-standing, Single story accessory structures, or open porches or decks <= 240 sf | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| Modular homes | CO | CO | CO | CO | PB | CO | CO | CO  | CO  |
| Multi family dwellings | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Municipal Structures and uses | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| One- or Two-family dwellings of any size | CO | CO | CO | CO | PB | CO | CO | CO  | CO  |
| One- or Two-family dwellings of any size except mobile homes | CO | CO | CO | CO | CO | CO | CO | CO  | CO  |
| One-family dwellings and One-family seasonal cottages and conversions | CO | CO | CO | CO | PB | PB | PB | PB  | PB  |
| Mobile Homes, Single- or double- or triple-wide | XX | XX | CO | CO | CO | PB | XX | XX  | XX  |
| Structures <= 1,200 square feet in size for non-residential uses | CO | CO | CO | CO | CO | CO | CO | CO  | CO  |
| Structures > 1,200 sf and their uses | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Structures > 1,200 sf and their uses, except 1- or 2-family dwellings | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Structures accessory to, or essential for permitted uses | CO | CO | CO | BR | BR | CO | CO | CO  | CO  |

| TIMBER, FORESTRY & WILDLIFE                                                                 |
|---------------------------------------------------------------------------------|----|----|----|----|----|----|----|-----|-----|
| Commercial Wood processing and/or sales | CO | CO | CO | CO | CO | PB | CO | CO  | CO  |
| Forest management | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| Timber harvesting <= 40% | CO | CO | CO | CO | CO | CO | CO | CO  | CO  |
| Timber harvesting > 40% | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Timber harvesting & approved construction clearing in compliance with ordinance | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| Wildlife management | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |

| USES                                                                                                                                 |
|---------------------------------------------------------------------------------|----|----|----|----|----|----|----|-----|-----|
| NAICS or similar per Planning Board (see Appendix I & II) | 11 | 51-92 | 42-92 | 42-92 | 31-92 | 42-92 | 31-92 | 42-92 | 31-92 |
| Uses accessory to CEO reviewed permits | CO | CO | CO | CO | CO | CO | CO | CO  | CO  |
| Uses accessory to projects requiring Planning Board review | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Uses not otherwise permitted | XX | XX | XX | XX | XX | XX | XX | XX  | XX  |

| UTILITIES, INFRASTRUCTURE                                                                 |
|---------------------------------------------------------------------------------|----|----|----|----|----|----|----|-----|-----|
| Communications Towers except as required for Municipal Emergency Services | XX | XX | PB | PB | PB | PB | PB | XX  | XX  |
| Fences or stone walls out of the public ROW | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| Residential utility poles and services | CO | CO | CO | CO | CO | CO | CO | CO  | CO  |
| Road and/or Parking Facilities construction | PB | PB | PB | PB | PB | PB | PB | PB  | PB  |
| Satellite dishes | BR | BR | BR | BR | BR | BR | BR | BR  | BR  |
| Signs | CO | CO | CO | PB | PB | PB | PB | PB  | PB  |
| Utility structures and services | PB | PB | PB | PB | PB | CO | CO | CO  | CO  |
| Waste oil burners | XX | XX | XX | XX | XX | XX | XX | XX  | XX  |

* NAICS Uses in PD (pg 40): 11-92 except 21 (2123 & 213 are included), 324, 325 (32519, 3254, & 3256 are included), and 331.
† All underlying uses are applicable in overlay districts except as specifically listed.

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### Dimensional Standards

#### Minimum Setback of Structures From

<table>
<thead>
<tr>
<th>Resource Protection</th>
<th>Shoreland Limited Residential Lakes &amp; Fonds</th>
<th>River &amp; Streams</th>
<th>Farm &amp; Forest &lt;500' from CL of Road</th>
<th>&gt;=500' from CL of Road</th>
<th>Rural</th>
<th>Rural/Commercial</th>
<th>Planned Development</th>
<th>Village</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Upland Edge of Wetlands</strong></td>
<td>75'</td>
<td>75'</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Normal High Water Mark</strong></td>
<td>100'</td>
<td>100'</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
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<tr>
<td><strong>Tributary Streams</strong></td>
<td>75'</td>
<td>75'</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
<td>SZ Regs</td>
</tr>
<tr>
<td><strong>Side opposite shore frontage</strong></td>
<td>25'</td>
<td>25'</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rear Lot Line</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25'</td>
</tr>
<tr>
<td><strong>Private Road Centerline</strong></td>
<td>25'</td>
<td>25'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Public Road Right-of-Way</strong></td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>60'</td>
<td>25'</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Public or Private Road Right-Of-Way</strong></td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>60'</td>
<td>25'</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>All other lot lines</strong></td>
<td>10'</td>
<td>10'</td>
<td>25'</td>
<td>25'</td>
<td>10'</td>
<td>10'</td>
<td>20'</td>
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</tbody>
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#### Minimum Dimensions

<table>
<thead>
<tr>
<th></th>
<th>Res 1 ac</th>
<th>Res 3 ac</th>
<th>Frontage 1 ac</th>
<th>Frontage 3 ac</th>
<th>Lot Acre 2 ac</th>
<th>Lot Acre 3 ac</th>
<th>Lot Area Per Dwelling Structure 2 ac</th>
<th>Lot Area Per Dwelling Structure 3 ac</th>
<th>Total Lot Area 3 ac</th>
<th>Total Lot Area 5 ac</th>
<th>Total Lot Area 2 ac</th>
<th>Total Lot Area 3 ac</th>
<th>Total Lot Area 5 ac</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>1 ac</td>
<td>3 ac</td>
<td>3 ac</td>
<td>3 ac</td>
<td>2 ac</td>
<td>1 ac</td>
<td>2 ac</td>
<td>2 ac</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
</tr>
<tr>
<td>Lot Area per Dwelling Structure</td>
<td>1 ac</td>
<td>3 ac</td>
<td>3 ac</td>
<td>3 ac</td>
<td>2 ac</td>
<td>1 ac</td>
<td>2 ac</td>
<td>2 ac</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
<td>33,000 sf</td>
</tr>
<tr>
<td>Road Frontage</td>
<td>200'</td>
<td>300'</td>
<td>300'</td>
<td>300'</td>
<td>200'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Shore Frontage</td>
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<td>300'</td>
<td>200'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

#### Maximum Dimensions

| | 20% | 20% | | | | | | |
| **Footprint of structures & non-vegetated surface** | 20% | 20% | | | | | | |
| **Impervious Lot Area** | | | | | | | | 40% |
| **Building Height** | | | | | | | | 65' |
ARTICLE VII - GENERAL STANDARDS

Section 1. Environmental

A. General Requirements

1. In all districts, if the building will have a septic tank and disposal field, the applicant shall provide evidence of adequate soil conditions for subsurface wastewater disposal by presentation of a completed Maine Department of Human Services Bureau of Health Engineering Site Evaluation Form, commonly referred to as a “plumbing permit.”

2. The Maine State Plumbing Code requirements shall be met.

3. The applicable requirements and standards of the Maine Department of Environmental Protection (MDEP) shall be met and required permits acquired prior to construction.

B. Water Quality

No activity shall deposit on or into the ground or discharge to the waters of the state any pollutant that, by itself or in combination with other activities or substances, will impair designated uses such as neighboring wells or the water classification of a water body in accordance with State and Federal regulations or violates State Drinking Water Standards.

C. Aquifer Protection

1. To provide an adequate buffer for ground water and allow for filtration of impurities from surface water, except for temporary digging for foundation work, development excavation shall not be any closer than five (5) feet above the maximum seasonal high water level. The applicant shall provide documentation of the groundwater table. Monitoring of groundwater levels and quality to ensure there are no adverse impacts to any water supplies or wells within 500 feet of the site may be required.

2. Any new or expansion of non-residential land use activity situated over any part of any sand and gravel aquifer identified in the most recent Town of Washington Comprehensive Plan or by MDEP or Maine Geologic Survey
(MGS), hereinafter referred to as “the aquifer”, shall develop and follow a written management plan for any contaminants that might pollute the groundwater.

3. No potential pollutant shall be stored above the aquifer unless placed in an approved retention system.

D. Storm Water Control

1. All new construction and development shall be designed to reflect or resemble, as nearly as possible, natural runoff conditions in terms of volume, velocity and location of runoff. All storm water control (SWC) systems shall be designed so as to have no significant adverse effect on neighboring properties, downstream water quality, soil stability, or public drainage systems. Where possible, existing natural features such as berms, swales, terraces, and wooded areas shall be retained in order to control runoff and encourage infiltration of storm water.

2. The following stormwater standards shall apply to development that exceeds 3,000 square feet of building footprint or has more than 20,000 square feet of impervious area. Agricultural activities and single family dwellings are exempt from these standards.

   a. Storm water drainage systems shall be designed to limit peak discharge form the site to predevelopment levels. The storm water system shall be designed to accommodate peak discharge of the 2, 10, and 25 year frequency, 24 hour duration storms.

   b. Stormwater measures shall be selected from best practices as described in the “Stormwater Management for Maine, Best Management Practices, MDEP, 1995” or latest revised version thereof.

   c. A stormwater control plan prepared by a professional engineer registered in the State of Maine, or a certified erosion and sedimentation control professional, according to the requirements of DEP Regulations Chapter 500, “Stormwater Management” and Chapter 502 “Direct Watersheds of Water bodies most at risk from new development” shall be deemed suitable to meet these standards.

   d. Storm Water Control systems shall be maintained by the property owner in accordance with this ordinance.
E. **Phosphorus Control**

The following standard shall apply to all development that exceeds 3,000 square feet of building footprint or has more than 20,000 square feet of impervious area and is within the Watershed Overlay District.

A phosphorus control plan shall be developed in accordance with the design criteria contained in the current edition of “Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development” published by the Maine Department of Environmental Protection, revised September 1992 or latest revision thereof.

F. **Floodplain**

All development shall comply with the Town of Washington Floodplain Ordinance.

G. **Natural Resource Protection**

Any proposed development shall identify areas as referenced below which shall be examined and the results certified in writing as a part of the application.

1. If any portion of the parcel to be developed has been identified as a Critical Natural Area by the Maine Natural Areas Program or as containing threatened or endangered species of plants or animals by the Maine Department of Inland Fisheries and Wildlife, these areas should not be developed. If development of these areas is proposed because no other reasonable alternative exists, the applicant shall develop a mitigation plan in cooperation with the Maine Department of Conservation (MDOC) and/or the Maine Department of Inland Fisheries and Wildlife (MDIFW) and/or the Maine Department of Environmental Protection (MDEP) and/or the Army Corps of Engineers (ACOE) as appropriate. The Code Enforcement Officer or the Planning Board shall incorporate the provisions of the mitigation plan as conditions of the permit.

2. If any portion of the parcel to be developed includes areas mapped or identified by the MDIFW as Deer Wintering Areas, the applicant shall consult with the Department or a qualified wildlife biologist on means to limit the impact of the development on the habitat and incorporate those recommendations into the plan.
3. If any portion of the development contains a wetland as identified by the Town of Washington, the MDEP or listed on the most recent map edition of the National Wetland Inventory Maps, the applicant shall avoid, minimize, or mitigate impacts on the wetland both during and after construction. The applicant shall comply with all applicable state and federal regulations per the Natural Resources Protection Act (NRPA).

No person shall perform any act or use of the land in a manner which would cause erosion that results in soil or other material reaching a water body or which would have a significant adverse affect on the property of another landowner.

H. Erosion Control

1. All soil disturbance must be conducted in a manner which avoids sediment leaving the property. Development must employ erosion control best management practices. Temporary and permanent erosion control measures shall be selected for the development according to “Maine Erosion and Sediment Control BMPs” (Bureau of Land and Water Quality, MDEP, March 2003, DEPLW0588) or latest revised version thereof, and the provisions of this section.

2. All proposals for development shall submit and follow a written erosion control plan unless the Code Enforcement Officer certifies in writing that the nature of the site and the proposed development poses minimal risk of erosion.

3. The Code Enforcement Officer may establish additional erosion control requirements based upon site conditions and the nature and extent of the construction. These requirements shall be listed on the permit.

4. All temporary erosion control measures shall be installed prior to any digging, soil removal, stripping of vegetation, or soil disturbance. The measures may be installed in phases to match the construction schedule.

5. Additional measures must be installed by the owner in order to address the failure or limited effectiveness of any measure previously installed. These additional measures shall be made a part of the permit.
I. Sanitary and Liquid Waste

1. All land use activities shall provide for the disposal of all solid waste on a timely basis as not to create a health hazard and in an environmentally safe manner.

2. All necessary Subsurface Wastewater Disposal permits required by State law and regulation shall be obtained by the applicant and filed with the application.

3. Internal plumbing permits must be obtained prior to installation of any internal plumbing fixture as required by State law and regulations.

4. The specific amount and nature of all industrial or chemical waste to be generated by the proposed operation or development shall be listed in the permit application. Industrial or commercial waste may be discharged only in such quantities and/or quality as to be able to be accepted into the applicable disposal system. Wash water or other process water carrying stone dust, stone particles, silt or other mineral matter shall be treated by an acceptable system. The handling, use and disposal of all industrial and chemical waste shall conform to all applicable state and federal regulations.

J. Material Storage

1. All outdoor storage areas including areas used for the storage or collection of solid waste, junk automobiles, auto parts, tires, building materials, machinery, sand and gravel, or other such items, shall have screening sufficient so that it cannot be seen from a public way, any residence except the owner’s, or any regulated body of water. Walls, fencing, dense plant material, or a combination of material can be used to achieve this intent.

2. Areas designed for the outdoor display of items sold on the premises including but not limited to, vehicle sale lots, greenhouse items, and similar activities shall provide for a buffer from the public road right-of-way. The buffer width in the Village District shall be five (5) feet; the buffer width elsewhere shall be a minimum of ten (10) feet.

3. No material, merchandise, or vehicles may be stored or displayed in the buffer area.

K. Air Pollution
1. All air pollution control shall comply with minimum Federal, State and local requirements.

2. Emission of dust, dirt, fly ash, fumes, vapors, or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited.

3. No land use or development shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation. Agricultural uses are exempt from this provision.

L. Timber Harvesting

1. There shall be no clearcutting of trees within 50 feet of any public right-of-way, except that it may be cleared;
   a. For an approved development; or
   b. For development of agricultural land or
   c. For approved timber management purposes as indicated by a licensed forester.

2. Any trees so marked as to determine a property boundary between two abutting land owners shall not be cut, unless mutually agreed to by the abutting land owners.

3. Timber harvesting within shoreland areas shall be governed by Article VIII “Shoreland Zoning Standards”, Section 10.

Section 2. Abutter Protection

The disposal of industrial waste waters shall comply with laws of the State of Maine and the Town of Washington concerning water pollution.

1. All air pollution control shall comply with minimum Federal, State and local requirements.

2. Emission of dust, dirt, fly ash, fumes, vapors, or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited.
3. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation.

A. Glare

1. All exterior lighting and all reflective properties of the proposed development will be designed to minimize adverse impact on neighboring properties.

2. No land use or development shall be permitted to produce a strong dazzling light or reflection of that light beyond its lot lines onto neighboring properties, or onto any Public Way so as to impair the vision of the driver of any vehicle upon that Public Way or create a nuisance disturbance for neighboring property owners.

3. All such arrangements shall also comply with applicable federal and State regulations.

B. Outdoor Lighting

These outdoor lighting standards shall apply to all land use activities except for residential dwellings, and agricultural activities.

1. Lighting fixtures shall be shielded or hooded so that lighting elements are not exposed to normal view by motorist, pedestrians, structures located on adjacent properties. Light shall be directed downward so it does not light up the night sky.

2. No lighting fixture, except for street lights, shall extend beyond a height of 25 feet, as measured from ground level.

3. All exterior lighting and all reflective properties of the proposed development will be designed to minimize adverse impact on neighboring properties.

C. Buffers

1. Any non-residential, non-agricultural space abutting a residential area shall maintain a buffer strip to prevent adverse effects on environmental or aesthetic qualities of abutting properties. Natural features such as topography, stands of trees, shrubbery, and rock outcroppings shall be maintained to provide a break between the proposed development and abutting properties. When natural features do not exist or are insufficient...
buffers, the yard shall be landscaped with vegetation, fenced, or screened so the space cannot be seen from the abutting properties.

2. All buffers shall be properly maintained to meet the preceding standard and the conditions of the permit.

D. Noise

The following standards shall apply to all commercial uses over 3,000 square feet, industrial uses, mineral extraction operations junkyards, and commercial outdoor Recreation Facilities.

1. Noise shall be required to be muffled so as not to be objectionable due to intermittence, beat frequency, shrillness, or volume outside of the boundaries of the project.

2. The maximum permissible sound pressure level of any continuous regular, or frequent source of sound produced by any activities shall be limited by the time period and receiving district listed below:

<table>
<thead>
<tr>
<th></th>
<th>6 am to 8 pm</th>
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<tbody>
<tr>
<td></td>
<td>dB(A)</td>
</tr>
<tr>
<td>Rural-Commercial or Planned Development Districts</td>
<td>60</td>
</tr>
<tr>
<td>All Other Districts</td>
<td>55</td>
</tr>
<tr>
<td>All Districts</td>
<td>8 pm to 6 am</td>
</tr>
<tr>
<td></td>
<td>50</td>
</tr>
</tbody>
</table>

3. Sound pressures shall be measured per Subsection 4, below, at any lot line of the project site, at a height of at least four feet above the ground surface. Both dB(A) and dB(C) scales shall be used, and a violation of either standard shall be deemed to constitute a violation of this Ordinance.

4. Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1961) “American Standard Specification for General Purpose Sound Level Meters.” The instrument shall be set to the appropriate weight response scales and the meter to the slow response. Measurements shall be conducted in accordance with ANSI S1.2-1962 “American Standard Method for the Physical Measurement of Sound.”
5. The following activities shall be exempt from these standards:

a. Agricultural, home occupations, and cottage industry uses.

b. Noises emanating from site construction and occasional site maintenance activities between 6:00 a.m. and 8:00 p.m. This shall be waived in emergency situations by a special permit from the Code Enforcement Officer.

c. The noises of safety signals, warning devices, and emergency pressure relief valves and other emergency activity.

d. Traffic noise on public ways.

E. Signs

The following standards shall regulate sign display:

1. All signs shall comply with State Law and Regulations.

2. No sign shall be located in or extend over, the road right-of-way, nor shall any sign reduce or obstruct traffic visibility or present a safety hazard.

3. Signs and billboards relating to goods and services sold on the premises shall be permitted, provided that such signs shall not exceed thirty-two (32) square feet in size in the Rural, Rural/Commercial or Planned Development Districts and shall not exceed six (6) square feet in size in all other districts, except as provided below, and shall not exceed two (2) double-sided signs per premises. Billboards and signs relating to goods or services not sold or rendered on the premises shall be prohibited.

4. All exterior signs attached to a building or a structure shall not exceed ten percent (10%) of the total building face area it is attached to.

5. Residential name signs shall be permitted, provided such signs shall not exceed two (2) signs per premises.

6. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
7. Nonresidential uses in the Rural/Commercial or Planned Development Districts may display attached, detached, or projecting signs, single or double-faced, identifying uses or goods sold or services rendered on the premises aggregating four square feet of sign area for every foot of street frontage to a maximum of two hundred square feet for each premises. Projecting signs shall be set back at least 15 feet from the front yard line. No attached sign or supporting structure shall extend above the highest point of a roof.

8. Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.

9. Signs relating to public safety or MDOT signs shall be permitted without restriction.

10. No sign shall extend higher than twenty (20) feet above the ground.

11. Signs may be illuminated only by shielded, non-flashing lights. All illumination shall be designed so as to prevent direct or obtrusive lighting of the public way(s) or nearby residential areas. This may be accomplished by shielding directional lights or by colored and/or interior illumination techniques.

12. The use of any sign lawfully in existence at the time of the adoption of this Ordinance may continue although the sign does not conform to the provisions of this Ordinance. Normal maintenance and repairs are permitted. The sign shall not be enlarged or expanded in size except in conformance with this Ordinance.

13. Only two freestanding signs shall be allowed per development. Locations which have multiple occupancies shall be limited to share the freestanding signs.

14. Flags and flag poles are exempt from these regulations.

15. No sign, except traditional barber poles for licensed barber shops, shall have visible moving parts, blinking, moving or glaring illumination. This regulation does not prohibit a wall name sign consisting solely of a rectangular banner made of a flexible cloth-type material, attached at all corners either perpendicular or flat, and conforming to all provisions of this section. This provision does not prohibit a sign which is in the form of a flag or banner provided said banner or flag is attached to a flag pole.
Section 3. Lot Access

A. Access to Lots

All new developed lots shall be provided with an access to the development by means of a driveway, common driveway, lane or road. The specific requirements for each of these access ways are contained in the Town of Washington Highway Entrance Ordinance.

B. Rear Lot Access and Frontage

New lots proposed to be created behind a legal lot that has existing town road frontage shall be deemed to comply with the minimum road frontage requirements if it meets the following:

1. The lot conforms to all the bulk and space requirements of this Ordinance except for road frontage.

2. The lot has access that complies with the requirements for a driveway or common driveway as appropriate.

Section 4. Historic and Archeological Sites

A. If any portion of a development has been identified as a site of historic, prehistoric or archeological importance by the Town of Washington Comprehensive Plan, this Ordinance, Maine Historic Preservation Commission or the National Register of Historic Places, appropriate measures for the protection of those resources shall be included in any development design.

B. Any proposed development of sites listed by one of the above listed sources shall require review and comment by the Maine Historic Preservation Commission prior to the issuance of a permit. The Code Enforcement Officer or the Planning Board shall consider any comments and recommendations received from the commission prior to rendering a decision on the permit application.
ARTICLE VIII - SHORELAND ZONING STANDARDS

Section 1. Structures

A. The lowest floor elevation or openings of all buildings and structures, including basements, shall be placed in accordance with the standards of the Washington Flood Plain Ordinance.

B. The total footprint area of all structures, parking lots and other non-vegetated surfaces, within the shoreland zone shall not exceed twenty (20) percent of the lot or a portion thereof, located within the shoreland zone, including land area previously developed.

C. Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the following conditions are met:

1. The site has been previously altered and an effective vegetated buffer does not exist;

2. The wall(s) is (are) at least 25 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or upland edge of a wetland;

3. The site where the retaining wall will be constructed is legally existing lawn or is a site eroding from lack of naturally occurring vegetation, and which cannot be stabilized with vegetative plantings;

4. The total height of the wall(s), in the aggregate, are no more than 24 inches;

5. Retaining walls are located outside of the 100-year floodplain on rivers, streams, wetlands, and tributary streams, as designated on the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent flood plain soils.

6. The area behind the wall is revegetated with grass, shrubs, trees, or a combination thereof, and no further structural development will occur within the setback area, including patios and decks; and

7. A vegetated buffer area is established within 25 feet, horizontal distance, of the normal high-water line of a
water body, tributary stream, or upland edge of a wetland when a natural buffer area does not exist. The buffer area must meet the following characteristics:

a. The buffer must include shrubs and other woody and herbaceous vegetation. Where natural ground cover is lacking the area must be supplemented with leaf or bark mulch;

b. Vegetation plantings must be in quantities sufficient to retard erosion and provide for effective infiltration of stormwater runoff;

c. Only native species may be used to establish the buffer area;

d. A minimum buffer width of 15 feet, horizontal distance, is required, measured perpendicularly to the normal high-water line or upland edge of a wetland;

e. A footpath not to exceed the standards in Section 15(P)(2)(a), may traverse the buffer;

NOTE: If the wall and associated soil disturbance occurs within 75 feet, horizontal distance, of a water body, tributary stream or wetland, a permit pursuant to the Natural Resource Protection Act is required from the Department of Environmental Protection.

D. Notwithstanding the requirements stated above, stairways or similar structures may be allowed with a permit from the Code Enforcement Officer, to provide shoreline access in areas of steep slopes or unstable soils provided: that the structure is limited to a maximum of four (4) feet in width; that the structure does not extend below or over the normal high-water line of a water body or upland edge of a wetland, (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S.A. section 480-C); and that the applicant demonstrates that no reasonable access alternative exists on the property.

Section 2. Campgrounds and Campsites

A. Campgrounds shall conform to the minimum requirements imposed under State licensing procedures and the following:

1. Campgrounds shall contain a minimum of five thousand (5,000) square feet of land, not including roads and driveways, for each site. Land supporting wetland vegetation, and land below the normal high-water line of
a water body shall not be included in calculating land area per site.

2. The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back a minimum of one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

B. Individual private campsites not associated with campgrounds are allowed provided the following conditions are met:

1. One campsite per lot existing on the effective date of this Ordinance, or thirty thousand (30,000) square feet of lot area within the shoreland zone, whichever is less, may be permitted.

2. Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

3. Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to the recreational vehicle.

4. The clearing of vegetation for the siting of a recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1000) square feet.

5. A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing Inspector. Where disposal is off-site, written authorization from the receiving facility or land owner is required.

6. When a recreational vehicle, tent or similar shelter is placed on-site for more than one hundred and twenty (120)
days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

Section 3. Parking Areas

A. Parking areas shall meet the shoreline and tributary stream setback requirements for structures for the district in which such areas are located. The setback requirement for parking areas serving public boat launching facilities shall be no less than fifty (50) feet, horizontal distance, from the shoreline or tributary stream if the Planning Board finds that no other reasonable alternative exists further from the shoreline or tributary stream.

B. Parking areas shall be adequately sized for the proposed use and shall be designed to prevent stormwater runoff from flowing directly into a water body, tributary stream or wetland and where feasible, to retain all runoff on-site.

C. In determining the appropriate size of proposed parking facilities, the following shall apply:

1. Typical parking space: Approximately ten (10) feet wide and twenty (20) feet long, except that parking spaces for a vehicle and boat trailer shall be forty (40) feet long.

2. Internal travel aisles: Approximately twenty-five (25) feet wide.

Section 4. Roads and Driveways

A. The following standards shall apply to the construction of roads and/or driveways and drainage systems, culverts and other related features.

B. Roads and driveways shall be set back at least one-hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river that flows to a great pond classified GPA, and seventy-five (75) feet, horizontal distance from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland unless no reasonable alternative exists as determined by the Planning Board.

1. If no other reasonable alternative exists, the road and/or driveway setback requirement shall be no less than fifty (50) feet, horizontal distance, upon clear showing
by the applicant that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream, or wetland.

2. On slopes of greater than twenty (20) percent the road and/or driveway setback shall be increased by ten (10) feet, horizontal distance, for each five (5) percent increase in slope above twenty (20) percent.

3. This section does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply fully with the requirements of this section except for that portion of the road or driveway necessary for direct access to the structure.

C. Existing public roads may be expanded within the legal road right of way regardless of their setback from a water body, tributary stream or wetland.

D. New permanent roads are not allowed within the shoreland zone along Significant River Segments except:

1. To provide access to structures or facilities within the zone; or

2. When the applicant demonstrates that no reasonable alternative route exists outside the shoreland zone. When roads must be located within the shoreland zone they shall be set back as far as practicable from the normal high-water line and screened from the river by existing vegetation.

E. New roads and driveways are prohibited in a Resource Protection District except that the Planning Board may grant a permit to construct a road or driveway to provide access to permitted uses within the district. A road or driveway may also be approved by the Planning Board in a Resource Protection District, upon a finding that no reasonable alternative route or location is available outside the district. When a road or driveway is permitted in a Resource Protection District the road and/or driveway shall be set
back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.

F. Road and driveway banks shall be no steeper than a slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in Section 15(Q).

G. Road and driveway grades shall be no greater than ten (10) percent except for segments of less than two hundred (200) feet.

H. In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least (50) feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.

I. Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow gains sufficient volume or head to erode the road, driveway, or ditch. To accomplish this, the following shall apply:

1. Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road, or driveway at intervals no greater than indicated in the following table:

<table>
<thead>
<tr>
<th>Grade (Percent)</th>
<th>Spacing (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2</td>
<td>250</td>
</tr>
<tr>
<td>3-5</td>
<td>200-135</td>
</tr>
<tr>
<td>6-10</td>
<td>100-80</td>
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<td>11-15</td>
<td>80-60</td>
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<tr>
<td>16-20</td>
<td>60-45</td>
</tr>
<tr>
<td>21+</td>
<td>40</td>
</tr>
</tbody>
</table>
2. Drainage dips may be used in place of ditch relief culverts only where the grade is ten (10) percent or less.

3. On sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed at approximately a thirty (30) degree angle downslope from a line perpendicular to the centerline of the road or driveway.

4. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.

J. Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads and driveways shall be maintained on a regular basis to assure effective functioning.

Section 5. Signs

A. The following provisions shall govern the use of signs in the Resource Protection, and Shoreland Limited Residential Districts:

1. Signs relating to goods and services sold on the premises shall be allowed, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. Signs relating to goods or services not sold or rendered on the premises shall be prohibited.

2. Name signs are allowed, provided such signs shall not exceed two (2) signs per premises, and shall not exceed twelve (12) square feet in the aggregate.

3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.

4. Signs relating to trespassing and hunting shall be allowed without restriction as to number provided that no such sign shall exceed two (2) square feet in area.

5. Signs relating to public safety shall be allowed without restriction.

6. No sign shall extend higher than twenty (20) feet above the ground.
7. Signs may be illuminated only by shielded, non-flashing lights.

8. Existing signs as of the adoption of this Ordinance may be retained and maintained and replaced but not altered except in accordance with the provisions of this section.

Section 6. Storm Water Runoff

A. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas, shall be retained in order to reduce runoff and encourage infiltration of stormwaters.

B. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

NOTE: The Stormwater Management Law (38 M.R.S.A. section 420-D) requires a full permit to be obtained from the DEP prior to construction of a project consisting of 20,000 square feet or more of impervious area or 5 acres or more of a developed area in an urban impaired stream watershed or most-at-risk lake watershed, or a project with 1 acre or more of developed area in any other stream or wetland watershed. A permit-by-rule is necessary for a project with one acre or more of disturbed area but less than 1 acre impervious area (20,000 square feet for most-at-risk lakes and urban impaired streams) and less than 5 acres of developed area. Furthermore, a Maine Construction General Permit is required if the construction will result in one acre or more of disturbed area.

Section 7. Septic Waste Disposal

A. All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, and the following:

1. Clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland and

2. A holding tank is not allowed for a first-time residential use in the shoreland zone.
Section 8. Essential Services

A. Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.

B. The installation of essential services, other than road-side distribution lines, is not allowed in a Resource Protection or Shoreland Limited Residential District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where allowed, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

C. Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

Section 9. Agriculture

A. All spreading of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. sections 4201-4209).

B. Manure shall not be stored or stockpiled within one hundred (100) feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, or within seventy-five (75) feet horizontal distance, of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water.

C. Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area, within the shoreland zone shall require a Conservation Plan to be filed with the Planning Board. Non-conformance with the provisions of said plan shall be considered to be a violation of this Ordinance.
NOTE: Assistance in preparing a Conservation Plan may be available through the local Soil and Water Conservation District office.

D. There shall be no new tilling of soil within one-hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy-five (75) feet, horizontal distance, from other water bodies; nor within twenty-five (25) feet, horizontal distance, of tributary streams and wetlands. Operations in existence on the effective date of this ordinance and not in conformance with this provision may be maintained.

E. Newly established livestock grazing areas shall not be permitted within one hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy-five (75) feet, horizontal distance, of other water bodies; nor within twenty-five (25) feet, horizontal distance, of tributary streams and wetlands. Livestock grazing associated with ongoing farm activities, and which are not in conformance with the above setback provisions may continue, provided that such grazing is conducted in accordance with a Conservation Plan.

Section 10. Timber Harvesting

NOTE: This section is subject to the repeal provisions of Article XIII "Amendment and Other Legal Provisions", Section 5C.

A. In a Resource Protection District abutting a great pond, timber harvesting shall be limited to the following:

1. Within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, timber harvesting may be conducted when the following conditions are met:

a. The ground is frozen;

b. There is no resultant soil disturbance;

c. The removal of trees is accomplished using a cable or boom and there is no entry of tracked or wheeled vehicles into the 75-foot strip of land;

d. There is no cutting of trees less than 6 inches in diameter; no more than 30% of the trees 6 inches or more in diameter, measured at 4-1/2 feet above ground level, are cut in any 10-year period; and a well-
distributed stand of trees and other natural vegetation remains; and

e. A licensed professional forester has marked the trees to be harvested prior to a permit being issued by the municipality.

2. Beyond the 75 foot strip referred to in this section above, timber harvesting is permitted in accordance with the following paragraph except that in no case shall the average residual basal area of trees over 4-1/2 inches in diameter at 4-1/2 feet above ground level be reduced to less than 30 square feet per acre.

B. Except in areas as described in the this Section above, timber harvesting shall conform with the following provisions:

1. Selective cutting of no more than forty (40) percent of the total volume of trees four (4) inches or more in diameter measured at 4-1/2 feet above ground level on any lot in any ten (10) year period is permitted. In addition:

a. Within one-hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within seventy-five (75) feet, horizontal distance, of the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, there shall be no clearcut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.

b. At distances greater than one-hundred (100) feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, and greater than seventy-five (75) feet, horizontal distance, of the normal high-water line of other water bodies or the upland edge of a wetland, harvesting operations shall not create single clearcut openings greater than ten-thousand (10,000) square feet in the forest canopy. Where such openings exceed five-thousand (5,000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clearcut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.
2. No accumulation of slash shall be left within fifty (50) feet, horizontal distance, of the normal high-water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four (4) feet above the ground. Any debris that falls below the normal high-water line of a water body or tributary stream shall be removed.

3. Timber harvesting equipment shall not use stream channels as travel routes except when:
   a. Surface waters are frozen; and
   b. The activity will not result in any ground disturbance.

4. All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.

5. Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.

6. Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least seventy-five (75) feet, horizontal distance, in width for slopes up to ten (10) percent shall be retained between the exposed mineral soil and the normal high-water line of a water body or upland edge of a wetland. For each ten (10) percent increase in slope, the unscarified strip shall be increased by twenty (20) feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than twenty five (25) feet, horizontal distance, from the normal high-water line of a water body or upland edge of a wetland.
Section 11. Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

A. In a Resource Protection District abutting a great pond, there shall be no cutting of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.

Elsewhere, in any Resource Protection District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

B. Except in areas as described above in this subsection, and except to allow for the development of permitted uses, within a strip of land extending one-hundred (100) feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

1. There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.

2. Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of this subsection a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1250 square feet) area as determined by the following rating system.

<table>
<thead>
<tr>
<th>Diameter of Tree at 4-1/2 feet Above Ground Level (inches)</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 to less than 4 in.</td>
<td>1</td>
</tr>
<tr>
<td>4 to less than 8 in.</td>
<td>2</td>
</tr>
<tr>
<td>8 to less than 12 in.</td>
<td>4</td>
</tr>
</tbody>
</table>
Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

[NOTE: As an example, adjacent to a great pond, if a 25-foot x 50-foot plot contains four (4) trees between 2 and 4 inches in diameter, two trees between 4 and 8 inches in diameter, three trees between 8 and 12 inches in diameter, and two trees over 12 inches in diameter, the rating score is:

\[(4 \times 1) + (2 \times 2) + (3 \times 4) + (2 \times 8) = 36 \text{ points}\]

Thus, the 25-foot by 50-foot plot contains trees worth 36 points. Trees totaling 12 points (36- 24 =12) may be removed from the plot provided that no cleared openings are created.]

The following shall govern in applying this point system:

a. The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;

b. Each successive plot must be adjacent to, but not overlap a previous plot;

c. Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this Ordinance;

d. Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this Ordinance;

e. Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of this subsection “other natural vegetation” is defined as retaining existing vegetation under three (3) feet in height and other ground cover and retaining at least five (5) saplings less than two (2) inches in diameter at four and one half (4-1/2) feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two (2) inches in diameter can be removed until 5 saplings have been recruited into the plot.
Notwithstanding the above provisions, no more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4-1/2 feet above ground level may be removed in any ten (10) year period.

3. In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described above.

4. Pruning of tree branches, on the bottom 1/3 of the tree is allowed.

5. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless sufficient existing new tree growth is present.

   a. In determining the number of trees to be replanted, the point system described in this Section 11, subsection B2, above, shall be used to first determine the points of the tree or trees to be removed and replacement trees shall meet or exceed those same points to the greatest extent possible as determined by the Code Enforcement Officer.

   b. Subsection 2, above, does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.

C. At distances greater than one hundred (100) feet, horizontal distance, from a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any ten (10) year period, selective cutting of not more than forty (40) percent of the volume of trees four (4) inches or more in diameter, measured 4-1/2 feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the
aggregate, 25% of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, including land previously cleared.

D. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.

E. Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of Section 15(P).

Section 12. Erosion and Sedimentation Control

A. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:

1. Mulching and revegetation of disturbed soil.

2. Temporary runoff control features such as hay bales, silt fencing or diversion ditches.

3. Permanent stabilization structures such as retaining walls or rip-rap.

B. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

C. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.

D. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:

1. Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and
shall be maintained until a catch of vegetation is established.

2. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.

3. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

E. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainageways shall be designed and constructed in order to carry water from a twenty five (25) year storm or greater, and shall be stabilized with vegetation or lined with riprap.

Section 13. Soils

All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, presence of ledge, drainage conditions, and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

Section 14. Water Quality

No activity shall deposit on or in to the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body, tributary stream, or wet land.
Section 15. Archaeological Sites

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places, as determined by the permitting authority, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least twenty (20) days prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the Commission prior to rendering a decision on the application.
ARTICLE IX - MANUFACTURED HOUSING

Section 1. Purpose

Manufactured housing provides an alternative to more expensive traditional residential housing. This article allows for the use of manufactured housing within the Town while insuring for the safety of occupants and the environmental and aesthetic values of a given district.

Section 2. Definition of Manufactured Housing

Mobile Homes: Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained in the unit;

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

Modular Homes: Units which the manufacturer certifies are constructed in compliance with Title 10, chapter 957, section 9001 et seq., and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on permanent foundations when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained in the unit.

Section 3. Performance Standards

All manufactured housing moved into or relocated within the Town after adoption of this Ordinance shall meet industry standards and the following standards shall be met:
Article IX: Manufactured Housing

1. Manufactured housing units shall conform to the residential space and bulk standards of the district in which they are located.


3. The minimum width of the structure when installed on site shall be 12 feet.

4. The roof shall have a minimum pitch of 3 inches vertical rise for each 12 inches of horizontal run.

5. The exterior wall surfaces shall be covered with materials similar to conventional construction, such as cedar shakes; wood, vinyl, or metal clapboards; board and batten, etc. The exterior walls shall not be covered with flat, rigid, or corrugated metal or plastic panels.

6. The unit shall be properly grounded and placed on a permanent foundation, which is a concrete pad over a gravel base with skirting around the bottom of the structure, or a concrete frost wall, or a full basement or a gravel or other material pad installed according to Maine State Manufactured Housing Board Standards.

7. Each manufactured dwelling unit shall be connected to its own approved septic system.

8. Relocation of mobile homes constructed prior to June 15, 1976 is prohibited everywhere in town.

Section 4. Temporary Housing Units.

In any district where Mobile Homes are allowed the Code Enforcement Officer may approve Mobile Homes as temporary residential units, to be used until a permanent structure is built or located on a lot. Temporary housing units shall conform to the Performance Standards in Section 3 above. Permits for temporary housing shall not be issued for longer than 2 years, with a one time renewal for an additional 2 years. Temporary housing units shall be removed from the lot (see Section 5 below) when the permanent unit is ready for occupancy, or the temporary unit shall be upgraded to meet all the Performance Standards of Section 3 above, without exceptions, when the permit expires.
Section 5. Removal of Manufactured Housing Units (New or Existing)

When a manufactured housing unit is removed from a lot or replaced, the Code Enforcement Officer may approve the temporary storage of the unit on the lot, unoccupied, for not more than 6 months. Temporary storage permits may be renewed or extended up to 3 times for good cause, but may not be extended for more than 18 months. The Code Enforcement Officer may require a bond or refundable fee to be charged to ensure compliance.
ARTICLE X – MISCELLANEOUS STANDARDS

Section 1. Purpose

The purpose of this article is to insure certain activities are conducted in a safe manner, do not cause undue harm to the environment, do not cause a nuisance, and insure surrounding property values are protected.

Section 2. Abandoned Vehicles

No person shall allow more than two unregistered vehicles, except for tractors and farm implements, to remain on any property more than ninety days, where such vehicle may be seen from a residence, public way, or body of water, unless the owner of the vehicle is a licensed to sell new or used automobiles on the premises. Trailers, truck bodies, railroad cars, school busses, or other items originally constructed for the transportation of goods may only be used as storage buildings if they may not be seen from any residence (except the owner’s), public way, or body of water.

Section 3. Automobile Graveyard, Automobile Recycling, and Junkyard Operations

No person shall operate any junkyard or automobile salvage operation unless such operation meets State guidelines and is licensed by the Town. All junkyards and automobile salvage operations shall be buffered from abutting properties and public ways by natural vegetation or a fence which hides the operation from outside view. All vehicles and junk shall be stored within 300 feet of any waterbody or wetland or within 500 feet of any residence (other than the owner’s), private well, or school. All vehicles and junk shall be located no closer than 100 feet from all lot lines. All Federal and State solid, special, and hazardous waste laws shall be complied with.

Section 4. Accumulation of Debris and Junk

No person shall allow the exterior accumulation of debris, including but not limited to trash, garbage, demolition material, appliances, automobile parts, barrels, drums, tires, or other items, to be stored on any property where such items would cause a fire danger, health risk, impact on surrounding scenic views, or environmental damage.
Section 5. Uninhabitable Structures

Any structure or manufactured housing unit deemed uninhabitable by the code enforcement officer by reason of fire, wind, abandonment, or other cause, or any structure in such a state of disrepair as to cause a safety, health, or fire danger shall be repaired or removed within sixty days of notification by the code enforcement officer.

Section 6. Yard Sales, Garage Sales, and Flea Markets

A. Yard (or garage) sale is a sale, conducted indoors or out-of-doors, of used household goods, curios, and the like. Yard (or garage) sales shall be considered an accessory use under this Ordinance and shall not be conducted more frequently than four days in any six month period.

B. A flea market is an outdoor market selling antiques, used household goods, curios, and the like, at a frequency of more than four times in any six month period. Flea markets, as distinguished from yard (or garage) sales, shall be permitted as an accessory use under this ordinance provided a permit is obtained from the Code Enforcement Officer. Flea markets shall not become a nuisance. Applications for permits will be reviewed under the provisions of Article IV “Administration and Enforcement”.

C. Violation of a permit or standards, or any complaint, nuisance, or health and safety hazard created by a flea market or yard (or garage) sale shall be cause for immediate suspension of the flea market or yard (or garage) sale by the Code Enforcement Officer or the Selectmen. Upon suspension, a flea market or yard (or garage) sale shall be immediately closed and removed within 24 hours. Suspension of flea markets or yard (or garage) sales may be appealed to the Board of Appeals. Flea markets operating without a permit or under suspension shall be prohibited.

Section 7. Adult Business Establishments/Adult Entertainment

A. Findings and Purpose.

The Town of Washington hereby finds that because of their unique and potentially offensive nature, adult business establishments can have a blighting influence on the surrounding neighborhood if permitted in certain districts or if allowed to concentrate in certain other districts
within the Town. Moreover, such establishments are incompatible with uses characterized as family and youth activities. The purpose of this Section is, therefore, to prevent such deleterious effects and thus protect public health, safety, and general welfare by regulating the location and certain other aspects of adult business establishment as defined.

B. Requirements.

1. Location. Adult business establishments must be at least 500 feet from any other business establishment and at least 500 feet as measured along the ordinary course of travel from the main entrance of each premise of a public, private or parochial school, school dormitory, church, synagogue or similar place of worship or legally established residential structure in existence prior to the establishment of the business. Adult business establishments may be located only in the Planned Development District.

2. Visibility of materials. No sexually explicit materials, entertainment or activity shall be visible from the exterior of the premises.

3. Compliance. Adult business establishments shall comply with all other codes of the Town of Washington.
ARTICLE XI - SITE PLAN REVIEW

Section 1. Purpose

A. The purpose of this section is to accomplish the following objectives with the least possible regulation:

1. To establish a Site Review procedure whereby town officials may review new proposals to use land and buildings for commercial, industrial, office, multiple dwelling residential developments, community or service organizations, municipal, institutional, utility, or recreational purposes, or commercial activities occurring at residential sites involving greater impact than home occupations, as defined;

2. To establish a fair and reasonable set of standards for evaluating each development proposal impartially on its own merits;

3. To provide local protection from those particular nuisances which may not be governed by State law or regulations;

4. To suggest ways to an applicant in which development proposals may be modified so that potential problems and nuisances could be minimized or eliminated.

5. To balance the right of land owners to use their land with the corresponding right of abutting and neighboring land owners to live without undue disturbance from noise, smoke, fumes, dust, odor, glare, traffic, storm water run-off, or the pollution of ground water and surface water resources.

6. To provide a public hearing process through which Town residents may raise questions and receive answers about how new development proposals would affect them;

7. To provide for a system whereby aggrieved parties may appeal decisions of the Planning Board under this section to the Appeals Board;

8. To protect property values;

9. To reduce the off-site problems created by development, thereby decreasing the cost of maintaining or improving municipal facilities;
10. To prevent impacts caused by development which would negatively affect the Town’s natural resources, aesthetic and visual characteristics, and/or ground water and surface water quality;

11. To protect the water quality of lakes and ponds in or adjacent to Washington from degradation caused by increased levels of phosphorus entering lake water systems from such sources as disturbed soils, large and/or unbuffered impervious surfaces, uncontrolled storm water runoff, inadequate drainage facilities, etc.; and

12. To establish a minimally restrictive regulatory and review procedure in conformance with the Town’s Comprehensive Plan.

Section 2. Applicability of Site Plan Review

A. Site Plan Review Not required

The following activities shall not require site plan approval. Certain of these activities will, however, require the owner to obtain a building permit, plumbing permit or other state or local approvals:

1. The construction, alteration, or enlargement of a single family or two-family dwelling, including accessory buildings and structures.

2. The placement, alternation, or enlargement of a single manufactured housing or mobile home dwelling, including accessory buildings and structures on individually owned lots.

3. Agricultural activities, except for agri-business, including agricultural buildings and structures.

4. Timber harvesting and forest management activities.

5. The establishment and modification of home occupations that do not result in changes to the site or exterior of the building.

6. Activities involving nonresidential buildings or activities that are specifically excluded from review by the provisions of this section.

7. Expansion of less than 240 square feet.

8. Any activity that can be approved by the Code Enforcement Officer.
B. Site Plan Permit Required

A person who has right, title, or interest in a parcel of land must obtain site plan approval from the Code Enforcement Officer or Planning Board, as applicable, prior to commencing any of the following activities on the parcel, obtaining a building or plumbing permit for the activities, or undertaking any alteration or improvement of the site including grubbing or grading:

1. The construction or placement of any new building or structure for a nonresidential use, including accessory buildings and structures, greater than one thousand two hundred (1,200) base square feet within any five (5) year period.

2. The expansion of an existing nonresidential building or structure including accessory buildings that increases the total floor area by more than 240 square feet.

3. The conversion of an existing building, in whole or in part, from a residential use to a nonresidential use.

4. The establishment of a new nonresidential use even if no buildings or structures are proposed, including uses such as agri-business, mineral extraction, mineral processing, cemeteries, golf courses, and other nonstructural nonresidential uses.

5. The conversion of an existing nonresidential use, in whole or in part, to another nonresidential use if the new use changes the basic nature of the existing use such that it increases the intensity of on- or off-site impacts of the use subject to the standards and criteria of site plan review described in Section 9 of this article.

6. The construction of a residential building containing three (3) or more dwelling units.

7. The modification or expansion of an existing residential structure that increases the number of dwelling units in the structure by three (3) or more in any five (5) year period.

8. The conversion of an existing nonresidential building or structure, in whole or in part, into three (3) or more dwelling units within a five (5) year period.

9. The nonresidential construction or expansion of paved areas or other impervious surfaces, including walkways, access drives, and parking lots involving an area of more
than two thousand five hundred (2,500) square feet within any three (3) year period.

Section 3. Review and Approval Authority

The Planning Board is authorized to review and act on all site plans for development requiring site plan review as defined above.

In considering site plans under this provision, the Planning Board shall act to approve, disapprove, or approve the project with conditions as are authorized by these provisions.

Section 4. Review Procedures

The Planning Board shall use the following procedures in reviewing applications for site plan review.

A. Preapplication

Prior to submitting a formal application, the applicant or his/her representative shall request a preapplication conference with the Planning Board. The preapplication conference shall be informal and informational in nature. There shall be no fee for a preapplication review, and such review shall not cause the plan to be a pending application or proceeding under Title 1 M.R.S.A. §302. No decision on the substance of the plan shall be made at the preapplication conference.

1. Purpose

The purposes of the preapplication conference are to:

a. Allow the Planning Board to understand the nature of the proposed use and the issues involved in the proposal,

b. Allow the applicant to understand the development review process and required submissions,

c. Identify issues that need to be addressed in future submissions, and

d. Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.

In addition, the Board may schedule a site inspection in accordance with subsection B(5) if deemed necessary and resolve any requests for waivers and variations from the submission requirements.
2. Information Required
There are no formal submission requirements for a preapplication conference. However, the applicant should be prepared to discuss the following with the Board:

   a. The proposed site, including its location, size, and general characteristics,

   b. The nature of the proposed use and potential development,

   c. Any issues or questions about existing municipal regulations and their applicability to the project, and

   d. Any requests for waivers from the submission requirements.

B. Application Submission and Review Procedures
The applicant must prepare and submit a site plan review application, including the development plan and supporting documentation, that meets the submission requirements set forth below. This material must be submitted to the Code Enforcement Officer for initial review.

1. At the first meeting at which the application is considered, the Planning Board shall give a dated receipt to the applicant. The Planning Board shall then notify by first-class mail at the applicant’s expense all property owners within five hundred (500) feet of the parcel on which the proposed development is located of any subsequent meetings. Written notice of the pending application shall be given or mailed to the Selectmen, Fire Chief, Road Commissioner, and other parties as designated by the Planning Board.

2. Within forty-five (45) days of the receipt of a formal site plan review application, the Planning Board shall review the material and determine whether or not the submission is complete. If the application is determined to be incomplete, the Board shall notify the applicant in writing of this finding, shall specify the additional materials required to make the application complete and shall advise the applicant that the application will not be considered by the Board until the additional information is submitted to the Board. These steps, except the notification requirements, shall be repeated until the application is found to be complete.

3. As soon as the Board determines that the application is complete, the Board shall: notify the applicant in writing of this finding, meet the notification requirements of subsection (4) below, and place the item
on the agenda for substantive review within forty-five (45) days of this finding.

4. The Planning Board shall give written notice of the date, time, and place of the meeting at which the application will be considered to the applicant and all persons who received the notice in (1) at least ten (10) days before the meeting.

5. The Planning Board may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted and investigate the development proposal. The Board may schedule this visit either before or after the first meeting at which the application is considered. The Board may decide not to hold an on-site inspection when the site is snow covered. If an application is pending during a period when there is snow cover, the deadline by which the Planning Board shall take final action on the application as specified in (6) may be extended, which extension shall not exceed forty-five (45) days after the Board is able to conduct an on-site inspection. Written notice of the on-site inspection shall be provided to all parties entitled to notice under subsection (4).

6. The Planning Board shall take action on said application within forty-five (45) days of determining that the application is complete. The Board shall act to deny, to approve, or to approve the application with conditions. The Board may impose such conditions as are deemed advisable to assure compliance with the standards of approval.

In issuing its decision, the Planning Board shall make written findings of fact establishing that the proposed development does or does not meet the standards of approval and other requirements of the Town. The Board shall notify the applicant, all officials who received notice under (4), and all parties who requested to be notified of the action of the Board.

All time limits provided for in this section may be extended by mutual agreement of the applicant and Planning Board.

C. Final Approval and Filing

1. Upon completion of the requirements of this article and an approval vote by the majority of the Planning Board, the application shall be deemed to have final approval and the site plan shall be signed by a majority of the
members of the Board and must be filed with the Code Enforcement Officer. Any plan not so filed within forty-five (45) days of the date upon which such plan is approved and signed by the Board shall become null and void.

2. In addition, the Planning Board may require a signed plan to be recorded in the Knox County Registry of Deeds within ninety (90) days of the vote to approve the plan. The Planning Board, by vote, may extend the filing period for good cause.

3. When all applicable conditions and requirements of this article have been met, the Code Enforcement Officer shall issue the appropriate permit or permits.

D. Independent Review and Advice

1. Professional Services. The Planning Board may require that an attorney and/or consultant review one or more aspects of an application for compliance or noncompliance with this Ordinance and to advise the Board. The costs of such reviews shall be borne by the applicant.

2. Additional Studies. The Planning Board may require the applicant to undertake any study which it deems reasonable and necessary to demonstrate and ensure that the requirements of the Ordinance are met. The costs of such studies shall be borne by the applicant.

3. Payment.
   a. The attorney and/or consultant shall first estimate the cost of such review and/or study and the applicant shall deposit with the Town the full estimated cost, which the Town shall place in an escrow account.
   b. The Town shall pay the attorney and/or consultant from the escrow account and reimburse the applicant if funds remain after final payment.
   c. If said funds are not paid to the Town the permit process will be suspended until such time as they are paid.
   d. Should the escrow account be drawn down to 20% of its original amount the applicant shall be required to deposit additional funds.

E. Establishment of Fees

The Municipal Officers may, from time to time and after consultation with the Board, establish the appropriate
application fees and technical review fees following posting of the proposed schedule of fees and public hearing.

**Section 5. Submission Requirements**

A. Applications for site plan review must be submitted on application forms provided by the municipality. The complete application form, evidence of payment of the required fees, and the required plans and related information must be submitted to the Code Enforcement Officer. The submission must contain at least the following exhibits and information unless specifically waived in writing. The Planning Board may waive any of the submission requirements based upon a written request of the applicant. Such request must be made at the time of the preapplication conference or at the initial review of the application if no preapplication conference is held. A waiver of any submission requirement may be granted only if the Board makes a written finding that the information is not required to determine compliance with the standards.

B. All applications for site plan review must contain the following information:

1. A fully executed and signed copy of the application for site plan review.

2. Evidence of payment of the application fee and technical review fee, if required.

3. Ten (10) copies of written materials plus ten (10) sets of maps or drawings containing the information listed below. The written materials must be bound or contained in a binder with an index of materials. The maps or drawings must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than one hundred (100) feet to the inch for that portion of the tract of land being proposed for development.

C. General Information

1. Record owner's name, address, and phone number and applicant's name, address and phone number if different.

2. The location of all required building setbacks, yards, and buffers.

3. Names and addresses and map and lot numbers of all property owners within five hundred (500) feet of any and all property boundaries.
4. Sketch map showing general location of the site within the municipality based upon a reduction of the tax maps.

5. Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.

6. The tax map and lot number of the parcel or parcels on which the project is located.

7. A copy of the current, registered deed to the property, or an option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.

8. The name, registration number, and seal of the person who prepared the plan, if applicable.

9. Evidence of the applicant's technical and financial capability to carry out the project as proposed.

D. Existing Conditions

1. Land Use District classification(s), including overlay district if any, of the property and the location of district boundaries if the property is located in two (2) or more districts or abuts a different district.

2. The bearings and length of all property lines of the property to be developed and the source of this information. The planning board may waive this requirement of a boundary survey when sufficient information is available to establish, on the ground, all property boundaries.

3. Location and size of any existing sewer and water mains, culverts and drains, on-site sewage disposal systems, wells, underground tanks or installations, and power and telephone lines and poles on the property to be developed, on abutting streets, or land that may serve the development, and an assessment of their adequacy and condition to meet the needs of the proposed use. Appropriate elevations must be provided as necessary to determine the direction of flow.

4. Location, names, and present widths of existing public and/or private roads and rights-of-way within or adjacent to the proposed development.

5. The location, dimensions and ground floor elevation of all existing buildings on the site.
6. The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.

7. Location of intersecting roads or driveways within two hundred (200) feet of the site.

8. The location of open drainage courses, wetlands, stonewalls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with a description of such features.

9. The direction of existing surface water drainage across the site.

10. The location, front view, dimensions, and lighting of existing signs.

11. Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.

12. The location of the nearest fire hydrant, dry hydrant or other water supply for fire protection.

13. The E-911 Addressing Permit.

14. The driveway entrance permit, if applicable.

E. Proposed Development Activity

1. Estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal, and evidence of their adequacy for the proposed use, including soils test pit data if on-site sewage disposal is proposed.

2. The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.

3. Provisions for handling storage or disposal of all solid wastes, including hazardous and special wastes and the location and proposed screening of any on-site collection or storage facilities.
4. The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off-site.

5. Proposed landscaping and buffering.

6. The location, dimensions, and ground floor elevation of all proposed buildings or building expansion proposed on the site.

7. Location, front view, materials, and dimensions of proposed signs together with the method for securing the sign.

8. Location and type of exterior lighting.

9. The location of all utilities, including fire protection systems.

10. A general description of the proposed use or activity.

11. An estimate of the peak hour and daily traffic to be generated by the project.

12. If the project requires a stormwater permit from the Maine Department of Environmental Protection or if the planning board determines that such information is necessary based upon the scale of the project or the existing conditions in the vicinity of the project, stormwater calculations, erosion and sedimentation control measures, and water quality and/or phosphorous export management provisions.

F. Approval Block

Space must be provided on the plan drawing for the signatures of the Planning Board and date together with the following words, “Approved: Town of Washington Planning Board”.

Section 6. Approval Standards and Criteria

The following criteria shall be used by the Planning Board in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Planning Board determines that the applicant has failed to meet one or more of these standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.
A. Utilization of the Site

The plan for the development must reflect the natural capabilities of the site to support development. Buildings, lots, and support facilities must be clustered in those portions of the site that have the most suitable conditions for development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. Natural drainage areas must also be preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

B. Adequacy of Road System

1. Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development.
   a. For developments which generate one hundred (100) or more peak hour trips based on the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers, intersections on major access routes to the site within one (1) mile of any entrance road which are functioning at a Level of Service of D or better prior to the development must function at a minimum at Level of Service D after development.
   b. If any such intersection is functioning at a Level of Service E or lower prior to the development, the project must not reduce the current level of service. This requirement may be waived by the Planning Board if the project is located within a growth area designated in the Town's adopted Comprehensive Plan and the Board determines that the project will not have an unnecessary adverse impact on traffic flow or safety.
   c. A development not meeting this requirement may be approved if the applicant demonstrates that:
      i. A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or
      ii. The applicant will assume financial
Article XI: Site Plan Review

responsibility for the improvements necessary to bring the level of service to this standard and will assure the completion of the improvements with a financial guarantee acceptable to the municipality.

C. Access into the Site

Vehicular access to and from the development must be safe and convenient.

1. Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards, to the maximum extent possible.

2. Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.

3. The grade of any proposed drive or street must be not more than ±3% for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.

4. The intersection of any access/egress drive or proposed street must function:
   a. At a Level of Service of D following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or
   b. At a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.

5. Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote shortcutting through the site.

6. Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.

7. Accessways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street.
8. The following criteria must be used to limit the number of driveways serving a proposed project:
   a. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide.
   b. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all accessways must not exceed sixty (60) feet.

D. Accessway Location and Spacing

Accessways must meet the standards of the Washington Driveway Ordinance.

E. Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

1. Nonresidential projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for at least one tractor with a forty-foot (40’) trailer.

2. Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).

3. The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.

4. All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grade and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.
F. Parking Layout and Design

Off-street parking must conform to the following standards:

1. Parking areas must be arranged so that it is not necessary for vehicles to back into the street.

2. All parking spaces, access drives, and impervious surfaces must be located at least five (5) feet from any side or rear lot line, except where standards for buffer yards require a greater distance or where multiple lots share a common driveway. No parking spaces or asphalt type surface shall be located within five (5) feet of the front property line. Parking lots on adjoining lots may be connected by accessways not exceeding twenty-four (24) feet in width.

3. All parking areas shall meet requirements for handicap parking spaces, one (1) space per twenty-five (25) spaces or fraction thereof.

4. All parking lots greater than fifty (50) spaces shall be properly delineated.

5. Parking stalls and aisle layout must conform to the following standards.

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Stall Width</th>
<th>Skew Width</th>
<th>Stall Depth</th>
<th>Aisle Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>90°</td>
<td>9'-0&quot;</td>
<td>18'-0&quot;</td>
<td>24'-0&quot;</td>
<td>two way</td>
</tr>
<tr>
<td>60°</td>
<td>8'-6&quot;</td>
<td>10'-6&quot;</td>
<td>18'-0&quot;</td>
<td>16'-0&quot; one way only</td>
</tr>
<tr>
<td>45°</td>
<td>8'-6&quot;</td>
<td>12'-9&quot;</td>
<td>17'-6&quot;</td>
<td>12'-0&quot; one way only</td>
</tr>
<tr>
<td>30°</td>
<td>8'-6&quot;</td>
<td>17'-0&quot;</td>
<td>17'-0&quot;</td>
<td>12'-0&quot; one way only</td>
</tr>
</tbody>
</table>

6. In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings or other permanent indications and maintained as necessary.

7. Parking areas for nonresidential uses must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack parking may be permitted for resident parking in conjunction with residential uses if both spaces in the stack are assigned to the occupants of the same dwelling unit.
8. Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.

G. Pedestrian Circulation

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

H. Stormwater Management

Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

1. To the extent possible, the plan must retain stormwater on the site using the natural features of the site.

2. Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.

3. The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

4. All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to
a closed system unless approved as part of the site plan review.

5. Culverts in the Town’s right-of-way must be placed in accordance with the standards of the Washington Driveway Ordinance.

6. The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.

7. The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.

8. The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

I. Erosion Control

1. All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

2. Soil erosion and sedimentation of watercourses and water bodies will be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991 or subsequent revision.

J. Water Supply

1. The development must be provided with a system of water supply that provides each use with an adequate supply of water.

2. If the project is to be served by a public water supply, the applicant must secure and submit a written statement
from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

K. Sewage Disposal

The development must be provided with a method of disposing of sewage which is in compliance with the Maine Subsurface Wastewater Disposal Rules.

1. When two (2) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.

2. Industrial or commercial wastewater may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.

L. Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

M. Natural Features

The landscape must be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction. Extensive grading and filling must be avoided as far as possible.

N. Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply
systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

O. Water Quality Protection

All aspects of the project must be designed so that:

1. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

2. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

3. If the project is located within the watershed of a 'body of water most at risk from development' as identified by the Maine Department of Environmental Protection (DEP), the project must comply with the standards of the DEP with respect to the export of total suspended solids and/or phosphorous.

P. Hazardous, Special and Radioactive Materials

1. The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive must be done in accordance with the standards of these agencies.

2. All materials must be stored in a manner and location which is in compliance with appropriate rules, regulations, and codes of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

Q. Shoreland Relationship

The development must not adversely affect the water quality or shoreline of any adjacent water body. The development plan
must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.

R. Technical and Financial Capacity

The applicant must demonstrate that he/she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

S. Solid Waste Disposal

The proposed development must provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

T. Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

U. Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town of Washington, Maine, Floodplain Ordinance.

Section 7. Post Approval Activities

A. Limitation of Approval

1. Substantial construction of the improvements covered by any site plan approval must be commenced within twenty-four (24) months of the date upon which the approval was granted. If construction has not been substantially commenced within the specified period, the approval shall be null and void.

2. The applicant may request an extension of the approval deadline prior to the expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two (2), twelve (12) month extensions to the periods if the approved plan conforms to the ordinances in effect at
the time the extension is granted and any and all federal and state approvals and permits are current.

3. The Planning Board may establish a phased completion schedule.

B. Incorporation of Approved Plan

One copy of the approved site plan must be included with the application for the building permit for the project and all construction activities must conform to the approved plan, including any conditions of approval and minor changes approved by the Code Enforcement Officer to address field conditions.

C. Recording of the Approved Plan

1. One copy of the approved site plan may be recorded in the Knox County Registry of Deeds within ninety (90) days of final approval per Section 7.C.

2. If recorded, the book and page number shall be provided to the Code Enforcement Officer.

3. Failure to record the plan, if required by the Planning Board, within ninety (90) days shall void the approval. The Planning Board may extend this period for cause.

D. Improvement Guarantees

1. Application
   a. Improvement Guarantee - The Planning Board may require the posting of an improvement guarantee in such amount and form as specified in subsection 10.D.2. below as is reasonably necessary to ensure the proper installation of all off-site improvements required as conditions of approval. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the applicant.

   b. Upon substantial completion of all required improvements, the developer must notify the Planning Board of the completion or substantial completion of improvements, and must send a copy of such notice to the appropriate Municipal Officials. The respective Municipal Officials shall inspect all improvements and must file a report indicating either approval, partial approval, or rejection of such improvements with
a statement of reasons for any rejection.

c. The Planning Board shall either approve, partially approve, or reject the improvements on the basis of the report of the Municipal Officials.

d. If the improvements are approved, the guarantee shall be released. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.

2. Form of Guarantee

Performance guarantees may be provided by a variety of means including, but not limited to, any of the following which must be approved as to form and enforceability by the Board of Selectmen.

a. Security Bond - The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.

b. Letter of Credit - The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.

c. Escrow Account - The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the municipality, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon forty-eight (48) hour advance notice to the applicant to complete the guaranteed improvements.

E. Submission of As-Built Plans

Any project involving construction must provide the Code Enforcement Officer with a set of construction plans showing the building(s) and site improvements as actually constructed on the site within thirty (30) days of completion.

F. Minor Changes to Approved Plans

Minor changes in approved plans necessary to address field conditions may be approved by the Code Enforcement Officer provided that any such change does not affect compliance with the standards or alter the essential nature of the proposal. Any such change must be endorsed in writing on the approved plan by the Code Enforcement Officer.
G. Amendments to Approved Plans

1. Approvals of site plans are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant.

2. Any variation from the plans, proposals, and supporting documents, except minor changes that do not affect approval standards, is subject to review and approval by the Planning Board.

3. Planning Board approval of amendments to approved plans shall follow the same procedures of the original approval.
ARTICLE XII—LAND USE BOARD OF APPEALS

Superseded by TOWN OF WASHINGTON, MAINE
BOARD OF APPEALS ORDINANCE adopted by referendum March 29, 2013

Section 1. Appointment and Composition

A. There shall be a Board of Appeals in accordance with the provisions of 30A M.R.S.A., Section 4353, as the same may be amended from time to time.

B. The Board shall consist of five members serving staggered terms of five years, appointed by the Board of Selectmen. The Board of Selectmen may appoint two associate members to serve in the absence of regular members. The Chairman of the Board of Appeals shall designate which associate member shall serve in the stead of the absent member.

C. The Board of Appeals shall elect annually a chairman and secretary from its membership.

Section 2. Procedure

A. The Board of Appeals shall conduct its meetings in accordance with the provisions of 30A M.R.S.A., Section 2691, as the same may be amended from time to time.

B. The presence of three members of the Board of Appeals shall constitute a quorum. An appeal may be granted or a decision of the Code Enforcement Officer, Planning Board, or variance, may be overruled only upon an affirmative vote of at least three members of the Board of Appeals.

C. No member of the Board of Appeals shall vote on a matter in which he or she has a financial interest. Any question of whether a particular issue involves a conflict of interest shall be decided by a majority vote of the members present, excluding the member about whom the possibility of a conflict of interest is being decided.

D. Before rendering a decision on any appeal, the Board of Appeals shall conduct a public hearing, which shall be advertised at least ten days in advance in a local newspaper and posted in other places usually used for public notices, at the expense of the applicant. The notice shall contain a clear and concise statement of the appeal to be addressed. The appellant, the selectmen, and the Planning Board shall be notified in writing at least ten days prior to the scheduled
hearing, At least ten days before the hearing, the Board, or the Town Clerk on behalf of the Board, shall notify by mail the owners of properties lying within 500 feet of the property for which the appeal or application is being made. The owners of properties shall be considered to be those persons against whom taxes are assessed.

E. The Code Enforcement Officer, unless prevented by illness or other good cause, shall attend all hearings of the Board.

F. The Board of Appeals shall reach a decision within 10 working days and shall not continue hearings to a future date except for good cause.

G. Written notice of the decision of the Board shall be sent to the appellant, the Code Enforcement Officer, the selectmen, and the Planning Board within seven days of its decision.

H. An appeal may be taken from any decision of the Board of Appeals to the Superior Court within thirty days after the decision, as provided by 30A M.R.S.A., Section 2691(G)(3), as the same may be amended from time to time.

I. The Board of Appeals shall keep records of its proceedings, and such records shall be kept public.

Section 3. Powers and Duties

The Board of Appeals shall have the following powers and duties:

A. Administrative Appeals

1. To affirm, modify, remand with instructions, or vacate the action of the Town Planning Board or Code Enforcement Officer in issuing or denying building or other permits, or failure of the Planning Board to render a decision, when it is alleged that there is an error in any order, requirement, decision, or determination in the enforcement of this Ordinance. In modifying or vacating the previous decision, the Appeals Board must decide that the previous decision was contrary to the Ordinance or was not substantiated by evidence in the record.

2. The Appeals Board may also hear appeals or consider applications under this Ordinance, whenever there is uncertainty as to the meaning and/or intent of any part of this Ordinance. The Appeals Board shall have the power to interpret such part.
B. Variances

To approve, approve with conditions, or disapprove appeals for variances from the strict enforcement of the provisions of this Ordinance only as they relate to the space and bulk standards of the district regulations and the performance standards of this Ordinance, according to the terms of Section 5 of this Article. A variance shall not be granted to allow a use or an expansion of a use in a district in which the use is prohibited.

Section 4. Administrative Appeals

A. Any person aggrieved by an action of the Planning Board or Code Enforcement Officer pursuant to this Ordinance may file a request for appeal in writing within 30 days of the granting or denial of approval from the Planning Board or Code Enforcement Officer, or within 60 days of the date of application, if no action has been taken by the Town Planning Board or Code Enforcement Officer.

1. The request of appeal shall state the exact portions of the decision that are being appealed, and the legal grounds for appeal.

2. The appellant shall file this request for appeal with the Town Clerk, who shall issue a dated receipt and within 5 business days forward the appeal to the Chairman of the Board of Appeals. After receiving the appeal from the Clerk, the Chairman of the Board of Appeals shall, schedule a pre-hearing conference within 14 days and shall timely notify the applicant in writing of the pre-conference, and shall provide the applicant with a copy of the Board of Appeals bylaws.

3. If such appeal is not made within the stated time, the decision of the Planning Board or Code Enforcement Officer shall be final.

4. The fee to accompany a completed request for administrative appeals shall be determined according to the fee schedule set by the Board of Selectmen. The applicant shall be required to cover the costs of advertising, postal notification and dissemination of information for the appeals hearing.

5. No activity may be started under a permit granted herein that is the subject of an appeal before the Washington Board of Appeals.

B. The Board of Appeals at the pre-hearing conference shall:
1. Set a hearing date within 35 days or other date certain as mutually agreed by all parties; and

2. Determine the standing, grounds, and process of the hearing per the Appeals Board bylaws.

C. The Appeals Board shall schedule the hearing, give notice, and set the agenda.

1. The Appeals Board shall cause notice of the date, time and place of said hearing, the location of the proposed activity and the issues raised in the appeal, to be given in writing to the appellant, permit holder and/or applicant and published in a newspaper of general circulation in the Town at least two times. The date of the first such publication shall be at least 10 days prior to the hearing.

2. The Board of Appeals shall also cause written notice by mail or hand delivery of the hearing be given to the appellant, permit holder and/or applicant, the Selectmen, the Planning Board, the Code Enforcement Officer, and all property owners within 1,000 feet of the boundaries of the proposed activity at least 14 days prior to the date of the hearing at the cost of the appellant.

3. Notice shall be posted in such public places as a notice of a Town Meeting.

4. Upon request, the applicant at the applicant’s expense must supply a copy of the request for appeal to any of the owners of properties so mentioned.

5. The applicant shall be required to cover the costs of advertising, postal notification and dissemination of information for the appeals hearing. Payment of these costs payable to the Town of Washington shall be made prior to the start of the hearing.

D. Following such hearing, the Board of Appeals shall have the power to interpret this Ordinance and may affirm, modify, remand with instructions, or vacate the decision of the Planning Board or of the Code Enforcement Officer.

1. The appeal shall not be a de novo hearing, except in the case of an appeal from a Stop Work Order or other action by the Code Enforcement Officer.

2. The Board of Appeals shall render a finding of facts and conclusions in writing to the appellant and/or applicant, Planning Board Chairman, Code Enforcement Officer, and the Selectmen within 30 days of the decision.
Section 5. Variances

A. Application for Variance

1. Application for a variance shall be made to the Town Clerk on forms provided for that purpose, accompanied by a fee determined according to the fee schedule set by the Board of Selectmen. In addition, the applicant shall be responsible for costs of advertising and mailing associated with the application.

2. The application shall clearly state the location of the property, the relief sought, and the reason(s) for requesting the variance.

3. The application shall include a drawing to approximate scale showing the proposed location of the building or structure and its relationship to the lot’s property lines and any adjacent road or right-of-way, including all setbacks and other pertinent dimensions.

B. Variance From Dimensional Standards

The Washington Board of Appeals may grant a variance from dimensional standards of lot area, lot coverage, frontage and setback requirements, when strict application of the dimensional standards would cause a practical difficulty and when all of the following conditions exist:

1. The need for a variance is due to unique circumstances of the property and not to the general conditions of the neighborhood; and

2. The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties; and

3. The practical difficulty is not the result of action taken by the petitioner or a prior owner; and

4. No other feasible alternative is available to the petitioner; and

5. The granting of the variance will not unreasonably adversely affect the natural environment; and

6. The property is not located in whole or in part within the Washington Shoreland Limited Residential District.
“Practical Difficulty” means that the strict application of the Ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the land use district in which the property is located and results in significant economic injury to the petitioner.

C. Standards in Shoreland Areas

Prior to voting to grant a variance, the Board of Appeals shall review the application and find that the following standards have been met:

1. That a literal interpretation of the requirements of this Ordinance will impose an undue hardship on the property owner. The term “undue hardship” shall mean specifically that:
   a. the land in question cannot yield a reasonable return unless a variance is granted; and
   b. the need for the variance is due to unique circumstances of the property and not to the general conditions of the neighborhood; and
   c. the hardship is not the result of action taken by the applicant or a prior owner.

2. That the granting of the variance will not alter the essential character of the locality.

3. Any variance granted by the Board of Appeals shall be the minimum variance from the terms of the Ordinance as will relieve the hardship pleaded.

D. Additional Criteria in Shoreland Areas

Prior to voting to grant a variance within the mandated shoreland area, the Board of Appeals shall find that the proposed variance meets the following criteria:

1. Will not result in unsafe or unhealthful conditions;

2. Will not result in unreasonable erosion or sedimentation;

3. Will not result in water pollution;

4. Will not result in unreasonable damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;

5. Will reasonably conserve shoreland vegetation;

6. Will reasonably conserve visual points of access to waters as viewed from public facilities.
7. Will conserve actual points of public access to waters;
8. Will reasonably conserve natural beauty; and
9. Will reasonably avoid problems associated with floodplain development and use.

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

E. Reapplication

If the Board of Appeals shall deny a variance, a second request of a similar nature shall not be brought before the Board within two years from the date of the first request unless in the opinion of the majority of the Board, substantial new evidence can be brought forward, or unless the Board finds that an error of law or misunderstanding of facts has been made, or unless amendment has been made to this Ordinance which changes the status, circumstances, or conditions of the matter which was appealed.

F. Duration of Variances

Provided all conditions and standards of approval are met, and provided the applicant records the variance at the Knox County Registry of Deeds within 90 days of written approval, as specified in Title 30-A MRSA §4353 (5), a variance shall be a permanent grant of permission and shall “run with the land.”

G. Disability Variance

The Board of Appeals may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses that dwelling. The Board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The Board may impose conditions on the variance, including but not limiting the variance to the duration of the disability or to the time that person with the disability lives in the building. For the purposes of this subsection, a disability has the same meaning as a physical or mental handicap under Title 5 MRSA §4553, and the term “structures necessary for access to or egress from the dwelling” is defined to include the railing, wall, or roof systems necessary for the safety or effectiveness of the structure.
Section 6. Appeal of Board of Appeals Action

Any appeal from an action of the Planning Board in administering the provisions of this Ordinance shall be made to the Board of Appeals in accordance with the provisions of this Ordinance; and any subsequent appeal of its decision shall be made to Superior Court in accordance with the procedures of Rule 80B.
ARTICLE XIII – AMENDMENT AND OTHER LEGAL PROVISIONS

Section 1. Interpretation

Interpretation of what may not be clear in this Ordinance shall be according to the intent of the Ordinance and the Comprehensive Plan.

Section 2. Conflict with Other Ordinances

Whenever the regulations of this Ordinance conflict with those of another Ordinance, the stricter shall apply except that notwithstanding any provision of any other ordinance (by way of example, the Town of Washington Mining Ordinance) review and approval of a Conditional Use Permit and approvals may be processed concurrently with other permits and approvals.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, district, and independent provision and such holding shall not affect the validity of the remaining portions.

Section 4. Amendment

A. No land use regulation or amendment thereof or change in the Official Land Use Map shall be adopted until after the Selectmen of the Town have held a public hearing thereon at least ten days before it is submitted to the legislative body for consideration. Public notice of the hearing shall be made at least ten days prior to the hearing. Amendments to this Ordinance shall be considered following petition, recommendation of the Planning Board, or motion of the Selectmen. For petitions, signatures numbering not less than 10% of the number of votes cast in the town in the last election for governor shall be required before the proposed amendment will be brought for a vote. The petitioner shall bear the cost of advertising and of any postage for notification of neighboring property owners.

B. Copies of amendments, attested and signed by the Municipal Clerk, shall be retained by the Municipal Officers and submitted to the Board of Environmental
Protection following adoption by the municipal legislative body and shall not be effective unless approved by the Board of Environmental Protection. If the Board of Environmental Protection fails to act on any amendment within forty-five (45) days of the Board’s receipt of the amendment, the amendment is automatically approved. Any application for a permit submitted to the municipality within the forty-five (45) day period shall be governed by the terms of the amendment, if such amendment is approved by the Board.

Section 5. Effective Date and Repeal


B. Any land use ordinance of the Town of Washington in effect prior to 22 December 1988 was repealed as of that date.

C. Repeal of Municipal Timber Harvesting Regulation.

The municipal regulation of timber harvesting activities is repealed on the statutory date established under 38 M.R.S.A. section 438-A(5), at which time the State of Maine Department of Conservation’s Bureau of Forestry shall administer timber harvesting standards in the shoreland zone. On the date established under 38 M.R.S.A section 438-A(5), the following provisions of this Ordinance are repealed:

a. Article VI “District Regulations”, Section 1 “Resource Protection District”, Subsections C(1) and D(1); and

ARTICLE XIV - DEFINITIONS

Section 1. Meaning of Words

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural. The word “lot” shall include “parcel” and “plot.” The word “shall” is used to indicate the mandatory and the word “may” is used to indicate the permissive. The words “occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied.”

Section 2. Definitions

ABUTTING PROPERTY: any lot which is physically contiguous with the lot in question even if only at a point and any lot which is located directly across a public or private road or way from the lot in question.

ACCESSORY USES: uses clearly incidental and subordinate to a principal building or use allowed in the district in which it is located, and located on the same lot with such principal building or use.

ACCESSORY STRUCTURE: a building or structure detached from the principal building and having a use incidental and subordinate to the principal use. Accessory buildings include but are not limited to woodsheds, toolsheds, garages, dog houses, etc. Accessory buildings less than 240 square feet in area shall not require a permit providing all performance standards are met.

ADULT BUSINESS ESTABLISHMENT/ADULT ENTERTAINMENT: Any retail business whether conducted from a fixed or mobile location or vehicle, including, but not limited to, any bookstore, newsstand, novelty store, nightclub, bar, cabaret, amusement arcade or theater, which:

A. Keeps for public patronage or permits or allows the operation or use of any adult amusement device containing sexually explicit material; or

B. Permits any person on the premises, including an employee, entertainer or patron, to expose that person’s genitals, pubic hair, buttocks or perineum, or the areola of a female breast, to a patron or member of the general public; or
C. Exhibits or displays motion pictures or other visual representation described or advertised as being “X-rated” or “for adults only”, or which customarily excludes persons from any portion of the premises by reason of immaturity of age by the use of such or similar phrases; or

D. Offers as a substantial portion of its stock-in-trade books, magazines, or other periodicals, video recordings, or “marital aids” and devices characterized by emphasis on sexual activities.

ADULT FOSTER HOME: a licensed boarding care facility having less than 5 residents.

AGRIBUSINESS: Farming engaged in as a large-scale business operation embracing horizontally and vertically integrated production, processing, and distribution of agricultural products and the manufacture of farm machinery, equipment, and supplies, and as a system where the farm owner, the farm manager and the farm worker are different people.

AGRICULTURAL BUILDINGS: A non-residential building used for an agricultural use or in conjunction with an agricultural activity including but not limited to barns, sheds, farm animal shelters, coops for domestic birds, silos, and equipments storage buildings.

AGRICULTURE: the cultivation of the soil, production of crops, or the raising of livestock, including animal husbandry, in number exceeding five of any one species or fifteen in the aggregate.

ALL TERRAIN VEHICLE (ATV): A motor-driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multi-track, multi-wheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind.

ATV TRAILS: An improved or rustic public trail which has been cleared for use by ATV’s.

AUTOMOBILE GRAVEYARDS: A yard, field or other area used to store 3 or more unregistered or uninspected motor vehicles as defined in 29-A MRSA §101(42), or parts of such vehicles.

A. Does not include any area used for temporary storage by an establishment or place of business that is primarily
engaged in doing auto body repair work to make repairs to render a motor vehicle serviceable.

B. Includes an area used for automobile dismantling, salvage and recycling operations.

AUTOMOBILE RECYCLING OPERATIONS: Except as this term may otherwise be defined by State law, an automobile recycling business shall mean the business premises of a person who purchases or acquires salvage vehicles for the purpose of reselling the vehicles or component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles, provided that 80% of the business premises specified in the application for an automobile recycling business permit is used for automobile recycling operations.

AUTOMOBILE REPAIR GARAGE: A place where, with or without the attendant sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; over-all painting and under-coating of automobiles.

AUTOMOBILE SALVAGE OPERATION: the dismantling of motor vehicles for the purpose of reselling the component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles.

AUTOMOBILE SERVICE STATION BUILDING: A place where gasoline, or any other automobile engine fuel (stored only in underground tanks), kerosene, or motor oil and lubricants or grease are retailed directly to the public on the premises; including storage of unlicensed vehicles and not including body, frame or fender straightening and repair.

BABY SITTING SERVICE: persons providing in-home daycare for less than 3 children under the age of 13 unrelated to the provider on a regular basis.

BED AND BREAKFAST: any establishment where the general public can stay overnight and are provided with a breakfast meal, full or continental, and if providing no more than four rooms for overnight guests.

BOARDING HOME: a licensed boarding care facility having more than five residents.

BUFFER YARD: a unit of land, together with a specified type and amount of planting thereon, and any structures, such as but
not limited to fences, retaining walls and/or berms, which may be required between land uses to eliminate or minimize conflicts.

BUILDING: any structure with a floor area greater than 64 square feet, having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel. Each portion of a building, separated from other portions by a fire wall, shall be considered a separate building.

BUSINESS SERVICE: a service, other than home occupations, exemplified by the types of services listed under U.S. Standard Industrial Classification code 73, including but not limited to: advertising, credit reporting and collection, mailing and reproduction services, services to buildings, personnel supply services, computer and data processing services, management and public relations, and the business offices of corporations or firms.

CAMPGROUND: A plot of ground upon which 2 or more campsites are located, established, or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, or vacation purposes including erection of tents, trailers, lean-to, overnight cabins, or similar structures and parking facilities.

CERTIFICATE OF COMPLIANCE: A document signed by the code enforcement officer stating that a structure or development is in compliance with the provisions of all applicable town ordinances.

CERTIFICATE OF OCCUPANCY: A document signed by the code enforcement officer stating that a structure and/or development is in compliance with the provisions of all applicable town ordinances and permits issued for the structure and/or development.

CLEARCUTTING OF TREES: Any timber harvesting on a forested site greater than 5 acres in size that results in a residual basal area of trees over 4 1/2 inches in diameter measured at 4 1/2 feet above the ground of less than 30 square feet per acre, unless, after harvesting, the site has a well-distributed stand of acceptable growing stock, as defined by rule, of at least 3 feet in height for softwood trees and 5 feet in height for hardwood trees that meets the regeneration standards defined under Title 12 M.S.R.A. section 8869, subsection 1.

CLUSTER DEVELOPMENT: A form of development that allows a subdivision design in which individual lot sizes and
setbacks are reduced in exchange for the creation of common open space and recreation areas, the preservation of environmentally sensitive areas, agriculture and silviculture and the reduction in the size of road and utility systems. Total land involved must be "good" land, not swamp or road, etc. and a percentage dedicated to common open space or other types of protected open space. In exchange for this dedication, density can be increased by up to 150% but each dwelling lot has to be no smaller than 20,000 square feet. All clustered residential developments shall be subject to subdivision regulations and approvals.

CODE ENFORCEMENT OFFICER: the official responsible for enforcement of this Ordinance and for other duties set forth by state statute and other ordinances.

COMMERCIAL AGRICULTURE: The production, keeping, or maintenance for sale or lease to the public as a business enterprise, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green house products; also including composting, slaughtering and meat processing activities. Commercial agriculture does not include forest management and timber harvesting activities. See the definition of Agriculture.

COMMERCIAL ENTERPRISES AND SALES: activity involving the buying and selling of goods and finished products on a large scale, including, by way of example only, the following: auto repair facilities and shops; non-residential research for profit; commercial outdoor recreational facilities and services; warehousing and storage facilities; wood processing & sales together with related timber harvesting; wholesale sales operations; and any retail establishment of 5,000 square feet or more. See also the definition of COMMERCIAL CAMPGROUNDS.

COMMERCIAL FUEL DISTRIBUTION OPERATIONS: A premises where oil and gas products used for domestic or commercial heating, cooking and similar purposes are stored and from which they are distributed to the ultimate consumers or to retail or wholesale business. It does not include oil and gas products used for manufacturing or industrial purposes.

COMMERCIAL OUTDOOR RECREATION: outdoor recreation activities that are operated by an entity other than a unit of government and which are available for use for a fee, including but not limited to standard golf courses, ice skating rinks, tennis courts and cross-country ski trails, but excluding games and activities common to amusement parks. Private outdoor
Recreation Facilities serving exclusively a residential use shall be considered accessory to the residential use.

COMMERCIAL STORAGE AND/OR WAREHOUSING: A structure with areas for rent for the storage of items by the public; or the storage, deposit, or stocking of merchandise or commodities in a structure or room, or on the premise, and includes temporary storage of materials normally associated with construction and landscaping.

COMMERCIAL WOOD PROCESSING AND/OR SALES: The commercial storage, sawing, chipping, splitting, compacting and related activities associated with producing combustible wood products for sale to the public in excess of 50 cords per year. Firewood harvesting and processing for one’s personal use is a “use by right” in all districts if all other requirements are met.

COMMUNITY BUILDING: a private building used by a fraternal, philanthropic or other civic organization and which may be made available from time to time for community functions.

CORNER LOT: A lot that is located at the intersection of two streets. For purposes of determining setbacks from the road right-of-way, the setback requirement from the road right-of-way shall apply to the main street (911 address) and the side yard setback requirement shall apply to the side street.

CULTURAL FACILITIES: not-for-profit facilities dedicated to recognized public or philanthropic purpose and intellectual endeavor, such as a library, museum, auditorium or performing or visual arts center.

DAY CARE FACILITY: a house or other place in which a person or combination of persons maintains or otherwise carries out a regular program, for consideration, for any part of the day providing care and protection for 3 or more children under the age of 13; or any location or locations operated as a single childcare program or by a single person or persons when there are more than twelve (12) children being cared for. Does not include a facility operated by a family child care provider, a summer camp established solely for recreational and educational purposes, programs offering instruction to children for the purpose of teaching a skill such as karate, dance or basketball or a private school recognized by the Department of Education as a provider of equivalent instruction for the purpose of compulsory school attendance, or a formal public or private school in the nature of a
kindergarten or elementary or secondary school approved by the Commissioner of Education in accordance with Title 20-A.

DEBRIS: any cast-off or used materials including but not limited to trash, garbage, demolition material, appliances, automobile parts, barrels, drums, or tires, that are accumulated but are not offered for sale.

DECK: See “open porch or deck”.

DEVELOPMENT: A change in land use involving alteration of the land, water or vegetation, or the addition or alteration of structures or other construction not naturally occurring.

DIMENSIONAL REQUIREMENTS: numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.

DOMESTIC PARTNER: Two (2) unmarried adults who are domiciled together under long term arrangements that evidence a commitment to remain responsible indefinitely for each other’s welfare. Domestic partnership may be demonstrated by providing proof of (1) Registration as a domestic partner with the State Office of Health Data and Program Management; or (2) Legal domicile for a period of at least 12 months; and (3) that neither partner is married nor in a registered domestic partnership with another person.

DRIVEWAY: a vehicular access-way less than five hundred (500) feet in length serving two lots or less.

DWELLING: any building or structure or portion thereof designed or used for residential purposes.

SINGLE-FAMILY DETACHED DWELLING: a structure containing only one dwelling unit for occupation by not more than one family. The term shall include multi-sectional modular homes, and shall be deemed to include manufactured housing units or older mobile homes.

SINGLE-FAMILY ATTACHED DWELLING: a building containing single family dwelling units each with two or more fire separation walls, or one fire separation wall in the case of a dwelling unit at the end of a group of attached units; which have no dwelling units above or below them; and which have no common hallways. Single family attached dwellings are permitted as part of clustered residential developments or in any district which allows multifamily dwellings.
TWO-FAMILY DWELLING: a building used for residential occupancy by two families living independently of each other.

MULTI-FAMILY DWELLING: a building containing three or more dwelling units, such buildings being designed for residential use and occupancy by three or more families living independently of one another, with the number of families not exceeding the number of dwelling units. The term also includes commercial space as the principal use.

DWELLING UNIT: a room or group of rooms designed and equipped exclusively for use as living quarters for one family, including provisions for living, sleeping, cooking, and eating. The term shall include seasonal dwellings (designed for occupancy for less than three months), but shall not include motor homes or recreational vehicles, nor shall it include hotel or motel rooms or suites, rooming house rooms, or similar accommodations. Living area shall mean actual enclosed space suitable for year-round occupancy and shall not include porches, patios and similar areas whether or not enclosed.

EMERGENCY AND FIRE PROTECTION ACTIVITIES: Activities by first responders, emergency medical services, and fire departments to protect life limb and property due to an accident and/or the suppression and extinguishment of fire.

ESSENTIAL SERVICES: the construction, alteration or maintenance of gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

EXPANSION OF A STRUCTURE: an increase in the floor area or volume of a structure, including all extensions such as, but not limited to attached decks, garages, porches and greenhouses.

EXPANSION OF USE: the addition of weeks or months to a use’s operating season; additional hours of operation; or the use of more floor area or ground area devoted to a particular use.
FAMILY: one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, hotel, or other transient visitor quarters. Such unit shall not exceed five persons not related by blood or marriage.

FARM PONDS OR FIRE PROTECTION PONDS: A constructed pond used for agricultural, recreational, safety, or landscaping purposes and not for the purpose of mineral extraction. Farm ponds will be constructed in adherence with plans approved by the Knox and Lincoln County Soil and Conservation District or prepared by an engineer or other certification approved by the Planning Board.

FINANCIAL SERVICE: a service other than home occupations exemplified by the types of services listed under U.S. Standard Industrial Classification Codes 60 through 67, inclusive, and including banking, other credit agencies, security and commodity brokers and services, and insurance, real estate, and investment offices.

FLEA MARKET: an outdoor market selling antiques, used household goods, curios, and the like, at a frequency of more than four days in any six month period.

FLOOR AREA: the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

FOREST MANAGEMENT: timber cruising and other forest evaluation activities, management planning activities, insects and disease control, pruning and other stand improvement, regeneration of forest stands, and other similar associated activities, including removal of dead or diseased trees, but not timber harvesting.

FORTY PERCENT (40%) NO CUT BUFFER: In any area that requires a buffer, as in a 30 foot buffer between residential and non residential, or along property lines, the amount of thinning, clearing and cutting of brush shall be regulated by the same standards as shown in the Limited Residential District.

FRESHWATER WETLAND: freshwater swamps, marshes, bogs and similar areas which are:

A. shown as shaded areas on the Town of Washington Tax Maps, or which are
B. land areas which are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

FRONTAGE: (see also shore frontage) the linear distance between the sidelines of a lot, measured along the lot line that borders upon whatever right-of-way serves as legal access to the lot. For the purposes of this Ordinance, the following ways shall constitute legal access to a lot along which frontage may be measured:

A. a way accepted by or established as belonging to the Town of Washington, Knox County, or the State of Maine, provided access is not specifically prohibited;

B. a way, whether dedicated to public ownership or not, as shown on an approved subdivision plan;

C. a private or public way which has not been approved by a governmental subdivision but which has been established in a deed or on a plan recorded in a registry of deeds.

In the case of a lot situated on a curve of a way or on a corner of two ways, the measurement of frontage may include the entire length of the property line along such way or ways.

GARBAGE: all waste from the preparation, cooking and consumption of food, market refuse, waste from handling, storage and sale of produce, whether in containers or not, excepting a properly constructed and functional compost pile, bin or recepticle.

GREAT POND: any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner.

HAZARDOUS WASTE: Substances identified under 38 MRSA §1319 that present a present or potential danger to the people of the State or to its natural environment when deposited on land
or discharged on or into the waters of the State or ambient air. (38 MRSA §1317(2))

HEIGHT OF BUILDING: vertical measurement from a point on the ground at the mean original grade adjoining the foundation as calculated by averaging the highest and lowest original points around the building or structure, to the highest point of the building or structure, excluding incidental protrusions such as chimneys and antennae.

HOME FARMING: The keeping of cattle, pigs, sheep, horses, and other similar farm animals; the keeping of chickens, ducks, geese or similar fowl; and/or the growing of fruits and vegetables in a garden area for family consumption and not for sale as either wholesale or retail.

HOME OCCUPATION: An occupation or profession for financial gain which is carried on in a dwelling unit or structure accessory to a dwelling unit and which is clearly incidental and secondary to the use of the dwelling for residential purposes and which does not change the character thereof. Sale of products shall be limited to those which are assembled or substantially altered on the premises. The term "home occupation," shall include both professional and personal services, within the limits of number of employees established below.

A. The home occupation shall be carried on wholly within the dwelling or accessory structure.

B. The home occupation shall be carried on primarily by a member or members of the family residing in the dwelling unit. Not more than two persons other than family members residing in the dwelling unit shall be employed on the premise in connection with the home occupation.

C. There shall be no exterior display, no exterior signs other than those permitted by the Land Use Ordinance.

D. Objectionable conditions such as noise, vibration, smoke, dust, electrical disturbance, odors, heat, glare or activity at unreasonable hours, shall not be permitted. Any waste/hazardous waste shall be disposed of in accordance with D.E.P. regulations.

E. The traffic generated by such home occupation shall not increase the volume of traffic so as to create a traffic hazard or disturb the residential character of the immediate neighborhood.
F. If existing off-street parking is required to be expanded, it shall be adequately screened from the road and from adjacent lots.

G. Should all the above conditions not be maintained on a continual basis, the Planning Board shall determine whether the home occupation has become a commercial operation requiring site review.

INDUSTRIAL USES: activity involving the extraction of or bringing in of raw materials or of components, manufacturing, packaging, assembly, or distribution of finished products, including the processing of raw materials; mining and mineral extraction; and junk and salvaging operations. See also the definition of LIGHT INDUSTRIAL USES.

INN OR MOTEL: a commercial building or group of buildings with 4 or more rooms built primarily to accommodate for a fee travelers and other transient guests, who are staying for a limited duration, with sleeping and associated rooms.

JUNK: Items described in “JUNKYARD” below.

JUNKYARD: Except as this term may otherwise be defined by State law, a junkyard shall mean a yard, field or other area used to store and/or sell junk, specifically any of but not limited to the following items:

A. Discarded, worn-out, old, junked or scrap plumbing, heating supplies, household appliances, automobile parts, barrels, drums, copper, brass, batteries, and all scrap iron, steel and other scrap ferrous or nonferrous material; or

B. Discarded, scrap and junked lumber or furniture; or

C. Old or scrap rope, rags, garbage, trash, rubber debris, tires or other solid waste.

Junkyard items not offered for sale shall be considered debris and are subject to the provisions of Section 4 of Article X of this Ordinance.

LICENSED BABY SITTING SERVICES: A service conducted or maintained in a house or other place by anyone who provides, on a regular basis and for consideration, care and protection which is required to be licensed by the State of Maine as a “Family Child Care Provider”, for three to twelve unrelated persons under 13 years of age for any part of a day. In addition to any other review required under this ordinance, a family child care provider operating out of their own residence shall be considered a home occupation and shall be
allowed under the conditions and regulations applicable to home occupations.

LIGHT INDUSTRIAL USES: industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from previously prepared material, including, by way of example only, the following; bakeries, bottling, printing and publishing, pharmaceuticals, machine shops, precision instruments, watchmakers, musical instruments, toys and sporting goods, pottery and ceramics using only previously pulverized clay, wood products, jewelry, assembly of electrical components, canteen services, tool and die shops, and the packaging of foods. Light industrial uses do not include the processing of raw materials or salvaging operations.

LOT: A contiguous parcel of land in single or joint ownership described on a deed, plot plan, or similar legal document and having frontage, as defined in this Article.

MANUFACTURED HOUSING:

MOBILE HOMES: Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained in the unit;

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

MODULAR HOMES: Units which the manufacturer certifies are constructed in compliance with Title 10, chapter 957, section 9001 et seq., and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent
chassis and are designed to be used as dwellings on permanent foundations when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained in the unit.

MINERAL EXTRACTION: Any extraction of mineral deposits, including gravel, other than mineral exploration to determine location, extent, and composition or deposits.

MINERAL EXTRACTION ACTIVITY: Any excavation or removal, handling or storage of on-site extracted sand, gravel, borrow, rock, clay, minerals, or topsoil to include, but is not limited to, sand or gravel pits, clay pits, borrow pits, quarries, mines, and topsoil mining or removal.

MINERAL EXTRACTION SITE OR AREA: All of the land area disturbed or otherwise developed for the extraction, removal, processing, or storage of sand, gravel, clay, minerals, stone, rock, or topsoil; including any access roads and cleared areas adjacent to a pit or excavated area.

MINERAL PROCESSING: The processes and related mechanical equipment to wash, crush, or otherwise process rock or earth materials, including the mixing of concrete or asphalt or other aggregate processes. Does not include the loading of material into trucks for transport to off-site processing or the screening of material.

MUNICIPAL USE OR STRUCTURES: Any use or building maintained by the Town of Washington.

NEIGHBORHOOD STORE: a retail store that occupies less than 4,000 square feet of total floor space and within which no alcoholic beverages are consumed.

NET DEVELOPABLE ACRES: The gross acreage available for development, excluding the area for roads or access and the areas which are unsuitable for development.

NONCONFORMING LOT: a single lot or contiguous lots of record which, at the effective date of this Ordinance, does not meet the minimum lot area, minimum lot area per dwelling unit, or minimum frontage requirements of the district in which it is located. It is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

NONCONFORMING STRUCTURE: a structure that does not meet the minimum setback, maximum lot coverage, or maximum height standards of the district in which it is located. It is
allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

NONCONFORMING USE: a use of premises that is not permitted in the district in which it is located, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

NORMAL HIGH-WATER LINE: that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. In the case of wetlands adjacent to rivers and great ponds, the normal high-water line is the upland edge of the wetland, and not the edge of the open water.

NURSING FACILITIES OR CONVALESCENT HOME: a facility in which nursing care and medical services are performed under the general direction of persons licensed to practice medicine in the State of Maine for the accommodation of convalescent or other persons who are not in need of hospital care, but who do require, on a 24 hour basis, nursing care and related medical services.

OPEN PORCH or DECK: A deck is a platform structure usually with railings but no walls or roof while an open porch is the same with a roof. An open porch may have screens installed but will have no permanent windows.

PERSON: an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.

PERSONAL SERVICE: a service exemplified by the types of services listed under U.S. Standard Industrial Classification code 72, including but not limited to laundry and cleaning services, photography studios, shoe repair shops, funeral homes, and similar services to the general public.

PLANNING BOARD: the Municipal Reviewing Authority of the Town of Washington, Maine as defined by 30A M.R.S.A. Section 4301, Subsection 12.

PREMISES: one or more parcels of land which are in the same ownership and contiguous.

PIGGERIES: a type of factory farm specialized for the raising of domestic pigs up to slaughter weight. In this system of pig production, grower pigs are housed indoors in group-housing
or straw-lined sheds, whilst pregnant sows are confined in sow stalls (gestation crates) and give birth in farrowing crates. Also known as hog lots.

PRIMITIVE RECREATION: recreational uses that do not require buildings or structures, or significant alteration of the terrain, such as hunting, fishing, hiking, primitive camping, snowmobiling, cross-country ski trails, and parks of primarily undeveloped, natural character.

PRINCIPAL STRUCTURE: a building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

PRINCIPAL USE: a use other than one which is wholly incidental or accessory to another use on the same premises.

PRIVATE CAMPSITES: An area of land which is not associated with a campground, but which is developed for repeated camping by one group only, not to exceed 10 individuals and which involves site improvements which may include, but not be limited to, a gravel pad, parking area, fire place, or tent platform.

PRIVATE WAY: A road or driveway wholly owned and maintained by one or more abutting landowners.

PROFESSIONAL AND MEDICAL OFFICES: places of business maintained by one or more individuals who have recognized professional accreditation in their field, which requires an appropriate academic degree, as determined by the permitting authority. Including but not limited to doctors, lawyers, engineers, health care professionals, accountants, insurance offices, but not including tradesmen or beauty salons.

PUBLIC FACILITY: any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

PUBLIC ROAD OR PUBLIC WAY: A road which has been accepted as a town road, for which the town owns a right-of-way, and is maintained by the town.

PROHIBITED USES: Any use, activity or development that is not allowed or permitted in a district or a portion thereof is, thereby, strictly prohibited.

REAR LOT LINE: the most parallel side to, or opposite side from, the road that defines the street address of the building(s) or proposed building(s) as determined by the Planning Board.
RECENT FLOOD PLAIN SOILS: the following soil series as described and identified by the National Cooperative Soil Survey:

- Alluvial
- Cornish
- Charles
- Fryeburg
- Hadley
- Limerick
- Lovewell
- Medomak
- Ondawa
- Podunk
- Rumney
- Saco
- Suncook
- Sunday
- Winooski

RECREATIONAL FACILITY: structures or infrastructures designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.

RECREATIONAL VEHICLE: a vehicle or an attachment to a vehicle designed to be towed, and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, and must be registered with the State Division of Motor Vehicles.

REPLACEMENT SYSTEM: a system intended to replace:

A. an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or

B. any existing overboard wastewater discharge.

RESIDENTIAL DWELLING UNIT: a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family. The term shall include mobile homes, but not recreational vehicles.

RETAIL ENTERPRISES AND SALES: activity involving the buying and selling of goods and finished products on a small scale, including, by way of example only, the following: auto service stations; motels, inns and bed and breakfast establishments; small scale retail and grocery stores; restaurants; and retail vehicle/farm machinery sales. This definition includes activity whereby a client or customer purchases goods, finished products or raw materials and transports it off site in their own vehicles. See also the definitions of BED AND BREAKFAST; MOTELS & INNS; NEIGHBORHOOD STORES; and TRADESMAN SHOPS.

RIPRAP: rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization,
typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.

RIVER: a free-flowing body of water including its associated flood plain wetlands from that point at which it provides drainage for a watershed of twenty five (25) square miles to its mouth.

ROAD: a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

SERVICES: providing the use of something such as skills, knowledge, training, technical expertise; or of something for the public benefit; generally not involving goods or products except as repairs or replacements for existing products; including, by way of example only, the following: licensed baby sitting services and day care facilities; business services; financial services; nursery schools; nursing homes; personal services; professional & medical offices; diagnostic and repair facilities for household appliances and personal computers; schools, colleges and universities; places of worship; utilities; and veterinary clinics and kennels. See also the definitions of BABY SITTING SERVICE; DAY CARE FACILITY; BUSINESS SERVICE; FINANCIAL SERVICE; NURSING FACILITIES OR CONVALESCENT HOME; and PERSONAL SERVICE.

SETBACK, BACK YARD or REAR: the distance between the rear line of the lot, extending the full width of the lot, and the nearest part of principal or accessory structure. Back and rear yard are synonymous terms.

SETBACK, FRONT YARD: the distance between the road right-of-way or easement line extending the width of the frontage, and the nearest part of any principal or accessory structure; provided, however, that signs erected in accordance with the sign standards of this Ordinance may be placed in the front yard area. In the Shoreland Limited Residential District, the front yard faces the water.

SETBACK, NORMAL HIGH-WATER LINE: the distance from the normal high-water line of any perennial stream or pond or freshwater wetland to the nearest part of a structure.

SETBACK, SIDE YARD: the distance between the side property line and the nearest part of any principal or accessory structure. Any lot line not a back lot line or a front lot line shall be deemed a side lot line.
SHOOTING RANGE: A business open to the public or a private gun club whereby the firing of firearms at fixed or movable targets is a prevalent activity to include skeet ranges, trap ranges, or firearm competition. It does not include gun shops or individual target practice.

SHORE FRONTAGE: the length of a lot’s shoreline as measured in a straight line between the points of intersection of the side lot lines with the shoreline at normal high water elevation.

SHORELAND AREA: the land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond or river; within 250 feet of the upland edge of a freshwater wetland; or within seventy-five (75) feet of the normal high-water line of a stream.

SIGN: structure, device, letter, banner, symbol, or other representation which is used as or is in the nature of an advertisement, announcement, or direction; which is erected, assembled, affixed, or painted out of doors; and which is visible from a public way.

SIGN AREA: the area of the smallest square, rectangle, triangle, circle, or combination thereof, which encompasses the facing of a sign, including copy insignia, background and borders, but not including structural supports of the sign. A double-sided sign counts as one sign. A wall sign’s area includes such background as is not the same color as the building.

SNOWMOBILE: A vehicle propelled by mechanical power that is primarily designed to travel over ice or snow and is supported in part by skis, belts, or cleats.

SOLID WASTE: all non-liquid debris, garbage or trash.

STREAM: a free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river.

STRUCTURE: Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind.

STUMP DUMP: An area where stumps, logs and brush are collected off site and brought to a location for storage, disposal, or decomposing.

TIMBER HARVESTING: The cutting or removal of at least 50 cords of timber for the primary purpose of selling or processing.
forest products (12 M.R.S.A. § 8068(4)). Also the cutting of trees on any parcel over 1/2 acre that requires a Intent to Harvest certificate from the State Forestry Bureau.

TRADESMAN SHOP: the shop of a self-employed craftsman or person in a skilled trade.

TRASH: all combustible materials such as, but not limited to, paper cartons, boxes, barrels, wood and excelsior, tree branches, yard trimmings, wood furniture and bedding and non-combustible materials such as but not limited to, metals, tin cans, plastic containers, dirt, glass crockery, and other mineral refuse.

TRIBUTARY STREAM: a channel between defined banks created by the action of surface water, whether intermittent or perennial, and which is characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of topsoil containing waterborne deposits on exposed soil, parent material or bedrock, and which flows to a water body or wetland as defined. This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.

UPLAND EDGE: the boundary between upland and wetland. The upland edge is formed where the soils are not saturated for the duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are 20 foot tall or taller. (DEP § 17)

USES BY RIGHT: Any use, activity or development in a district, or a portion thereof, that is allowed subject to the specific restrictions applicable to that district and other applicable portions of this Ordinance, and which requires no permit.

USES REQUIRING A CEO PERMIT: Any use, activity or development permitted in a district, or a portion thereof, and subject to the restrictions applicable to that district, which after a complete application by the applicant may be permitted by the Code Enforcement Officer without Planning Board review.

USES REQUIRING PLANNING BOARD REVIEW: A use, activity, or development that owing to some special characteristics attendant to its operation or installation requires approval by the Planning Board subject to special requirements different from the usual requirements of this Ordinance.
UTILITY STRUCTURES AND SERVICES: Gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal wastewater lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services. Does not include cell towers.

Satellite dishes serving a residential use on a single lot shall be considered accessory to such use.

VARIANCE: a grant of permission by the Board of Appeals to relax the space and bulk standards or performance standards of this Ordinance. Any such grant shall strictly comply with the standards and procedures of Article VII of this Ordinance. A variance is not authorized for establishment or expansion of a use otherwise prohibited.

VEGETATION: all live trees, shrubs, ground cover, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4-1/2 above ground level.

VOLUME OF A STRUCTURE: the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

WATER BODY: any great pond, river, or stream.

WETLAND: areas delineated as numbered wetlands on the Maine DEP Wetlands Map that are characterized as being inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

WETLANDS ASSOCIATED WITH GREAT PONDS AND RIVERS: wetlands contiguous with or adjacent to a great pond or river, and which during normal high water, are connected by surface water to the great pond or river. Also included are wetlands which are separated from the great pond or river by a berm, causeway, or similar feature less than 100 feet in width, and which have a surface elevation at or below the normal high water line of the great pond or river. Wetlands
associated with great ponds or rivers are considered to be part of that great pond or river.

YARD (OR GARAGE) SALE: a sale of used household goods, curios, and the like. Yard (or garage) sales, distinguished from flea markets, shall be considered to be residential accessory uses under this Ordinance.
## NAICS Condensed

**North American Industry Classification System - United States, 2002**

### 11 AGRICULTURE, FORESTRY, FISHING AND HUNTING
- **111** Crop Production
- **112** Animal Production
- **113** Forestry and Logging
- **114** Fishing, Hunting and Trapping
- **115** Support Activities for Agriculture and Forestry

### 21 MINING
- **211** Oil and Gas Extraction
- **212** Mining (except Oil and Gas)
- **213** Support Activities for Mining

### 22 UTILITIES
- **221** Utilities

### 23 CONSTRUCTION
- **236** Construction of Buildings
- **237** Heavy and Civil Engineering Construction
- **238** Specialty Trade Contractors

### 31-33 MANUFACTURING
- **311** Food Manufacturing
- **312** Beverage and Tobacco Product Manufacturing
- **313** Textile Mills
- **314** Textile Product Mills
- **315** Apparel Manufacturing
- **316** Leather and Allied Product Manufacturing
- **321** Wood Product Manufacturing
- **322** Paper Manufacturing
- **323** Printing and Related Support Activities
- **324** Petroleum and Coal Products Manufacturing
- **325** Chemical Manufacturing
- **326** Plastics and Rubber Products Manufacturing
- **327** Nonmetallic Mineral Product Manufacturing
- **331** Primary Metal Manufacturing
- **332** Fabricated Metal Product Manufacturing
- **333** Machinery Manufacturing
- **334** Computer and Electronic Product Manufacturing
- **335** Electrical Equipment, Appliance, and Component Manufacturing
- **336** Transportation Equipment Manufacturing
- **337** Furniture and Related Product Manufacturing
- **339** Miscellaneous Manufacturing

### 42 WHOLESALE TRADE
- **423** Merchant Wholesalers, Durable Goods
- **424** Merchant Wholesalers, Nondurable Goods
- **425** Wholesale Electronic Markets and Agents and Brokers

### 44-45 RETAIL TRADE
- **441** Motor Vehicle and Parts Dealers
- **442** Furniture and Home Furnishings Stores
- **443** Electronics and Appliance Stores
- **444** Building Material and Garden Equipment and Supplies Dealers
- **445** Food and Beverage Stores
- **446** Health and Personal Care Stores
- **447** Gasoline Stations
- **448** Clothing and Clothing Accessories Stores
- **451** Sporting Goods, Hobby, Book, and Music Stores
- **452** General Merchandise Stores
- **454** Nonstore Retailers

### 48-49 TRANSPORTATION AND WAREHOUSING
- **481** Air Transportation
- **482** Rail Transportation
- **483** Water Transportation
- **484** Truck Transportation
- **485** Transit and Ground Passenger Transportation
- **486** Pipeline Transportation
- **487** Scenic and Sightseeing Transportation
- **488** Support Activities for Transportation
- **491** Postal Service
- **492** Couriers and Messengers
- **493** Warehousing and Storage

### 51 INFORMATION
- **511** Publishing Industries (except Internet)
- **512** Motion Picture and Sound Recording Industries
- **515** Broadcasting (except Internet)
- **516** Internet Publishing and Broadcasting
- **517** Telecommunications
- **518** Internet Service Providers, Web Search Portals, and Data Processing Services
- **519** Other Information Services

### 52 FINANCE AND INSURANCE
- **521** Monetary Authorities - Central Bank
- **522** Credit Intermediation and Related Activities
- **523** Securities, Commodity Contracts, and Other Financial Investments and Related Activities
NAICS Condensed
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524 Insurance Carriers and Related Activities
525 Funds, Trusts, and Other Financial Vehicles

53 REAL ESTATE AND RENTAL AND LEASING
531 Real Estate
532 Rental and Leasing Services
533 Lessors of Nonfinancial Intangible Assets
(except Copyrighted Works)

54 PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES
541 Professional, Scientific, and Technical Services

55 MANAGEMENT OF COMPANIES AND ENTERPRISES
551 Management of Companies and Enterprises

56 ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES
561 Administrative and Support Services
562 Waste Management and Remediation Services

61 EDUCATIONAL SERVICES
611 Educational Services

62 HEALTH CARE AND SOCIAL ASSISTANCE
621 Ambulatory Health Care Services
622 Hospitals
623 Nursing and Residential Care Facilities
624 Social Assistance

71 ARTS, ENTERTAINMENT, AND RECREATION
711 Performing Arts, Spectator Sports, and Related Industries
712 Museums, Historical Sites, and Similar Institutions
713 Amusement, Gambling, and Recreation Industries

72 ACCOMMODATION AND FOOD SERVICES
721 Accommodation
722 Food Services and Drinking Places

81 OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)
811 Repair and Maintenance

812 Personal and Laundry Services
813 Religious, Grantmaking, Civic, Professional, and Similar Organizations
814 Private Households

92 PUBLIC ADMINISTRATION
921 Executive, Legislative, and Other General Government Support
922 Justice, Public Order, and Safety Activities
923 Administration of Human Resource Programs
924 Administration of Environmental Quality Programs
925 Administration of Housing Programs, Urban Planning, and Community Development
926 Administration of Economic Programs
927 Space Research and Technology
928 National Security and International Affairs
11 AGRICULTURE, FORESTRY, FISHING AND HUNTING

111 Crop Production
1111 Oilseed and Grain Farming
  11111 Soybean Farming
  111110 Soybean Farming
  11112 Oilseed (except Soybean) Farming
  111120 Oilseed (except Soybean) Farming
  11113 Dry Pea and Bean Farming
  111130 Dry Pea and Bean Farming
  11114 Wheat Farming
  111140 Wheat Farming
  11115 Corn Farming
  111150 Corn Farming
  11116 Rice Farming
  111160 Rice Farming
  11119 Other Grain Farming
  111191 Oilseed and Grain Combination Farming
  111199 All Other Grain Farming
1112 Vegetable and Melon Farming
11121 Vegetable and Melon Farming
  111211 Potato Farming
  111219 Other Vegetable (except Potato) and Melon Farming
1113 Fruit and Tree Nut Farming
11131 Orange Groves
  111310 Orange Groves
  11132 Citrus (except Orange) Groves
  111320 Citrus (except Orange) Groves
  11133 Noncitrus Fruit and Tree Nut Farming
  111331 Apple Orchards
  111332 Grape Vineyards
  111333 Strawberry Farming
  111334 Berry (except Strawberry) Farming
  11135 Tree Nut Farming
  11136 Fruit and Tree Nut Combination Farming
  11139 Other Noncitrus Fruit Farming
1114 Greenhouse, Nursery, and Floriculture Production
  11141 Food Crops Grown Under Cover
    111411 Mushroom Production
    111419 Other Food Crops Grown Under Cover
    11142 Nursery and Floriculture Production
    111421 Nursery and Tree Production
    111422 Floriculture Production

1119 Other Crop Farming
11191 Tobacco Farming
  111910 Tobacco Farming
  11192 Cotton Farming
  111920 Cotton Farming
  11193 Sugarcane Farming
  111930 Sugarcane Farming
  11194 Hay Farming
  111940 Hay Farming
  11199 All Other Crop Farming
  111991 Sugar Beet Farming
  111992 Peanut Farming
  111998 All Other Miscellaneous Crop Farming

112 Animal Production
1121 Cattle Ranching and Farming
11211 Beef Cattle Ranching and Farming, including Feedlots
  112111 Beef Cattle Ranching and Farming
  112112 Cattle Feedlots
11212 Dairy Cattle and Milk Production
  112120 Dairy Cattle and Milk Production
  11213 Dual-Purpose Cattle Ranching and Farming
  112130 Dual-Purpose Cattle Ranching and Farming
1122 Hog and Pig Farming
11221 Hog and Pig Farming
  112210 Hog and Pig Farming
1123 Poultry and Egg Production
  11231 Chicken Egg Production
  112310 Chicken Egg Production
  11232 Broilers and Other Meat Type Chicken Production
  112320 Broilers and Other Meat Type Chicken Production
11233 Turkey Production
112330 Turkey Production
11234 Poultry Hatcheries
112340 Poultry Hatcheries
11239 Other Poultry Production
112390 Other Poultry Production
1124 Sheep and Goat Farming
11241 Sheep Farming
112410 Sheep Farming
11242 Goat Farming
112420 Goat Farming
1125 Animal Aquaculture
11251 Animal Aquaculture
112511 Finfish Farming and Fish Hatcheries
112512 Shellfish Farming
112519 Other Animal Aquaculture
1129 Other Animal Production
11291 Apiculture
112910 Apiculture
11292 Horses and Other Equine Production
112920 Horses and Other Equine Production
11293 Fur-Bearing Animal and Rabbit Production
112930 Fur-Bearing Animal and Rabbit Production
11299 All Other Animal Production
112990 All Other Animal Production

113 Forestry and Logging
1131 Timber Tract Operations
11311 Timber Tract Operations
113110 Timber Tract Operations
1132 Forest Nurseries and Gathering of Forest Products
11321 Forest Nurseries and Gathering of Forest Products
113210 Forest Nurseries and Gathering of Forest Products
1133 Logging
11331 Logging
113310 Logging

114 Fishing, Hunting and Trapping
1141 Fishing
11411 Fishing
114111 Finfish Fishing

115 Support Activities for Agriculture and Forestry
1151 Support Activities for Agriculture and Forestry
11511 Support Activities for Crop Production
115110 Support Activities for Crop Production
115111 Cotton Ginning
115112 Soil Preparation, Planting, and Cultivating
115113 Crop Harvesting, Primarily by Machine
115114 Postharvest Crop Activities (except Cotton Ginning)
115115 Farm Labor Contractors and Crew Leaders
115116 Farm Management Services
1152 Support Activities for Animal Production
11521 Support Activities for Animal Production
115210 Support Activities for Animal Production
1153 Support Activities for Forestry
11531 Support Activities for Forestry
115310 Support Activities for Forestry

21 MINING
211 Oil and Gas Extraction
2111 Oil and Gas Extraction
21111 Oil and Gas Extraction
211111 Crude Petroleum and Natural Gas Extraction
211112 Natural Gas Liquid Extraction

212 Mining (except Oil and Gas)
2121 Coal Mining
21211 Coal Mining
212111 Bituminous Coal and Lignite Surface Mining
212112 Bituminous Coal Underground Mining
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21211 Anthracite Mining
2122 Metal Ore Mining
21221 Iron Ore Mining
212210 Iron Ore Mining
21222 Gold Ore and Silver Ore Mining
212221 Gold Ore Mining
212222 Silver Ore Mining
21223 Copper, Nickel, Lead, and Zinc Mining
212231 Lead Ore and Zinc Ore Mining
212234 Copper Ore and Nickel Ore Mining
21229 Other Metal Ore Mining
212291 Uranium-Radium-Vanadium Ore Mining
212299 All Other Metal Ore Mining
2123 Nonmetallic Mineral Mining and Quarrying
21231 Stone Mining and Quarrying
212311 Dimension Stone Mining and Quarrying
212312 Crushed and Broken Limestone Mining and Quarrying
212313 Crushed and Broken Granite Mining and Quarrying
212319 Other Crushed and Broken Stone Mining and Quarrying
21232 Sand, Gravel, Clay, and Ceramic and Refractory Minerals Mining and Quarrying
212321 Construction Sand and Gravel Mining
212322 Industrial Sand Mining
212324 Kaolin and Ball Clay Mining
212325 Clay and Ceramic and Refractory Minerals Mining
21239 Other Nonmetallic Mineral Mining and Quarrying
212391 Potash, Soda, and Borate Mineral Mining
212392 Phosphate Rock Mining
212393 Other Chemical and Fertilizer Mineral Mining
212399 All Other Nonmetallic Mineral Mining

213 Support Activities for Mining
2131 Support Activities for Mining
21311 Support Activities for Mining
213111 Drilling Oil and Gas Wells
213112 Support Activities for Oil and Gas Operations
213113 Support Activities for Coal Mining
213114 Support Activities for Metal Mining
213115 Support Activities for Nonmetallic Minerals (except Fuels)

22 UTILITIES
221 Utilities
2211 Electric Power Generation, Transmission and Distribution
22111 Electric Power Generation
221111 Hydroelectric Power Generation
221112 Fossil Fuel Electric Power Generation
221113 Nuclear Electric Power Generation
221119 Other Electric Power Generation
22112 Electric Power Transmission, Control, and Distribution
221121 Electric Bulk Power Transmission and Control
221122 Electric Power Distribution
2212 Natural Gas Distribution
22121 Natural Gas Distribution
221210 Natural Gas Distribution
2213 Water, Sewage and Other Systems
22131 Water Supply and Irrigation Systems
221310 Water Supply and Irrigation Systems
22132 Sewage Treatment Facilities
221320 Sewage Treatment Facilities
22133 Steam and Air-Conditioning Supply
221330 Steam and Air-Conditioning Supply

23 CONSTRUCTION
236 Construction of Buildings
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<td>New Multifamily Housing Construction (except Operative Builders)</td>
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238310 Drywall and Insulation Contractors
23832 Painting and Wall Covering Contractors
238320 Painting and Wall Covering Contractors
23833 Flooring Contractors
238330 Flooring Contractors
23834 Tile and Terrazzo Contractors
238340 Tile and Terrazzo Contractors
23835 Finish Carpentry Contractors
238350 Finish Carpentry Contractors
23839 Other Building Finishing Contractors
238390 Other Building Finishing Contractors
2389 Other Specialty Trade Contractors
23891 Site Preparation Contractors
238910 Site Preparation Contractors
23899 All Other Specialty Trade Contractors
238990 All Other Specialty Trade Contractors

3113 Sugar and Confectionery Product Manufacturing
31131 Sugar Manufacturing
311311 Sugarcane Mills
311312 Cane Sugar Refining
311313 Beet Sugar Manufacturing
31132 Chocolate and Confectionery Manufacturing from Cacao Beans
311320 Chocolate and Confectionery Manufacturing from Cacao Beans
31133 Confectionery Manufacturing from Purchased Chocolate
311330 Confectionery Manufacturing from Purchased Chocolate
31134 Nonchocolate Confectionery Manufacturing
311340 Nonchocolate Confectionery Manufacturing
3114 Fruit and Vegetable Preserving and Specialty Food Manufacturing
31141 Frozen Food Manufacturing
311411 Frozen Fruit, Juice, and Vegetable Manufacturing
311412 Frozen Specialty Food Manufacturing
31142 Fruit and Vegetable Canning, Pickling, and Drying
311421 Fruit and Vegetable Canning
311422 Specialty Canning
311423 Dried and Dehydrated Food Manufacturing
3115 Dairy Product Manufacturing
31151 Dairy Product (except Frozen) Manufacturing
311511 Fluid Milk Manufacturing
311512 Creamery Butter Manufacturing
311513 Cheese Manufacturing
311514 Dry, Condensed, and Evaporated Dairy Product Manufacturing

31-33 MANUFACTURING

311 Food Manufacturing
3111 Animal Food Manufacturing
31111 Animal Food Manufacturing
311111 Dog and Cat Food Manufacturing
311119 Other Animal Food Manufacturing
3112 Grain and Oilseed Milling
31121 Flour Milling and Malt Manufacturing
311211 Flour Milling
311212 Rice Milling
311213 Malt Manufacturing
31122 Starch and Vegetable Fats and Oils Manufacturing
311221 Wet Corn Milling
311222 Soybean Processing
311223 Other Oilseed Processing
311225 Fats and Oils Refining and Blending
31123 Breakfast Cereal Manufacturing
311230 Breakfast Cereal Manufacturing

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- 313112 Yarn Texturizing, Throwing, and Twisting Mills
- 313113 Thread Mills

### 313 Fabric Mills
- 31321 Broadwoven Fabric Mills
- 313210 Broadwoven Fabric Mills
- 31322 Narrow Fabric Mills and Schiffli Machine Embroidery
- 313221 Narrow Fabric Mills
- 313222 Schiffli Machine Embroidery
- 31323 Nonwoven Fabric Mills
- 313230 Nonwoven Fabric Mills
- 31324 Knit Fabric Mills
- 313241 Weft Knit Fabric Mills
- 313249 Other Knit Fabric and Lace Mills
- 3133 Textile and Fabric Finishing and Fabric Coating Mills
- 31331 Textile and Fabric Finishing Mills
- 313311 Broadwoven Fabric Finishing Mills
- 313312 Textile and Fabric Finishing (except Broadwoven Fabric) Mills
- 31332 Fabric Coating Mills
- 313320 Fabric Coating Mills

### 314 Textile Product Mills
- 3141 Textile Furnishings Mills
- 31411 Carpet and Rug Mills
- 314110 Carpet and Rug Mills
- 31412 Curtain and Linen Mills
- 314121 Curtain and Drapery Mills
- 314129 Other Household Textile Product Mills
- 3149 Other Textile Product Mills
- 31491 Textile Bag and Canvas Mills
- 314911 Textile Bag Mills
- 314912 Canvas and Related Product Mills
- 31499 All Other Textile Product Mills
- 314991 Rope, Cordage, and Twine Mills
- 314992 Tire Cord and Tire Fabric Mills
- 314999 All Other Miscellaneous Textile Product Mills

### 315 Apparel Manufacturing
- 3151 Apparel Knitting Mills
- 31511 Hosiery and Sock Mills
- 315111 Sheer Hosiery Mills
- 315119 Other Hosiery and Sock Mills
- 31519 Other Apparel Knitting Mills
- 315191 Outerwear Knitting Mills
- 315192 Underwear and Nightwear Knitting Mills
- 3152 Cut and Sew Apparel Manufacturing
- 31521 Cut and Sew Apparel Contractors
- 315211 Men's and Boys' Cut and Sew Apparel Contractors
- 315212 Women's, Girls', and Infants' Cut and Sew Apparel Contractors
- 31522 Men's and Boys' Cut and Sew Apparel Manufacturing
- 315221 Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing
- 315222 Men's and Boys' Cut and Sew Suit, Coat, and Overcoat Manufacturing
- 315223 Men's and Boys' Cut and Sew Shirt (except Work Shirt) Manufacturing
- 315224 Men's and Boys' Cut and Sew Trouser, Slack, and Jean Manufacturing
- 315225 Men's and Boys' Cut and Sew Work Clothing Manufacturing
- 315228 Men's and Boys' Cut and Sew Other Outerwear Manufacturing
- 31523 Women's and Girls' Cut and Sew Apparel Manufacturing
- 315231 Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing
- 315232 Women's and Girls' Cut and Sew Blouse and Shirt Manufacturing
- 315233 Women's and Girls' Cut and Sew Dress Manufacturing
315234 Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and Skirt Manufacturing
315239 Women's and Girls' Cut and Sew Other Outerwear Manufacturing
31529 Other Cut and Sew Apparel Manufacturing
315291 Infants' Cut and Sew Apparel Manufacturing
315292 Fur and Leather Apparel Manufacturing
315299 All Other Cut and Sew Apparel Manufacturing
3159 Apparel Accessories and Other Apparel Manufacturing
31599 Apparel Accessories and Other Apparel Manufacturing
315991 Hat, Cap, and Millinery Manufacturing
315992 Glove and Mitten Manufacturing
315993 Men's and Boys' Neckwear Manufacturing
315999 Other Apparel Accessories and Other Apparel Manufacturing

316 Leather and Allied Product Manufacturing
3161 Leather and Hide Tanning and Finishing
31611 Leather and Hide Tanning and Finishing
316110 Leather and Hide Tanning and Finishing
3162 Footwear Manufacturing
31621 Footwear Manufacturing
316211 Rubber and Plastics Footwear Manufacturing
316212 House Slipper Manufacturing
316213 Men's Footwear (except Athletic) Manufacturing
316214 Women's Footwear (except Athletic) Manufacturing
316219 Other Footwear Manufacturing
3169 Other Leather and Allied Product Manufacturing
31699 Other Leather and Allied Product Manufacturing
316991 Luggage Manufacturing
316992 Women's Handbag and Purse Manufacturing
316993 Personal Leather Good (except Women's Handbag and Purse) Manufacturing
316999 All Other Leather Good Manufacturing

321 Wood Product Manufacturing
3211 Sawmills and Wood Preservation
32111 Sawmills and Wood Preservation
321113 Sawmills
321114 Wood Preservation
3212 Veneer, Plywood, and Engineered Wood Product Manufacturing
32121 Veneer, Plywood, and Engineered Wood Product Manufacturing
321211 Hardwood Veneer and Plywood Manufacturing
321212 Softwood Veneer and Plywood Manufacturing
321213 Engineered Wood Member (except Truss) Manufacturing
321214 Truss Manufacturing
321219 Reconstituted Wood Product Manufacturing
3219 Other Wood Product Manufacturing
32191 Millwork
321911 Wood Window and Door Manufacturing
321912 Cut Stock, Resawing Lumber, and Planing
321918 Other Millwork (including Flooring)
32192 Wood Container and Pallet Manufacturing
321920 Wood Container and Pallet Manufacturing
32199 All Other Wood Product Manufacturing
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324122 Asphalt Shingle and Coating Materials Manufacturing
32419 Other Petroleum and Coal Products Manufacturing
324191 Petroleum Lubricating Oil and Grease Manufacturing
324199 All Other Petroleum and Coal Products Manufacturing

325 Chemical Manufacturing
3251 Basic Chemical Manufacturing
32511 Petrochemical Manufacturing
325110 Petrochemical Manufacturing
32512 Industrial Gas Manufacturing
325120 Industrial Gas Manufacturing
32513 Synthetic Dye and Pigment Manufacturing
325131 Inorganic Dye and Pigment Manufacturing
325132 Synthetic Organic Dye and Pigment Manufacturing
32518 Other Basic Inorganic Chemical Manufacturing
325181 Alkalis and Chlorine Manufacturing
325182 Carbon Black Manufacturing
325188 All Other Basic Inorganic Chemical Manufacturing
32519 Other Basic Organic Chemical Manufacturing
325191 Gum and Wood Chemical Manufacturing
325192 Cyclic Crude and Intermediate Manufacturing
325193 Ethyl Alcohol Manufacturing
325199 All Other Basic Organic Chemical Manufacturing

3252 Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing
32521 Resin and Synthetic Rubber Manufacturing
325211 Plastics Material and Resin Manufacturing
325212 Synthetic Rubber Manufacturing
32522 Artificial and Synthetic Fibers and Filaments Manufacturing
325221 Cellulosic Organic Fiber Manufacturing
325222 Noncellulosic Organic Fiber Manufacturing
3253 Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing
32531 Fertilizer Manufacturing
325311 Nitrogenous Fertilizer Manufacturing
325312 Phosphatic Fertilizer Manufacturing
325314 Fertilizer (Mixing Only) Manufacturing
32532 Pesticide and Other Agricultural Chemical Manufacturing
325320 Pesticide and Other Agricultural Chemical Manufacturing
325321 Fertilizer Manufacturing
325322 Pesticide and Other Agricultural Chemical Manufacturing
3254 Pharmaceutical and Medicine Manufacturing
32541 Pharmaceutical and Medicine Manufacturing
325411 Medicinal and Botanical Manufacturing
325412 Pharmaceutical Preparation Manufacturing
325413 In-Vitro Diagnostic Substance Manufacturing
325414 Biological Product (except Diagnostic) Manufacturing
3255 Paint, Coating, and Adhesive Manufacturing
32551 Paint and Coating Manufacturing
325510 Paint and Coating Manufacturing
32552 Adhesive Manufacturing
325520 Adhesive Manufacturing
3256 Soap, Cleaning Compound, and Toilet Preparation Manufacturing
32561 Soap and Cleaning Compound Manufacturing
325611 Soap and Other Detergent Manufacturing
325612 Polish and Other Sanitation Good Manufacturing
325613 Surface Active Agent Manufacturing
32562 Toilet Preparation Manufacturing
325620 Toilet Preparation Manufacturing
3259 Other Chemical Product and Preparation Manufacturing
32591 Printing Ink Manufacturing
325910 Printing Ink Manufacturing
32592 Explosives Manufacturing
325920 Explosives Manufacturing
32599 All Other Chemical Product and Preparation Manufacturing
325991 Custom Compounding of Purchased Resins
325992 Photographic Film, Paper, Plate, and Chemical Manufacturing
325998 All Other Miscellaneous Chemical Product and Preparation Manufacturing

326 Plastics and Rubber Products Manufacturing
3261 Plastics Product Manufacturing
32611 Plastics Packaging Materials and Unlaminated Film and Sheet Manufacturing
326111 Plastics Bag Manufacturing
326112 Plastics Packaging Film and Sheet (including Laminated) Manufacturing
326113 Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing
32612 Plastics Pipe, Pipe Fitting, and Unlaminated Profile Shape Manufacturing
326121 Unlaminated Plastics Profile Shape Manufacturing
326122 Plastics Pipe and Pipe Fitting Manufacturing
32613 Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing
326130 Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing
32614 Polystyrene Foam Product Manufacturing
326140 Polystyrene Foam Product Manufacturing
32615 Urethane and Other Foam Product (except Polystyrene) Manufacturing
326150 Urethane and Other Foam Product (except Polystyrene) Manufacturing
32616 Plastics Bottle Manufacturing
326160 Plastics Bottle Manufacturing
32619 Other Plastics Product Manufacturing
326191 Plastics Plumbing Fixture Manufacturing
326192 Resilient Floor Covering Manufacturing
326199 All Other Plastics Product Manufacturing
3262 Rubber Product Manufacturing
32621 Tire Manufacturing
326211 Tire Manufacturing (except Retreading)
326212 Tire Retreading
32622 Rubber and Plastics Hoses and Belting Manufacturing
326220 Rubber and Plastics Hoses and Belting Manufacturing
32629 Other Rubber Product Manufacturing
326291 Rubber Product Manufacturing for Mechanical Use
326299 All Other Rubber Product Manufacturing

327 Nonmetallic Mineral Product Manufacturing
3271 Clay Product and Refractory Manufacturing
32711 Pottery, Ceramics, and Plumbing Fixture Manufacturing
327111 Vitreous China Plumbing Fixture and China and Earthenware Bathroom Accessories Manufacturing
327112 Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing
327113 Porcelain Electrical Supply Manufacturing
32712 Clay Building Material and Refractories Manufacturing
327121 Brick and Structural Clay Tile Manufacturing
327122 Ceramic Wall and Floor Tile Manufacturing
327123 Other Structural Clay Product Manufacturing
327124 Clay Refractory Manufacturing
327125 Nonclay Refractory Manufacturing
3272 Glass and Glass Product Manufacturing
32721 Glass and Glass Product Manufacturing
327211 Flat Glass Manufacturing
327212 Other Pressed and Blown Glass and Glassware Manufacturing
327213 Glass Container Manufacturing
327215 Glass Product Manufacturing Made of Purchased Glass
3273 Cement and Concrete Product Manufacturing
32731 Cement Manufacturing
327310 Cement Manufacturing
32732 Ready-Mix Concrete Manufacturing
327320 Ready-Mix Concrete Manufacturing
32733 Concrete Pipe, Brick, and Block Manufacturing
327331 Concrete Block and Brick Manufacturing
327332 Concrete Pipe Manufacturing
32739 Other Concrete Product Manufacturing
327390 Other Concrete Product Manufacturing
3274 Lime and Gypsum Product Manufacturing
32741 Lime Manufacturing
327410 Lime Manufacturing
32742 Gypsum Product Manufacturing
327420 Gypsum Product Manufacturing
3279 Other Nonmetallic Mineral Product Manufacturing
32791 Abrasive Product Manufacturing
327910 Abrasive Product Manufacturing
32799 All Other Nonmetallic Mineral Product Manufacturing
327991 Cut Stone and Stone Product Manufacturing
327992 Ground or Treated Mineral and Earth Manufacturing
327993 Mineral Wool Manufacturing
327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing

331 Primary Metal Manufacturing
3311 Iron and Steel Mills and Ferroalloy Manufacturing
33111 Iron and Steel Mills and Ferroalloy Manufacturing
331111 Iron and Steel Mills
331112 Electrometallurgical Ferroalloy Product Manufacturing
3312 Steel Product Manufacturing from Purchased Steel
33121 Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
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331210 Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
33122 Rolling and Drawing of Purchased Steel
331221 Rolled Steel Shape Manufacturing
331222 Steel Wire Drawing
3313 Alumina and Aluminum Production and Processing
33131 Alumina and Aluminum Production and Processing
331311 Alumina Refining
331312 Primary Aluminum Production
331314 Secondary Smelting and Alloying of Aluminum
331315 Aluminum Sheet, Plate, and Foil Manufacturing
331316 Aluminum Extruded Product Manufacturing
331319 Other Aluminum Rolling and Drawing
3314 Nonferrous Metal (except Aluminum) Production and Processing
33141 Nonferrous Metal (except Aluminum) Smelting and Refining
331411 Primary Smelting and Refining of Copper
331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)
33142 Copper Rolling, Drawing, Extruding, and Alloying
331421 Copper Rolling, Drawing, and Extruding
331422 Copper Wire (except Mechanical) Drawing
331423 Secondary Smelting, Refining, and Alloying of Copper
33149 Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, Extruding, and Alloying
331491 Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding
331492 Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
3315 Foundries
33151 Ferrous Metal Foundries
331511 Iron Foundries
331512 Steel Investment Foundries
331513 Steel Foundries (except Investment)
33152 Nonferrous Metal Foundries
331521 Aluminum Die-Casting Foundries
331522 Nonferrous (except Aluminum) Die-Casting Foundries
331524 Aluminum Foundries (except Die-Casting)
331525 Copper Foundries (except Die-Casting)
331528 Other Nonferrous Foundries (except Die-Casting)

332 Fabricated Metal Product Manufacturing
3321 Forging and Stamping
33211 Forging and Stamping
332111 Iron and Steel Forging
332112 Nonferrous Forging
332114 Custom Roll Forming
332115 Crown and Closure Manufacturing
332116 Metal Stamping
332117 Powder Metallurgy Part Manufacturing
3322 Cutlery and Handtool Manufacturing
33221 Cutlery and Handtool Manufacturing
332211 Cutlery and Flatware (except Precious) Manufacturing
332212 Hand and Edge Tool Manufacturing
332213 Saw Blade and Handsaw Manufacturing

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332997 Industrial Pattern Manufacturing
332998 Enameled Iron and Metal Sanitary Ware Manufacturing
332999 All Other Miscellaneous Fabricated Metal Product Manufacturing

333 Machinery Manufacturing
3331 Agriculture, Construction, and Mining Machinery Manufacturing
33311 Agricultural Implement Manufacturing
333111 Farm Machinery and Equipment Manufacturing
333112 Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing
33312 Construction Machinery Manufacturing
333120 Construction Machinery Manufacturing
33313 Mining and Oil and Gas Field Machinery Manufacturing
333131 Mining Machinery and Equipment Manufacturing
333132 Oil and Gas Field Machinery and Equipment Manufacturing
3332 Industrial Machinery Manufacturing
33321 Sawmill and Woodworking Machinery Manufacturing
333210 Sawmill and Woodworking Machinery Manufacturing
33322 Plastics and Rubber Industry Machinery Manufacturing
333220 Plastics and Rubber Industry Machinery Manufacturing
33329 Other Industrial Machinery Manufacturing
333291 Paper Industry Machinery Manufacturing
333292 Textile Machinery Manufacturing
333293 Printing Machinery and Equipment Manufacturing
333294 Food Product Machinery Manufacturing
333295 Semiconductor Machinery Manufacturing
333298 All Other Industrial Machinery Manufacturing
3333 Commercial and Service Industry Machinery Manufacturing
33331 Commercial and Service Industry Machinery Manufacturing
333311 Automatic Vending Machine Manufacturing
333312 Commercial Laundry, Drycleaning, and Pressing Machine Manufacturing
333313 Office Machinery Manufacturing
333314 Optical Instrument and Lens Manufacturing
333315 Photographic and Photocopying Equipment Manufacturing
333319 Other Commercial and Service Industry Machinery Manufacturing
3334 Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing
33341 Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing
333411 Air Purification Equipment Manufacturing
333412 Industrial and Commercial Fan and Blower Manufacturing
333414 Heating Equipment (except Warm Air Furnaces) Manufacturing
333415 Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing

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3335 Metalworking Machinery Manufacturing
33351 Metalworking Machinery Manufacturing
333511 Industrial Mold Manufacturing
333512 Machine Tool (Metal Cutting Types) Manufacturing
333513 Machine Tool (Metal Forming Types) Manufacturing
333514 Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
333515 Cutting Tool and Machine Tool Accessory Manufacturing
333516 Rolling Mill Machinery and Equipment Manufacturing
333518 Other Metalworking Machinery Manufacturing
3336 Engine, Turbine, and Power Transmission Equipment Manufacturing
33361 Engine, Turbine, and Power Transmission Equipment Manufacturing
333611 Turbine and Turbine Generator Set Units Manufacturing
333612 Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing
333613 Mechanical Power Transmission Equipment Manufacturing
333618 Other Engine Equipment Manufacturing
3339 Other General Purpose Machinery Manufacturing
33391 Pump and Compressor Manufacturing
333911 Pump and Pumping Equipment Manufacturing
333912 Air and Gas Compressor Manufacturing
333913 Measuring and Dispensing Pump Manufacturing
33392 Material Handling Equipment Manufacturing
333921 Elevator and Moving Stairway Manufacturing
333922 Conveyor and Conveying Equipment Manufacturing
333923 Overhead Traveling Crane, Hoist, and Monorail System Manufacturing
333924 Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing
33399 All Other General Purpose Machinery Manufacturing
333991 Power-Driven Handtool Manufacturing
333992 Welding and Soldering Equipment Manufacturing
333993 Packaging Machinery Manufacturing
333994 Industrial Process Furnace and Oven Manufacturing
333995 Fluid Power Cylinder and Actuator Manufacturing
333996 Fluid Power Pump and Motor Manufacturing
333997 Scale and Balance (except Laboratory) Manufacturing
333999 All Other Miscellaneous General Purpose Machinery Manufacturing

334 Computer and Electronic Product Manufacturing
3341 Computer and Peripheral Equipment Manufacturing
33411 Computer and Peripheral Equipment Manufacturing
334111 Electronic Computer Manufacturing
334112 Computer Storage Device Manufacturing
334113 Computer Terminal Manufacturing
334119 Other Computer Peripheral Equipment Manufacturing
3342 Communications Equipment Manufacturing
33421 Telephone Apparatus
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334210 Telephone Apparatus
   Manufacturing
33422 Radio and Television
   Broadcasting and Wireless
   Communications Equipment
   Manufacturing
334220 Radio and Television
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33429 Other Communications
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334290 Other Communications
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3343 Audio and Video Equipment
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33431 Audio and Video Equipment
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334310 Audio and Video Equipment
   Manufacturing
3344 Semiconductor and Other
   Electronic Component
   Manufacturing
33441 Semiconductor and Other
   Electronic Component
   Manufacturing
334411 Electron Tube
   Manufacturing
334412 Bare Printed Circuit Board
   Manufacturing
334413 Semiconductor and Related
   Device Manufacturing
334414 Electronic Capacitor
   Manufacturing
334415 Electronic Resistor
   Manufacturing
334416 Electronic Coil,
   Transformer, and Other Inductor
   Manufacturing
334417 Electronic Connector
   Manufacturing
334418 Printed Circuit Assembly
   (Electronic Assembly)
   Manufacturing
334419 Other Electronic Component
   Manufacturing
3345 Navigational, Measuring,
   Electromedical, and Control
   Instruments Manufacturing
33451 Navigational, Measuring,
   Electromedical, and Control
   Instruments Manufacturing
334510 Electromedical and
   Electrotherapeutic Apparatus
   Manufacturing
334511 Search, Detection,
   Navigation, Guidance,
   Aeronautical, and Nautical
   System and Instrument
   Manufacturing
334512 Automatic Environmental
   Control Manufacturing for
   Residential, Commercial, and
   Appliance Use
334513 Instruments and Related
   Products Manufacturing for
   Measuring, Displaying, and
   Controlling Industrial Process
   Variables
334514 Totalizing Fluid Meter and
   Counting Device Manufacturing
334515 Instrument Manufacturing
   for Measuring and Testing
   Electricity and Electrical Signals
334516 Analytical Laboratory
   Instrument Manufacturing
334517 Irradiation Apparatus
   Manufacturing
334518 Watch, Clock, and Part
   Manufacturing
334519 Other Measuring and
   Controlling Device
   Manufacturing
3346 Manufacturing and Reproducing
   Magnetic and Optical Media
33461 Manufacturing and
   Reproducing Magnetic and
   Optical Media
334611 Software Reproducing
334612 Prerecorded Compact Disc
   (except Software), Tape, and
   Record Reproducing
334613 Magnetic and Optical
   Recording Media Manufacturing
335 Electrical Equipment, Appliance, and Component Manufacturing
3351 Electric Lighting Equipment Manufacturing
33511 Electric Lamp Bulb and Part Manufacturing
335110 Electric Lamp Bulb and Part Manufacturing
33512 Lighting Fixture Manufacturing
335121 Residential Electric Lighting Fixture Manufacturing
335122 Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing
335129 Other Lighting Equipment Manufacturing
3352 Household Appliance Manufacturing
33521 Small Electrical Appliance Manufacturing
335211 Electric Housewares and Household Fan Manufacturing
335212 Household Vacuum Cleaner Manufacturing
33522 Major Appliance Manufacturing
335221 Household Cooking Appliance Manufacturing
335222 Household Refrigerator and Home Freezer Manufacturing
335224 Household Laundry Equipment Manufacturing
335228 Other Major Household Appliance Manufacturing
3353 Electrical Equipment Manufacturing
33531 Electrical Equipment Manufacturing
335311 Power, Distribution, and Specialty Transformer Manufacturing
335312 Motor and Generator Manufacturing
335313 Switchgear and Switchboard Apparatus Manufacturing
335314 Relay and Industrial Control Manufacturing
3359 Other Electrical Equipment and Component Manufacturing
33591 Battery Manufacturing
335911 Storage Battery Manufacturing
335912 Primary Battery Manufacturing
33592 Communication and Energy Wire and Cable Manufacturing
335921 Fiber Optic Cable Manufacturing
335929 Other Communication and Energy Wire Manufacturing
33593 Wiring Device Manufacturing
335931 Current-Carrying Wiring Device Manufacturing
335932 Noncurrent-Carrying Wiring Device Manufacturing
33599 All Other Electrical Equipment and Component Manufacturing
335991 Carbon and Graphite Product Manufacturing
335999 All Other Miscellaneous Electrical Equipment and Component Manufacturing

336 Transportation Equipment Manufacturing
3361 Motor Vehicle Manufacturing
33611 Automobile and Light Duty Motor Vehicle Manufacturing
336111 Automobile Manufacturing
336112 Light Truck and Utility Vehicle Manufacturing
33612 Heavy Duty Truck Manufacturing
336120 Heavy Duty Truck Manufacturing
3362 Motor Vehicle Body and Trailer Manufacturing
33621 Motor Vehicle Body and Trailer Manufacturing
336211 Motor Vehicle Body Manufacturing
336212 Truck Trailer Manufacturing
336213 Motor Home Manufacturing
336214 Travel Trailer and Camper Manufacturing
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3363 Motor Vehicle Parts Manufacturing
33631 Motor Vehicle Gasoline Engine and Engine Parts Manufacturing
336311 Carburetor, Piston, Piston Ring, and Valve Manufacturing
336312 Gasoline Engine and Engine Parts Manufacturing
33632 Motor Vehicle Electrical and Electronic Equipment Manufacturing
336321 Vehicular Lighting Equipment Manufacturing
336322 Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
33633 Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
336330 Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
33634 Motor Vehicle Brake System Manufacturing
336340 Motor Vehicle Brake System Manufacturing
33635 Motor Vehicle Transmission and Power Train Parts Manufacturing
336350 Motor Vehicle Transmission and Power Train Parts Manufacturing
33636 Motor Vehicle Seating and Interior Trim Manufacturing
336360 Motor Vehicle Seating and Interior Trim Manufacturing
33637 Motor Vehicle Metal Stamping
336370 Motor Vehicle Metal Stamping
33639 Other Motor Vehicle Parts Manufacturing
336391 Motor Vehicle Air-Conditioning Manufacturing
336399 All Other Motor Vehicle Parts Manufacturing
3364 Aerospace Product and Parts Manufacturing
33641 Aerospace Product and Parts Manufacturing
336411 Aircraft Manufacturing
336412 Aircraft Engine and Engine Parts Manufacturing
336413 Other Aircraft Parts and Auxiliary Equipment Manufacturing
336414 Guided Missile and Space Vehicle Manufacturing
336415 Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing
336419 Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing
3365 Railroad Rolling Stock Manufacturing
33651 Railroad Rolling Stock Manufacturing
336510 Railroad Rolling Stock Manufacturing
3366 Ship and Boat Building
33661 Ship and Boat Building
336611 Ship Building and Repairing
336612 Boat Building
3369 Other Transportation Equipment Manufacturing
33699 Other Transportation Equipment Manufacturing
336991 Motorcycle, Bicycle, and Parts Manufacturing
336992 Military Armored Vehicle, Tank, and Tank Component Manufacturing
336999 All Other Transportation Equipment Manufacturing

337 Furniture and Related Product Manufacturing
3371 Household and Institutional Furniture and Kitchen Cabinet Manufacturing
33711 Wood Kitchen Cabinet and Countertop Manufacturing
337110 Wood Kitchen Cabinet and Countertop Manufacturing

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<td>Office Furniture (including Fixtures) Manufacturing</td>
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<td>Doll and Stuffed Toy Manufacturing</td>
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4235 Metal and Mineral (except Petroleum) Merchant Wholesalers
42351 Metal Service Centers and Other Metal Merchant Wholesalers
423510 Metal Service Centers and Other Metal Merchant Wholesalers
42352 Coal and Other Mineral and Ore Merchant Wholesalers
423520 Coal and Other Mineral and Ore Merchant Wholesalers
4236 Electrical and Electronic Goods Merchant Wholesalers
42361 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
42362 Electrical and Electronic Appliance, Television, and Radio Set Merchant Wholesalers
423620 Electrical and Electronic Appliance, Television, and Radio Set Merchant Wholesalers
42369 Other Electronic Parts and Equipment Merchant Wholesalers
423690 Other Electronic Parts and Equipment Merchant Wholesalers
4237 Hardware, and Plumbing and Heating Equipment and Supplies Merchant Wholesalers
42371 Hardware Merchant Wholesalers
423710 Hardware Merchant Wholesalers
42372 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
42373 Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
423730 Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
42374 Refrigeration Equipment and Supplies Merchant Wholesalers
423740 Refrigeration Equipment and Supplies Merchant Wholesalers
4238 Machinery, Equipment, and Supplies Merchant Wholesalers
42381 Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
423810 Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
42382 Farm and Garden Machinery and Equipment Merchant Wholesalers
423820 Farm and Garden Machinery and Equipment Merchant Wholesalers
42383 Industrial Machinery and Equipment Merchant Wholesalers
423830 Industrial Machinery and Equipment Merchant Wholesalers
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42384 Industrial Supplies Merchant Wholesalers
423840 Industrial Supplies Merchant Wholesalers
42385 Service Establishment Equipment and Supplies Merchant Wholesalers
423850 Service Establishment Equipment and Supplies Merchant Wholesalers
42386 Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
423860 Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
4239 Miscellaneous Durable Goods Merchant Wholesalers
42391 Sporting and Recreational Goods and Supplies Merchant Wholesalers
423910 Sporting and Recreational Goods and Supplies Merchant Wholesalers
42392 Toy and Hobby Goods and Supplies Merchant Wholesalers
423920 Toy and Hobby Goods and Supplies Merchant Wholesalers
42393 Recyclable Material Merchant Wholesalers
423930 Recyclable Material Merchant Wholesalers
42394 Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
423940 Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
42399 Other Miscellaneous Durable Goods Merchant Wholesalers
423990 Other Miscellaneous Durable Goods Merchant Wholesalers

424 Merchant Wholesalers, Nondurable Goods
4241 Paper and Paper Product Merchant Wholesalers
42411 Printing and Writing Paper Merchant Wholesalers
42412 Stationery and Office Supplies Merchant Wholesalers
424120 Stationery and Office Supplies Merchant Wholesalers
42413 Industrial and Personal Service Paper Merchant Wholesalers
424130 Industrial and Personal Service Paper Merchant Wholesalers
4242 Drugs and Druggists' Sundries Merchant Wholesalers
42421 Drugs and Druggists' Sundries Merchant Wholesalers
424210 Drugs and Druggists' Sundries Merchant Wholesalers
4243 Apparel, Piece Goods, and Notions Merchant Wholesalers
42431 Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
424310 Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
42432 Men's and Boys' Clothing and Furnishings Merchant Wholesalers
424320 Men's and Boys' Clothing and Furnishings Merchant Wholesalers
42433 Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
424330 Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
42434 Footwear Merchant Wholesalers
424340 Footwear Merchant Wholesalers
4244 Grocery and Related Product Wholesalers
42441 General Line Grocery Merchant Wholesalers

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424410 General Line Grocery Merchant Wholesalers
42442 Packaged Frozen Food Merchant Wholesalers
424420 Packaged Frozen Food Merchant Wholesalers
42443 Dairy Product (except Dried or Canned) Merchant Wholesalers
424430 Dairy Product (except Dried or Canned) Merchant Wholesalers
42444 Poultry and Poultry Product Merchant Wholesalers
424440 Poultry and Poultry Product Merchant Wholesalers
42445 Confectionery Merchant Wholesalers
424450 Confectionery Merchant Wholesalers
42446 Fish and Seafood Merchant Wholesalers
424460 Fish and Seafood Merchant Wholesalers
42447 Meat and Meat Product Merchant Wholesalers
424470 Meat and Meat Product Merchant Wholesalers
42448 Fresh Fruit and Vegetable Merchant Wholesalers
424480 Fresh Fruit and Vegetable Merchant Wholesalers
42449 Other Grocery and Related Products Merchant Wholesalers
424490 Other Grocery and Related Products Merchant Wholesalers
4245 Farm Product Raw Material Merchant Wholesalers
42451 Grain and Field Bean Merchant Wholesalers
424510 Grain and Field Bean Merchant Wholesalers
42452 Livestock Merchant Wholesalers
424520 Livestock Merchant Wholesalers
42459 Other Farm Product Raw Material Merchant Wholesalers
424590 Other Farm Product Raw Material Merchant Wholesalers
4246 Chemical and Allied Products Merchant Wholesalers
42461 Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
424610 Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
42469 Other Chemical and Allied Products Merchant Wholesalers
424690 Other Chemical and Allied Products Merchant Wholesalers
4247 Petroleum and Petroleum Products Merchant Wholesalers
42471 Petroleum Bulk Stations and Terminals
424710 Petroleum Bulk Stations and Terminals
42472 Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)
424720 Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)
4248 Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers
42481 Beer and Ale Merchant Wholesalers
424810 Beer and Ale Merchant Wholesalers
42482 Wine and Distilled Alcoholic Beverage Merchant Wholesalers
424820 Wine and Distilled Alcoholic Beverage Merchant Wholesalers
4249 Miscellaneous Nondurable Goods Merchant Wholesalers
42491 Farm Supplies Merchant Wholesalers
424910 Farm Supplies Merchant Wholesalers

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42492 Book, Periodical, and Newspaper Merchant Wholesalers
424920 Book, Periodical, and Newspaper Merchant Wholesalers
42493 Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers
424930 Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers
42494 Tobacco and Tobacco Product Merchant Wholesalers
424940 Tobacco and Tobacco Product Merchant Wholesalers
42495 Paint, Varnish, and Supplies Merchant Wholesalers
424950 Paint, Varnish, and Supplies Merchant Wholesalers
42499 Other Miscellaneous Nondurable Goods Merchant Wholesalers
424990 Other Miscellaneous Nondurable Goods Merchant Wholesalers

425 Wholesale Electronic Markets and Agents and Brokers
4251 Wholesale Electronic Markets and Agents and Brokers
42511 Business to Business Electronic Markets
425110 Business to Business Electronic Markets
42512 Wholesale Trade Agents and Brokers
425120 Wholesale Trade Agents and Brokers

425 Wholesale Electronic Markets and Agents and Brokers
4251 Wholesale Electronic Markets and Agents and Brokers
42511 Business to Business Electronic Markets
425110 Business to Business Electronic Markets
42512 Wholesale Trade Agents and Brokers
425120 Wholesale Trade Agents and Brokers

425 Wholesale Electronic Markets and Agents and Brokers
4251 Wholesale Electronic Markets and Agents and Brokers
42511 Business to Business Electronic Markets
425110 Business to Business Electronic Markets
42512 Wholesale Trade Agents and Brokers
425120 Wholesale Trade Agents and Brokers

441 Motor Vehicle and Parts Dealers
4411 Automobile Dealers
44111 New Car Dealers
441110 New Car Dealers
44112 Used Car Dealers
441120 Used Car Dealers
4412 Other Motor Vehicle Dealers
44121 Recreational Vehicle Dealers
441210 Recreational Vehicle Dealers
44122 Motorcycle, Boat, and Other Motor Vehicle Dealers
441221 Motorcycle Dealers
441222 Boat Dealers
441229 All Other Motor Vehicle Dealers
4413 Automotive Parts, Accessories, and Tire Stores
44131 Automotive Parts and Accessories Stores
441310 Automotive Parts and Accessories Stores
44132 Tire Dealers
441320 Tire Dealers

442 Furniture and Home Furnishings Stores
4421 Furniture Stores
44211 Furniture Stores
442110 Furniture Stores
4422 Home Furnishings Stores
44221 Floor Covering Stores
442210 Floor Covering Stores
44229 Other Home Furnishings Stores
442291 Window Treatment Stores
442299 All Other Home Furnishings Stores

443 Electronics and Appliance Stores
4431 Electronics and Appliance Stores
44311 Appliance, Television, and Other Electronics Stores
443111 Household Appliance Stores
443112 Radio, Television, and Other Electronics Stores
44312 Computer and Software Stores
443120 Computer and Software Stores
44313 Camera and Photographic Supplies Stores
443130 Camera and Photographic Supplies Stores

444 Building Material and Garden Equipment and Supplies Dealers
4441 Building Material and Supplies Dealers
44411 Home Centers
444110 Home Centers
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44412 Paint and Wallpaper Stores
444120 Paint and Wallpaper Stores
44413 Hardware Stores
444130 Hardware Stores
44419 Other Building Material Dealers
444190 Other Building Material Dealers
4442 Lawn and Garden Equipment and Supplies Stores
44421 Outdoor Power Equipment Stores
444210 Outdoor Power Equipment Stores
44422 Nursery, Garden Center, and Farm Supply Stores
444220 Nursery, Garden Center, and Farm Supply Stores

445 Food and Beverage Stores
4451 Grocery Stores
44511 Supermarkets and Other Grocery (except Convenience) Stores
445110 Supermarkets and Other Grocery (except Convenience) Stores
44512 Convenience Stores
445120 Convenience Stores
4452 Specialty Food Stores
44521 Meat Markets
445210 Meat Markets
44522 Fish and Seafood Markets
445220 Fish and Seafood Markets
44523 Fruit and Vegetable Markets
445230 Fruit and Vegetable Markets
44529 Other Specialty Food Stores
445291 Baked Goods Stores
445292 Confectionery and Nut Stores
445299 All Other Specialty Food Stores
4453 Beer, Wine, and Liquor Stores
44531 Beer, Wine, and Liquor Stores
445310 Beer, Wine, and Liquor Stores

446 Health and Personal Care Stores
4461 Health and Personal Care Stores
44611 Pharmacies and Drug Stores
446110 Pharmacies and Drug Stores
44612 Cosmetics, Beauty Supplies, and Perfume Stores
446120 Cosmetics, Beauty Supplies, and Perfume Stores
44613 Optical Goods Stores
446130 Optical Goods Stores
44619 Other Health and Personal Care Stores
446191 Food (Health) Supplement Stores
446199 All Other Health and Personal Care Stores

447 Gasoline Stations
4471 Gasoline Stations
44711 Gasoline Stations with Convenience Stores
447110 Gasoline Stations with Convenience Stores
44719 Other Gasoline Stations
447190 Other Gasoline Stations

448 Clothing and Clothing Accessories Stores
4481 Clothing Stores
44811 Men's Clothing Stores
448110 Men's Clothing Stores
44812 Women's Clothing Stores
448120 Women's Clothing Stores
44813 Children's and Infants' Clothing Stores
448130 Children's and Infants' Clothing Stores
44814 Family Clothing Stores
448140 Family Clothing Stores
44815 Clothing Accessories Stores
448150 Clothing Accessories Stores
44819 Other Clothing Stores
448190 Other Clothing Stores
4482 Shoe Stores
44821 Shoe Stores
448210 Shoe Stores
4483 Jewelry, Luggage, and Leather Goods Stores
44831 Jewelry Stores
448310 Jewelry Stores
44832 Luggage and Leather Goods Stores

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<td>Sporting Goods, Hobby, and Musical Instrument Stores</td>
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48111 Scheduled Air Transportation
481111 Scheduled Passenger Air Transportation
481112 Scheduled Freight Air Transportation
4812 Nonscheduled Air Transportation
48121 Nonscheduled Air Transportation
481211 Nonscheduled Chartered Passenger Air Transportation
481212 Nonscheduled Chartered Freight Air Transportation
481219 Other Nonscheduled Air Transportation

482 Rail Transportation
4821 Rail Transportation
48211 Rail Transportation
482111 Line-Haul Railroads
482112 Short Line Railroads

483 Water Transportation
4831 Deep Sea, Coastal, and Great Lakes Water Transportation
48311 Deep Sea, Coastal, and Great Lakes Water Transportation
483111 Deep Sea Freight Transportation
483112 Deep Sea Passenger Transportation
483113 Coastal and Great Lakes Freight Transportation
483114 Coastal and Great Lakes Passenger Transportation
4832 Inland Water Transportation
48321 Inland Water Transportation
483211 Inland Water Freight Transportation
483212 Inland Water Passenger Transportation

484 Truck Transportation
4841 General Freight Trucking
48411 General Freight Trucking, Local
484110 General Freight Trucking, Local
48412 General Freight Trucking, Long-Distance
484121 General Freight Trucking, Long-Distance, Truckload
484122 General Freight Trucking, Long-Distance, Less Than Truckload

4842 Specialized Freight Trucking
48421 Used Household and Office Goods Moving
484210 Used Household and Office Goods Moving
48422 Specialized Freight (except Used Goods) Trucking, Local
484220 Specialized Freight (except Used Goods) Trucking, Local
48423 Specialized Freight (except Used Goods) Trucking, Long-Distance
484230 Specialized Freight (except Used Goods) Trucking, Long-Distance

485 Transit and Ground Passenger Transportation
4851 Urban Transit Systems
48511 Urban Transit Systems
485111 Mixed Mode Transit Systems
485112 Commuter Rail Systems
485113 Bus and Other Motor Vehicle Transit Systems
485119 Other Urban Transit Systems
4852 Interurban and Rural Bus Transportation
48521 Interurban and Rural Bus Transportation
485210 Interurban and Rural Bus Transportation
4853 Taxi and Limousine Service
48531 Taxi Service
485310 Taxi Service
48532 Limousine Service
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48851 Freight Transportation Arrangement
488510 Freight Transportation Arrangement
4889 Other Support Activities for Transportation
48899 Other Support Activities for Transportation
488991 Packing and Crating
488999 All Other Support Activities for Transportation

491 Postal Service
4911 Postal Service
49111 Postal Service
491110 Postal Service

492 Couriers and Messengers
4921 Couriers
49211 Couriers
492110 Couriers
4922 Local Messengers and Local Delivery
49221 Local Messengers and Local Delivery
492210 Local Messengers and Local Delivery

493 Warehousing and Storage
4931 Warehousing and Storage
49311 General Warehousing and Storage
493110 General Warehousing and Storage
49312 Refrigerated Warehousing and Storage
493120 Refrigerated Warehousing and Storage
49313 Farm Product Warehousing and Storage
493130 Farm Product Warehousing and Storage
49319 Other Warehousing and Storage
493190 Other Warehousing and Storage

51 INFORMATION
511 Publishing Industries (except Internet)
5111 Newspaper, Periodical, Book, and Directory Publishers
51111 Newspaper Publishers
511110 Newspaper Publishers
51112 Periodical Publishers
511120 Periodical Publishers
51113 Book Publishers
511130 Book Publishers
51114 Directory and Mailing List Publishers
511140 Directory and Mailing List Publishers
51119 Other Publishers
511191 Greeting Card Publishers
511199 All Other Publishers
5112 Software Publishers
51121 Software Publishers
511210 Software Publishers

512 Motion Picture and Sound Recording Industries
5121 Motion Picture and Video Industries
51211 Motion Picture and Video Production
512110 Motion Picture and Video Production
51212 Motion Picture and Video Distribution
512120 Motion Picture and Video Distribution
51213 Motion Picture and Video Exhibition
512131 Motion Picture Theaters (except Drive-Ins)
512132 Drive-In Motion Picture Theaters
51219 Postproduction Services and Other Motion Picture and Video Industries
512191 Teleproduction and Other Postproduction Services

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NAICS - North American Industry Classification System - United States, 2002

512199 Other Motion Picture and Video Industries
5122 Sound Recording Industries
51221 Record Production
512210 Record Production
51222 Integrated Record Production/Distribution
512220 Integrated Record Production/Distribution
51223 Music Publishers
512230 Music Publishers
51224 Sound Recording Studios
512240 Sound Recording Studios
51229 Other Sound Recording Industries
512290 Other Sound Recording Industries

515 Broadcasting (except Internet)
5151 Radio and Television Broadcasting
51511 Radio Broadcasting
515111 Radio Networks
515112 Radio Stations
51512 Television Broadcasting
515120 Television Broadcasting
5152 Cable and Other Subscription Programming
51521 Cable and Other Subscription Programming
515210 Cable and Other Subscription Programming

516 Internet Publishing and Broadcasting
5161 Internet Publishing and Broadcasting
51611 Internet Publishing and Broadcasting
516110 Internet Publishing and Broadcasting

517 Telecommunications
5171 Wired Telecommunications Carriers
51711 Wired Telecommunications Carriers
517110 Wired Telecommunications Carriers
5172 Wireless Telecommunications Carriers (except Satellite)
51721 Wireless Telecommunications Carriers (except Satellite)
517211 Paging
517212 Cellular and Other Wireless Telecommunications
5173 Telecommunications Resellers
51731 Telecommunications Resellers
517310 Telecommunications Resellers
5174 Satellite Telecommunications
51741 Satellite Telecommunications
517410 Satellite Telecommunications
5175 Cable and Other Program Distribution
51751 Cable and Other Program Distribution
517510 Cable and Other Program Distribution
5179 Other Telecommunications
51791 Other Telecommunications
517910 Other Telecommunications
518 Internet Service Providers, Web Search Portals, and Data Processing Services
5181 Internet Service Providers and Web Search Portals
51811 Internet Service Providers and Web Search Portals
518111 Internet Service Providers and Web Search Portals
518112 Web Search Portals
5182 Data Processing, Hosting, and Related Services
51821 Data Processing, Hosting, and Related Services
518210 Data Processing, Hosting, and Related Services

519 Other Information Services
5191 Other Information Services
51911 News Syndicates
519110 News Syndicates
51912 Libraries and Archives
519120 Libraries and Archives
51919 All Other Information Services
519190 All Other Information Services

52 FINANCE AND INSURANCE

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521 Monetary Authorities - Central Bank
5211 Monetary Authorities - Central Bank
52111 Monetary Authorities - Central Bank
521110 Monetary Authorities - Central Bank
522 Credit Intermediation and Related Activities
5221 Depository Credit Intermediation
52211 Commercial Banking
522110 Commercial Banking
52212 Savings Institutions
522120 Savings Institutions
52213 Credit Unions
522130 Credit Unions
52219 Other Depository Credit Intermediation
522190 Other Depository Credit Intermediation
5222 Nondepository Credit Intermediation
52221 Credit Card Issuing
522210 Credit Card Issuing
52222 Sales Financing
522220 Sales Financing
52229 Other Nondepository Credit Intermediation
522291 Consumer Lending
522292 Real Estate Credit
522293 International Trade Financing
522294 Secondary Market Financing
522298 All Other Nondepository Credit Intermediation
5223 Activities Related to Credit Intermediation
52231 Mortgage and Nonmortgage Loan Brokers
522310 Mortgage and Nonmortgage Loan Brokers
52232 Financial Transactions Processing, Reserve, and Clearinghouse Activities
522320 Financial Transactions Processing, Reserve, and Clearinghouse Activities
52239 Other Activities Related to Credit Intermediation
522390 Other Activities Related to Credit Intermediation
523 Securities, Commodity Contracts, and Other Financial Investments and Related Activities
5231 Securities and Commodity Contracts Intermediation and Brokerage
52311 Investment Banking and Securities Dealing
523110 Investment Banking and Securities Dealing
52312 Securities Brokerage
523120 Securities Brokerage
52313 Commodity Contracts Dealing
523130 Commodity Contracts Dealing
52314 Commodity Contracts Brokerage
523140 Commodity Contracts Brokerage
5232 Securities and Commodity Exchanges
52321 Securities and Commodity Exchanges
523210 Securities and Commodity Exchanges
52329 Other Financial Investment Activities
523291 Trust, Fiduciary, and Custody Activities
523999 Miscellaneous Financial Investment Activities

524 Insurance Carriers and Related Activities
5241 Insurance Carriers
52411 Direct Life, Health, and Medical Insurance Carriers
524113 Direct Life Insurance Carriers
524114 Direct Health and Medical Insurance Carriers
52412 Direct Insurance (except Life, Health, and Medical) Carriers
524126 Direct Property and Casualty Insurance Carriers
524127 Direct Title Insurance Carriers
524128 Other Direct Insurance (except Life, Health, and Medical) Carriers
52413 Reinsurance Carriers
524130 Reinsurance Carriers
5242 Agencies, Brokerages, and Other Insurance Related Activities
52421 Insurance Agencies and Brokerages
524210 Insurance Agencies and Brokerages
52429 Other Insurance Related Activities
524291 Claims Adjusting
524292 Third Party Administration of Insurance and Pension Funds
524298 All Other Insurance Related Activities

525 Funds, Trusts, and Other Financial Vehicles
5251 Insurance and Employee Benefit Funds
52511 Pension Funds
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52512 Health and Welfare Funds
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52519 Other Insurance Funds
525190 Other Insurance Funds
5259 Other Investment Pools and Funds
52591 Open-End Investment Funds
525910 Open-End Investment Funds
52592 Trusts, Estates, and Agency Accounts
525920 Trusts, Estates, and Agency Accounts
52593 Real Estate Investment Trusts
525930 Real Estate Investment Trusts
52599 Other Financial Vehicles
525990 Other Financial Vehicles

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531 Real Estate
5311 Lessors of Real Estate
53111 Lessors of Residential Buildings and Dwellings
531110 Lessors of Residential Buildings and Dwellings
53112 Lessors of Nonresidential Buildings (except Miniwarehouses)
531120 Lessors of Nonresidential Buildings (except Miniwarehouses)
53113 Lessors of Miniwarehouses and Self-Storage Units
531130 Lessors of Miniwarehouses and Self-Storage Units
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54135 Building Inspection Services
541350 Building Inspection Services
54136 Geophysical Surveying and Mapping Services
541360 Geophysical Surveying and Mapping Services
54137 Surveying and Mapping (except Geophysical) Services
541370 Surveying and Mapping (except Geophysical) Services
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541380 Testing Laboratories
5414 Specialized Design Services
54141 Interior Design Services
541410 Interior Design Services
54142 Industrial Design Services
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54149 Other Specialized Design Services
541490 Other Specialized Design Services
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54151 Computer Systems Design and Related Services
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541512 Computer Systems Design Services
541513 Computer Facilities Management Services
541519 Other Computer Related Services
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54161 Management Consulting Services
541611 Administrative Management and General Management Consulting Services
541612 Human Resources and Executive Search Consulting Services
541613 Marketing Consulting Services
541614 Process, Physical Distribution, and Logistics Consulting Services
541618 Other Management Consulting Services
54162 Environmental Consulting Services
541620 Environmental Consulting Services
54169 Other Scientific and Technical Consulting Services
541690 Other Scientific and Technical Consulting Services
5417 Scientific Research and Development Services
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54172 Research and Development in the Social Sciences and Humanities
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541810 Advertising Agencies
54182 Public Relations Agencies
541820 Public Relations Agencies

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541840 Media Representatives
54185 Display Advertising
541850 Display Advertising
54186 Direct Mail Advertising
541860 Direct Mail Advertising
54187 Advertising Material Distribution Services
541870 Advertising Material Distribution Services
54189 Other Services Related to Advertising
541890 Other Services Related to Advertising
5419 Other Professional, Scientific, and Technical Services
54191 Marketing Research and Public Opinion Polling
541910 Marketing Research and Public Opinion Polling
54192 Photographic Services
541921 Photography Studios, Portrait
541922 Commercial Photography
54193 Translation and Interpretation Services
541930 Translation and Interpretation Services
54194 Veterinary Services
541940 Veterinary Services
54199 All Other Professional, Scientific, and Technical Services
541990 All Other Professional, Scientific, and Technical Services

55 MANAGEMENT OF COMPANIES AND ENTERPRISES

551 Management of Companies and Enterprises
5511 Management of Companies and Enterprises
55111 Management of Companies and Enterprises
551111 Offices of Bank Holding Companies
551112 Offices of Other Holding Companies
551114 Corporate, Subsidiary, and Regional Managing Offices

56 ADMINISTRATIVE AND SUPPORT SERVICES

561 Administrative and Support Services
5611 Office Administrative Services
56111 Office Administrative Services
561110 Office Administrative Services
5612 Facilities Support Services
56121 Facilities Support Services
561210 Facilities Support Services
5613 Employment Services
56131 Employment Placement Agencies
561310 Employment Placement Agencies
56132 Temporary Help Services
561320 Temporary Help Services
56133 Professional Employer Organizations
561330 Professional Employer Organizations
5614 Business Support Services
56141 Document Preparation Services
561410 Document Preparation Services
56142 Telephone Call Centers
561421 Telephone Answering Services
561422 Telemarketing Bureaus
56143 Business Service Centers
561431 Private Mail Centers
561439 Other Business Service Centers (including Copy Shops)
56144 Collection Agencies
561440 Collection Agencies
56145 Credit Bureaus
561450 Credit Bureaus

-NAICS Complete 36-
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<tr>
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<td>Repossession Services</td>
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<td>561492</td>
<td>Court Reporting and Stenotype Services</td>
</tr>
<tr>
<td>561499</td>
<td>All Other Business Support Services</td>
</tr>
<tr>
<td>5615</td>
<td>Travel Arrangement and Reservation Services</td>
</tr>
<tr>
<td>56151</td>
<td>Travel Agencies</td>
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<td>56152</td>
<td>Tour Operators</td>
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<td>56159</td>
<td>Other Travel Arrangement and Reservation Services</td>
</tr>
<tr>
<td>561591</td>
<td>Convention and Visitors Bureaus</td>
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<tr>
<td>561599</td>
<td>All Other Travel Arrangement and Reservation Services</td>
</tr>
<tr>
<td>5616</td>
<td>Investigation and Security Services</td>
</tr>
<tr>
<td>56161</td>
<td>Investigation, Guard, and Armored Car Services</td>
</tr>
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<td>561611</td>
<td>Investigation Services</td>
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<td>561612</td>
<td>Security Guards and Patrol Services</td>
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<td>561613</td>
<td>Armored Car Services</td>
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<tr>
<td>56162</td>
<td>Security Systems Services</td>
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<td>561621</td>
<td>Security Systems Services (except Locksmiths)</td>
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<td>561622</td>
<td>Locksmiths</td>
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<td>5617</td>
<td>Services to Buildings and Dwellings</td>
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<td>56171</td>
<td>Exterminating and Pest Control Services</td>
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<td>Landscaping Services</td>
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<td>56174</td>
<td>Carpet and Upholstery Cleaning Services</td>
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<td>Other Services to Buildings and Dwellings</td>
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<td>5619</td>
<td>Other Support Services</td>
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<tr>
<td>56191</td>
<td>Packaging and Labeling Services</td>
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<td>56192</td>
<td>Convention and Trade Show Organizers</td>
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<td>Waste Management and Remediation Services</td>
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<td>Waste Treatment and Disposal</td>
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**61 EDUCATIONAL SERVICES**

| 611 | Educational Services |
| 6111 | Elementary and Secondary Schools |
| 61111 | Elementary and Secondary Schools |

-NAICS Complete 37-
611110 Elementary and Secondary Schools
6112 Junior Colleges
61121 Junior Colleges
611210 Junior Colleges
6113 Colleges, Universities, and Professional Schools
61131 Colleges, Universities, and Professional Schools
611310 Colleges, Universities, and Professional Schools
6114 Business Schools and Computer and Management Training
61141 Business and Secretarial Schools
611410 Business and Secretarial Schools
61142 Computer Training
611420 Computer Training
61143 Professional and Management Development Training
611430 Professional and Management Development Training
6115 Technical and Trade Schools
61151 Technical and Trade Schools
611511 Cosmetology and Barber Schools
611512 Flight Training
611513 Apprenticeship Training
611519 Other Technical and Trade Schools
6116 Other Schools and Instruction
61161 Fine Arts Schools
611610 Fine Arts Schools
61162 Sports and Recreation Instruction
611620 Sports and Recreation Instruction
61163 Language Schools
611630 Language Schools
61169 All Other Schools and Instruction
611691 Exam Preparation and Tutoring
611692 Automobile Driving Schools
611699 All Other Miscellaneous Schools and Instruction
6117 Educational Support Services
61171 Educational Support Services
611710 Educational Support Services

62 HEALTH CARE AND SOCIAL ASSISTANCE

621 Ambulatory Health Care Services
6211 Offices of Physicians
62111 Offices of Physicians
621111 Offices of Physicians (except Mental Health Specialists)
621112 Offices of Physicians, Mental Health Specialists
6212 Offices of Dentists
62121 Offices of Dentists
621210 Offices of Dentists
6213 Offices of Other Health Practitioners
62131 Offices of Chiropractors
621310 Offices of Chiropractors
62132 Offices of Optometrists
621320 Offices of Optometrists
62133 Offices of Mental Health Practitioners (except Physicians)
621330 Offices of Mental Health Practitioners (except Physicians)
62134 Offices of Physical, Occupational and Speech Therapists, and Audiologists
621340 Offices of Physical, Occupational and Speech Therapists, and Audiologists
62139 Offices of All Other Health Practitioners
621391 Offices of Podiatrists
621399 Offices of All Other Miscellaneous Health Practitioners
6214 Outpatient Care Centers
62141 Family Planning Centers
621410 Family Planning Centers
62142 Outpatient Mental Health and Substance Abuse Centers
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<tr>
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<td>HMO Medical Centers</td>
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<td>Kidney Dialysis Centers</td>
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<td>Freestanding Ambulatory Surgical and Emergency Centers</td>
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<td>Medical and Diagnostic Laboratories</td>
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<td>621991</td>
<td>Blood and Organ Banks</td>
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<td>621999</td>
<td>All Other Miscellaneous Ambulatory Health Care Services</td>
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<tr>
<td>6222</td>
<td>Hospitals</td>
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<td>Psychiatric and Substance Abuse Hospitals</td>
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<td>6223</td>
<td>Specialty (except Psychiatric and Substance Abuse) Hospitals</td>
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**623 Nursing and Residential Care Facilities**

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<td>6232</td>
<td>Residential Mental Retardation, Mental Health and Substance Abuse Facilities</td>
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<td>Residential Mental Retardation, Mental Health and Substance Abuse Facilities</td>
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<td>Residential Mental Retardation, Mental Health and Substance Abuse Facilities</td>
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<td>62322</td>
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<td>623220</td>
<td>Residential Mental Health and Substance Abuse Facilities</td>
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<tr>
<td>6233</td>
<td>Community Care Facilities for the Elderly</td>
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<td>62331</td>
<td>Community Care Facilities for the Elderly</td>
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<td>623311</td>
<td>Continuing Care Retirement Communities</td>
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<td>Homes for the Elderly</td>
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<td>Other Residential Care Facilities</td>
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**624 Social Assistance**

<table>
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<td>Child and Youth Services</td>
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<td>Services for the Elderly and Persons with Disabilities</td>
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<td>Services for the Elderly and Persons with Disabilities</td>
</tr>
<tr>
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<td>Other Individual and Family Services</td>
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<td>Other Individual and Family Services</td>
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<tr>
<td>6242</td>
<td>Community Food and Housing, and Emergency and Other Relief Services</td>
</tr>
<tr>
<td>62421</td>
<td>Community Food Services</td>
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<td>624210</td>
<td>Community Food Services</td>
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<tr>
<td>62422</td>
<td>Community Housing Services</td>
</tr>
<tr>
<td>624221</td>
<td>Temporary Shelters</td>
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NAICS - North American Industry Classification System - United States, 2002

-NAICS Complete 39-
624229 Other Community Housing Services
62423 Emergency and Other Relief Services
624230 Emergency and Other Relief Services
6243 Vocational Rehabilitation Services
62431 Vocational Rehabilitation Services
624310 Vocational Rehabilitation Services
6244 Child Day Care Services
62441 Child Day Care Services
624410 Child Day Care Services

71 ARTS, ENTERTAINMENT, AND RECREATION
711 Performing Arts, Spectator Sports, and Related Industries
7111 Performing Arts Companies
71111 Theater Companies and Dinner Theaters
711110 Theater Companies and Dinner Theaters
71112 Dance Companies
711120 Dance Companies
71113 Musical Groups and Artists
711130 Musical Groups and Artists
71119 Other Performing Arts Companies
711190 Other Performing Arts Companies
7112 Spectator Sports
71121 Spectator Sports
711211 Sports Teams and Clubs
711212 Racetracks
711219 Other Spectator Sports
7113 Promoters of Performing Arts, Sports, and Similar Events
71131 Promoters of Performing Arts, Sports, and Similar Events with Facilities
711310 Promoters of Performing Arts, Sports, and Similar Events with Facilities

71132 Promoters of Performing Arts, Sports, and Similar Events without Facilities
711320 Promoters of Performing Arts, Sports, and Similar Events without Facilities
7114 Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
71141 Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
711410 Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
7115 Independent Artists, Writers, and Performers
71151 Independent Artists, Writers, and Performers
711510 Independent Artists, Writers, and Performers

712 Museums, Historical Sites, and Similar Institutions
7121 Museums, Historical Sites, and Similar Institutions
71211 Museums
712110 Museums
71212 Historical Sites
712120 Historical Sites
71213 Zoos and Botanical Gardens
712130 Zoos and Botanical Gardens
71219 Nature Parks and Other Similar Institutions
712190 Nature Parks and Other Similar Institutions

713 Amusement, Gambling, and Recreation Industries
7131 Amusement Parks and Arcades
71311 Amusement and Theme Parks
713110 Amusement and Theme Parks
71312 Amusement Arcades
713120 Amusement Arcades
7132 Gambling Industries
71321 Casinos (except Casino Hotels)
713210 Casinos (except Casino Hotels)
NAICS - North American Industry Classification System - United States, 2002

71329 Other Gambling Industries
713290 Other Gambling Industries
7139 Other Amusement and Recreation Industries
71391 Golf Courses and Country Clubs
713910 Golf Courses and Country Clubs
71392 Skiing Facilities
713920 Skiing Facilities
71393 Marinas
713930 Marinas
71394 Fitness and Recreational Sports Centers
713940 Fitness and Recreational Sports Centers
71395 Bowling Centers
713950 Bowling Centers
71399 All Other Amusement and Recreation Industries
713990 All Other Amusement and Recreation Industries

72 ACCOMMODATION AND FOOD SERVICES

722 Food Services and Drinking Places
7221 Full-Service Restaurants
72211 Full-Service Restaurants
722110 Full-Service Restaurants
7222 Limited-Service Eating Places
72221 Limited-Service Eating Places
722211 Limited-Service Restaurants
722212 Cafeterias
722213 Snack and Nonalcoholic Beverage Bars
7223 Special Food Services
72231 Food Service Contractors
722310 Food Service Contractors
72232 Caterers
722320 Caterers
72233 Mobile Food Services
722330 Mobile Food Services
7224 Drinking Places (Alcoholic Beverages)
72241 Drinking Places (Alcoholic Beverages)
722410 Drinking Places (Alcoholic Beverages)

81 OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)

811 Repair and Maintenance
8111 Automotive Repair and Maintenance
81111 Automotive Mechanical and Electrical Repair and Maintenance
811111 General Automotive Repair
811112 Automotive Exhaust System Repair
811113 Automotive Transmission Repair
811118 Other Automotive Mechanical and Electrical Repair and Maintenance
81112 Automotive Body, Paint, Interior, and Glass Repair
811121 Automotive Body, Paint, and Interior Repair and Maintenance

-NAICS Complete 41-
811122 Automotive Glass Replacement Shops
81119 Other Automotive Repair and Maintenance
811191 Automotive Oil Change and Lubrication Shops
811192 Car Washes
811198 All Other Automotive Repair and Maintenance
8112 Electronic and Precision Equipment Repair and Maintenance
81121 Electronic and Precision Equipment Repair and Maintenance
811211 Consumer Electronics Repair and Maintenance
811212 Computer and Office Machine Repair and Maintenance
811213 Communication Equipment Repair and Maintenance
811219 Other Electronic and Precision Equipment Repair and Maintenance
8113 Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
81131 Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
811310 Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
8114 Personal and Household Goods Repair and Maintenance
81141 Home and Garden Equipment and Appliance Repair and Maintenance
811411 Home and Garden Equipment Repair and Maintenance
811412 Appliance Repair and Maintenance
81142 Reupholstery and Furniture Repair
811420 Reupholstery and Furniture Repair
81143 Footwear and Leather Goods Repair
811430 Footwear and Leather Goods Repair
81149 Other Personal and Household Goods Repair and Maintenance
811490 Other Personal and Household Goods Repair and Maintenance
812 Personal and Laundry Services
8121 Personal Care Services
81211 Hair, Nail, and Skin Care Services
812111 Barber Shops
812112 Beauty Salons
812113 Nail Salons
81219 Other Personal Care Services
812191 Diet and Weight Reducing Centers
812199 Other Personal Care Services
8122 Death Care Services
81221 Funeral Homes and Funeral Services
812210 Funeral Homes and Funeral Services
81222 Cemeteries and Crematories
812220 Cemeteries and Crematories
8123 Drycleaning and Laundry Services
81231 Coin-Operated Laundries and Drycleaners
812310 Coin-Operated Laundries and Drycleaners
81232 Drycleaning and Laundry Services (except Coin-Operated)
812320 Drycleaning and Laundry Services (except Coin-Operated)
81233 Linen and Uniform Supply
812331 Linen Supply

-NAICS Complete 42-
812332 Industrial Launderers
8129 Other Personal Services
81291 Pet Care (except Veterinary) Services
812910 Pet Care (except Veterinary) Services
81292 Photofinishing
812921 Photofinishing Laboratories (except One-Hour)
812922 One-Hour Photofinishing
81293 Parking Lots and Garages
812930 Parking Lots and Garages
81299 All Other Personal Services
812990 All Other Personal Services

813 Religious, Grantmaking, Civic, Professional, and Similar Organizations
8131 Religious Organizations
81311 Religious Organizations
813110 Religious Organizations
8132 Grantmaking and Giving Services
81321 Grantmaking and Giving Services
813211 Grantmaking Foundations
813212 Voluntary Health Organizations
813219 Other Grantmaking and Giving Services
8133 Social Advocacy Organizations
81331 Social Advocacy Organizations
813311 Human Rights Organizations
813312 Environment, Conservation and Wildlife Orgs.
813319 Other Social Advocacy Organizations
8134 Civic and Social Organizations
81341 Civic and Social Organizations
813410 Civic and Social Organizations
8139 Business, Professional, Labor, Political, & Similar Orgs.
81391 Business Associations
813910 Business Associations
81392 Professional Organizations
813920 Professional Organizations
81393 Labor Unions and Similar Labor Organizations
813930 Labor Unions and Similar Labor Organizations
81394 Political Organizations
813940 Political Organizations
81399 Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)
813990 Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)

814 Private Households
8141 Private Households
81411 Private Households
814110 Private Households

92 PUBLIC ADMINISTRATION
921 Executive, Legislative, and Other General Government Support
9211 Executive, Legislative, and Other General Government Support
92111 Executive Offices
921111 Executive Offices
92112 Legislative Bodies
921120 Legislative Bodies
92113 Public Finance Activities
921130 Public Finance Activities
92114 Executive and Legislative Offices, Combined
921140 Executive and Legislative Offices, Combined
92115 American Indian and Alaska Native Tribal Governments
921150 American Indian and Alaska Native Tribal Governments
92119 Other General Government Support
921190 Other General Government Support

922 Justice, Public Order, and Safety Activities
9221 Justice, Public Order, and Safety Activities
92211 Courts
922110 Courts
92212 Police Protection
922120 Police Protection
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SUBDIVISION ORDINANCE

(AS AMENDED)

TOWN OF WASHINGTON, MAINE

ADOPTED
1 APRIL 1989

AMENDED
28 DECEMBER 1990
31 MARCH 2001
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Appendix A Maine's Subdivision Law .................. See 30A MRSA §4401-4407

Note: previously, we included the text of Maine's Subdivision Law but now it has become too lengthy to do so. You can get the text of this law, and all Maine Laws, on the web at http://janus.state.me.us/legis/statutes/homepage.htm
ARTICLE I - PURPOSES

The purposes of this ordinance are to assure the comfort, convenience, safety, health and welfare of the people of the Town of Washington, to protect the environment and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the Town of Washington, Maine, the Planning Board shall consider the following criteria and before granting approval shall make findings of fact that the provisions of this ordinance have been met and that the proposed subdivision will meet the guidelines of Title 30A, M.R.S.A. §4404. The subdivision:

1.1. Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land above sea level and its relation to the flood plains; the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents;

1.2. Has sufficient water available for the reasonably foreseeable needs of the subdivision;

1.3. Will not cause an unreasonable burden on an existing water supply;

1.4. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

1.5. Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;

1.6. Will provide for adequate solid and sewage waste disposal;

1.7. Will not cause an unreasonable burden on the ability of the Town of Washington to dispose of solid waste and sewage;

1.8. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline; and

1.9. Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, districting ordinance, or shoreland zoning ordinance.

1.10. The subdivider has adequate financial and technical capacity to meet the above stated standards.

1.11. Whenever situated in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water.

1.12. Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground or surface water.

1.13. All principal structures within the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.
ARTICLE II - AUTHORITY AND ADMINISTRATION

2.1. Authority.

A. This ordinance has been prepared in accordance with the provisions of Title 30A M.R.S.A., §4403.

B. This ordinance shall be known and may be cited as “Subdivision Ordinance of the Town of Washington, Maine.”

2.2. Administration.

A. The Planning Board of the Town of Washington, hereinafter called the Board, shall administer this ordinance.

B. The provisions of this ordinance shall pertain to all land proposed for subdivision, as defined in Title 30A M.R.S.A., §4401, Subsection 4, within the boundaries of the Town of Washington.
ARTICLE III - DEFINITIONS

In general, words and terms used in this ordinance shall have their customary dictionary meanings. More specifically, certain words and terms used herein are defined as follows:

Cluster Subdivision: A subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located in return for the provision of permanent open space owned in common by lot/unit owners, the Town, or a land conservation organization.

Complete Application: An application shall be considered complete upon submission of the required fee and all information required by these regulations for a Final Plan, or by a vote by the Board to waive the submission of required information. The Board shall issue a receipt to the applicant upon its determination that an application is complete.

Comprehensive Plan or Policy Statement: Any part or element of the overall plan or policy for development of the municipality as defined in Title 30A M.R.S.A., Section 4326.

Contiguous Lots: Lots which adjoin at any line or point, or are separated at any point by a body of water less than fifteen feet wide.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and roads.

Driveway: A vehicular access-way serving two dwelling units or less.

Dwelling Unit: A room or suite of rooms used as a habitation which is separate from other such rooms or suites of rooms, and which contains independent living, cooking, sleeping, bathing and sanitary facilities; includes single family houses, and the units in a duplex, apartment house, multifamily dwellings, and residential condominiums.

Final Plan: The final drawings on which the applicant’s plan of subdivision is presented to the Board for approval and which, if approved, may be recorded at the Registry of Deeds.

High Intensity Soil Survey: A map prepared by a Certified Soil Scientist, identifying the soil types down to 1/8 acre or less at a scale equivalent to the subdivision plan submitted. The soils shall be identified in accordance with the National Cooperative Soil Survey. The map shall show the location of all test pits used to identify the soils, and shall be accompanied by a log of each sample point identifying the textural classification and the depth to seasonal high water table or bedrock at that point. Single soil test pits and their evaluation for suitability for subsurface wastewater disposal systems shall not be considered to constitute high intensity soil surveys.

100 Year Flood: The highest level of flood that, on the average, is likely to occur once every 100 years (that has a one percent chance of occurring in any year).

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

**Industrial Park or Development:** A subdivision in an area zoned exclusively
for industrial uses, or a subdivision planned for industrial uses and
developed and managed as a unit, usually with provision for common services
for the users.

**Official Submittal Date:** The date upon which the Board issues a receipt
indicating a complete application has been submitted.

**Person:** Includes a firm, association, organization, partnership, trust,
company, or corporation, as well as an individual.

**Planned Unit Development:** A development controlled by a single developer
for a mix of residential, commercial, and industrial uses. A PUD is
undertaken in a manner that treats the developed area in its entirety to
promote the best use of land, including the creation of open space, a
reduction in the length of road and utility systems, and the retention of
the natural characteristics of the land.

**Planning Board:** The Municipal Reviewing Authority of the Town of Washington,
Maine as defined by 30A M.R.S.A. Section 4301, Subsection 12.

**Preliminary Subdivision Plan:** The preliminary drawings indicating the
proposed layout of the subdivision to be submitted to the Board for its
consideration.

**Recording Plan:** A copy of the Final Plan which is recorded at the Registry of
Deeds and which need not show information not relevant to the transfer of an
interest in the property, such as sewer and water line locations and sizes,
culverts, and building lines.

**Resubdivision:** The division of an existing subdivision or any change in the
plan for an approved subdivision which effects the lot lines, including
land transactions by the subdivider not indicated on the approved plan.

**Road:** Public and private ways such as alleys, avenues, boulevards, highways,
routes, and other rights-of-way, as well as areas on subdivision plans
designated as rights-of-way.

**Road Classification:**

- **Arterial road:** A major thoroughfare which serves as a major traffic way for
  travel between and through the municipality. The following roadways
  shall be considered arterial roads: Routes 17, 105, 126, 206, 220.

- **Collector road:** A road servicing at least fifteen lots or dwelling units,
  or roads which serve as feeders to arterial roads, and collectors of
  traffic from minor roads.

- **Industrial or Commercial road:** Roads servicing industrial or commercial
uses.

- **Minor road:** A road servicing less than fifteen lots or dwelling units.

- **Private Right of Way:** A vehicular accessway serving no more than eight
dwelling units, which is not intended to be dedicated as a public way.
Solar Collector: A device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes to a building’s energy supply.

Solar Energy System: A complete design or assembly consisting of a solar energy collector, an energy storage facility (when used), and components for the distribution of transformed energy.

Subdivision: The division of a tract or parcel of land into three or more lots or dwelling units within any five-year period, which period begins after September 22, 1971, whether accomplished by sale, lease, development, buildings, or otherwise, provided that a division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood marriage or adoption, unless the intent of such gift is to avoid the objectives of these regulations, or by transfer of any interest in land to the owner of land abutting thereon, shall not be considered to create a lot or lots for the purposes of these regulations.

In determining whether a tract or parcel of land is divided into three or more lots, the first dividing of such tract or parcel, unless otherwise exempted herein, shall be considered to create the first two lots and the next dividing of either of said first two lots, by whomever accomplished, unless otherwise exempted herein, shall be considered to create the third lot, unless both such dividings are accomplished by a subdivider who shall have retained one of such lots for his own use as a single family residence for a period of a least five years prior to such second dividing.

Notwithstanding the provisions of the State Subdivision Law 30A M.R.S.A., § 4401(4)(c) as amended, lots of forty or more acres shall be counted as lots.

For the purposes of these regulations, a tract or parcel of land is defined as all contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof.

Subdivision, Major: Any subdivision containing more than four lots or dwelling units, or any subdivision containing a proposed road.

Subdivision, Minor: Any subdivision containing not more than four lots or dwelling units, and in which no road is proposed to be constructed.

Tract, or Parcel, of Land: All contiguous land in the same ownership, whether or not the tract is separated at any point by: an intermittent or non-navigable stream, or a private road established by the abutting land owners.
4.1. **Purpose.** The purpose of this Article is to establish an orderly, equitable and expeditious procedure for reviewing subdivisions.

4.2. **Agenda.** In order to avoid unnecessary delays in processing applications for subdivision review, the Board shall prepare an agenda for each regularly scheduled meeting. Applicants shall request to be placed on the Board’s agenda at least three weeks in advance of a regularly scheduled meeting by contacting the Chairman. Applicants who attend a meeting but who are not on the Board’s agenda may be heard but only after all agenda items have been completed, and then only if a majority of the Board so votes.
5.1. Procedure.

A. Applicant presentation and submission of sketch plans.

B. Question and answer period. Board makes specific suggestions to be incorporated by the applicant into subsequent submissions.

C. Scheduling of on-site inspection.

5.2. Submission. The Preapplication Sketch Plan shall show, in simple sketch form, the proposed layout of roads, lots, buildings and other features in relation to existing conditions. The Sketch Plan, which may be a free-hand pencilled sketch, should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development. It is recommended that the sketch plan be superimposed on or accompanied by a copy of the Assessor’s Map(s) on which the land is located. The Sketch Plan shall be accompanied by a copy of a portion of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision, unless the proposed subdivision is less than ten acres in size.

5.3. Contour Interval and On-Site Inspection. Within thirty days, the Board shall determine and inform the applicant in writing of the required contour interval on the Preliminary Plan, or Final Plan in the case of a Minor Subdivision. The Board or its designated agent shall, at its earliest convenience and normally within 30 days, make an on-site inspection. If any conditions such as snow exist to prevent an adequate inspection in the opinion of the Board, the applicant shall be notified in writing, and any time limits for review shall be extended accordingly until an on-site inspection can be made. The applicant shall place “flagging” at the centerline of any proposed roads, and at the approximate intersections of the road centerlines and lot corners, prior to the on-site inspection.

5.4. Rights not Vested. The submittal or review of the preapplication sketch plan shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1, M.R.S.A., §302.
ARTICLE VI - MINOR SUBDIVISIONS

6.1. General. The Board may require, where it deems it necessary for the protection of public health, safety, and welfare, that a Minor Subdivision comply with all or any of the submission requirements for a Major Subdivision.

6.2. Procedure.

A. Within six months after the preapplication submission or the on-site inspection by the Board, the subdivider shall submit an application for approval of a Final Plan at least seven days prior to a scheduled meeting of the Board. Failure to do so shall require resubmission of the Sketch Plan to the Board. The Final Plan shall approximate the layout shown on the Sketch Plan, plus any recommendations made by the Board.

B. All applications for Final Plan approval for Minor Subdivision shall be accompanied by an application fee of $80.00 payable by check to the Town of Washington Planning Board Account. If a public hearing is deemed necessary by the Board, an additional fee shall be required to cover the additional costs of advertising and postal notification.

C. The subdivider, or his duly authorized representative, shall attend the meeting of the Board and be prepared to discuss the Preliminary Plan.

D. The Planning Board shall notify all owners of abutting property that an application for subdivision approval has been submitted to the Board, and the Board shall publish notification, in the Rockland Courier Gazette, that an application has been submitted, noting the size in total acres of the proposed subdivision and the location of the proposed subdivision.

E. Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. The Board shall determine whether to hold a public hearing on the Final Plan application.

F. If the Board decides to hold a public hearing, it shall hold the hearing within thirty days of receipt of a complete application, and shall publish notice of the date, time, and place of the hearing in the Rockland Courier Gazette at least two times, the date of the first publication to be at least seven days prior to the hearing.

G. Within thirty days of a public hearing, or within sixty days of receipt of a complete application, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, the Board shall make findings of fact on the application, and approve, approve with conditions, or deny the Final Plan. The Board shall specify in writing its findings of facts and reasons for any conditions or denial.

6.3. Submissions.

A. The subdivision plan for a Minor Subdivision shall consist of two reproducible, stable based transparent originals, one to be recorded at the Registry of Deeds, the other to be filed at the Municipal Office and three copies of one or more maps or drawings drawn to a scale of not more than one hundred feet to the inch. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read. Plans shall be no larger than 24 by 36 inches in size, and shall have a margin of two inches outside of the border lines on the left side for binding and a one inch margin outside the border along the remaining
The application for approval of a Minor Subdivision shall include the following information:

1. Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the Assessor’s Map and Lot numbers.

2. Verification of right, title, or interest in the property.

3. A field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.

4. A copy of the deed from which the survey was based. A copy of all deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.

5. A copy of any deed restrictions intended to cover all or part of the lots in the subdivision.

6. Indication of the type of sewage disposal to be used in the subdivision:

When sewage disposal is to be accomplished by subsurface wastewater disposal systems, test pit analyses, prepared by a currently Licensed Site Evaluator, Soils Scientist, Geologist or other duly qualified professional, registered or certified in the State of Maine shall be provided. A map showing the location of all test pits dug on the site shall be submitted.

7. Indication of the type of water supply system(s) to be used in the subdivision:

When water is to be supplied by private wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.

8. The date the Plan was prepared, north point, graphic map scale, names and addresses of the record owner, subdivider, and individual or company who prepared the plan, and the names of adjoining property owners. If the subdivider is not the owner of the property, evidence of the subdivider’s right, title or interest to the property.

9. A copy of the portion of the county Soil Survey covering the subdivision. When the medium intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a high intensity soil survey or a report by a Registered Soil Scientist or Registered Professional Engineer experienced in geotechnics, indicating the suitability of soil conditions for those uses.

10. The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type, and other essential existing physical features. The location of
any trees larger than 24 inches in diameter at breast height that are to be removed shall be shown on the plan. On wooded sites, the plan shall indicate the area where clearing for lawns and structures shall be permitted.

11. Contour lines at the interval specified by the Planning Board, showing elevations in relation to Mean Sea Level.

12. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.

13. A hydrogeologic assessment prepared by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, when:
   a. Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled “Hydrogeologic Data for Significant Sand and Gravel Aquifers,” by the Maine Geological Survey, 1985, Map No. 18; or a primary recharge area to an aquifer, or
   b. The subdivision has an average density of less than 100,000 square feet per dwelling unit.

14. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. A traffic impact analysis shall be required for subdivisions proposed to be accessed by roads that do not meet minimum standards as outlined in Article 12 of this document.

15. For subdivisions involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the road giving access to the site and neighboring roads which may be affected, and recommended improvements to maintain the desired level of service on the affected roads. Trip generation rates used shall be the mean value reported in Table 3 of Development and Application of Trip Generation Rates, Kellerco, Inc., published by the Federal Highway Administration, January 1985.

16. For projects within lake watershed districts a phosphorus control analysis and plan shall be submitted for review and approval.
ARTICLE VII - PRELIMINARY PLAN FOR MAJOR SUBDIVISION

7.1. Procedure.

A. Within six months after the preapplication submission or on-site inspection by the Board, the subdivider shall submit an application for approval of a Preliminary Plan at least seven days prior to a scheduled meeting of the Board. Failure to do so shall require resubmission of the Sketch Plan to the Board. The Preliminary Plan shall approximate the layout shown on the Sketch Plan, plus any recommendations made by the Board.

B. All applications for Preliminary Plan approval for a Major Subdivision shall be accompanied by an application fee of $25 per lot or dwelling unit, payable by check to the Town of Washington Planning Board Account. In addition, at its discretion the Board may consult with agencies or persons of recognized special authority in the fields of traffic engineering, environmental protection, land use, fish and wildlife management, geology, air or water quality, solid or liquid waste disposal, or other fields as appropriate. Consultation from sources without fee shall be used first, if available. If not, the fees shall be the responsibility of the applicant who shall be notified in advance of the estimated fees. The amount of said fees shall be paid by the applicant. If a public hearing is deemed necessary by the Board, an additional fee shall be required to cover all costs of advertising and postal notification and dissemination of information.

C. The subdivider, or his duly authorized representative, shall attend the meeting of the Board and be prepared to discuss the Preliminary Plan.

D. The Planning Board shall notify all owners of abutting property that an application for subdivision approval has been submitted to the Board, and the Board shall publish notification, in the Rockland Courier Gazette, that an application has been submitted, noting the size in total acres of the proposed subdivision and the location of the proposed subdivision.

E. Within thirty days of receipt of a Preliminary Plan application form and fee, the Board shall notify the applicant in writing whether or not the application is complete, and what, if any, additional submissions are required for a complete application.

F. Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. The Board shall determine whether to hold a public hearing on the Preliminary Plan application. If the Board decides to hold a public hearing, it shall hold the hearing within thirty days of receipt of a complete application, and shall publish notice of the date, time, and place of the hearing in a newspaper of general circulation in the municipality at least two times, the date of the first publication to be at least seven days prior to the hearing.

When a subdivision is located within 500 feet of a municipal boundary, and a public hearing is to be held, the Board shall notify the Clerk and the Chairman of the Planning Board of the adjacent municipality involved, at least ten days prior to the hearing.

G. The Board shall, within thirty days of a public hearing, or within sixty days of receipt of a complete application, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, make findings of fact on the application, and approve, approve with conditions, or deny the Preliminary Plan. The Board shall specify in writing its findings of facts and reasons for any
H. When granting approval to a Preliminary Plan, the Board shall state the conditions of such approval, if any, with respect to:

1. The specific changes which it will require in the Final Plan;

2. The character and extent of the required improvements for which waivers may have been requested and which in the Board's opinion may be waived without jeopardy to the public health, safety, and general welfare; and

3. The amount and type of all performance guarantees which it will require as prerequisite to the approval of the Final Plan;

I. Approval of a Preliminary Plan shall not constitute approval of the Final Plan or intent to approve the Final Plan, but rather it shall be deemed an expression of approval of the design of the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the Final Plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received.

7.2. Submissions.

A. Location Map. The Preliminary Plan shall be accompanied by a Location Map adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the municipality. The Location Map shall show:

1. Existing subdivisions in the proximity of the proposed subdivision.

2. Locations and names of existing and proposed roads.


4. An outline of the proposed subdivision and any remaining portion of the owner's property if the Preliminary Plan submitted covers only a portion of the owner's entire contiguous holding.

B. Preliminary Plan. The Preliminary Plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The Preliminary Plan shall be drawn to a scale of not more than one hundred feet to the inch. The Board may allow plans for subdivisions containing more than one hundred acres to be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read. In addition, one copy of the Plan(s) reduced to a size of 8 1/2 by 11 inches, and all accompanying information shall be mailed to each Board member no less than seven days prior to the meeting. The following information shall either be shown on the Preliminary Plan or accompany the application for preliminary approval:

1. Proposed name of the subdivision and the name of the municipality in which it is located, plus the Tax Assessor's Map and Lot numbers.

2. Verification of right, title, or interest in the property.

3. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall
be located on the ground and marked by monuments.

4. A copy of the deed from which the survey was based. A copy of all covenants or deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.

5. A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.

6. Contour lines at the interval specified by the Planning Board, showing elevations in relation to Mean Sea Level.

7. The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type, and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan.

8. Indication of the type of sewage disposal to be used in the subdivision:

When sewage disposal is to be accomplished by subsurface sewage disposal systems, test pit analyses, prepared by a Licensed Site Evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.

9. Indication of the type of water supply system(s) to be used in the subdivision:

When water is to be supplied by private wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.

10. The date the Plan was prepared, magnetic north point, graphic map scale, names and addresses of the record owner, subdivider, and individual or company who prepared the plan. If the subdivider is not the owner of the property, evidence of the subdivider’s right, title or interest to the property.

11. The names and addresses of owners of record of adjacent property, including any property directly across an existing public road from the subdivision.

12. The location of any districting boundaries within 1000 feet of any part of the proposed subdivision.

13. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.

14. The location, names, and present widths of existing and proposed roads, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.

15. The width and location of any roads or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.

16. The proposed lot lines with approximate dimensions and lot areas.

17. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
18. The location of any open space to be preserved and a description of proposed improvements and its management.

19. A copy of that portion of the county Soil Survey covering the subdivision. When the medium intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a high intensity soil survey or a report by a Registered Soil Scientist or Registered Professional Engineer experienced in geotechnics, indicating the suitability of soil conditions for those uses.

20. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.

21. A hydrogeologic assessment, prepared in accordance with Section 11.12.A of this Ordinance by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, when

a. Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled “Hydrogeologic Data for Significant Sand and Gravel Aquifers,” by the Maine Geological Survey, Map No. 18; or a primary recharge area to an aquifer, or

b. The subdivision has an average density of less than 100,000 square feet per dwelling unit.

22. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. A traffic impact analysis shall be required for subdivisions proposed to be accessed by roads that do not meet minimum standards as outlined in Article 12 of this document.

23. For subdivisions involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the road giving access to the site and neighboring roads which may be affected, and recommended improvements to maintain the desired level of service on the affected roads. Trip generation rates used shall be the mean value reported in Table 3 of Development and Application of Trip Generation Rates, Kellerco, Inc., published by the Federal Highway Administration, January 1985.

24. For projects within lake watershed districts a phosphorus control analysis and plan shall be submitted for review and approval.
ARTICLE VIII - FINAL PLAN FOR MAJOR SUBDIVISION

8.1. Procedure.

A. The subdivider shall, within six months after the approval of the Preliminary Plan, file with the Board an application for approval of the Final Plan at least seven days prior to a scheduled meeting of the Board. If the application for the Final Plan is not submitted within six months after Preliminary Plan approval, the Board may refuse without prejudice to act on the Final Plan, and require resubmission of the Preliminary Plan. The Final Plan shall approximate the layout shown on the Preliminary Plan, plus any recommendations made by the Board.

B. All applications for Final Plan approval for Major Subdivision shall be accompanied by an application fee of $30 per lot or dwelling unit payable by check to the Town of Washington Planning Board Account. If a public hearing is deemed necessary by the Board, an additional fee shall be required to cover the costs of advertising, postal notification and dissemination of information.

C. Prior to submittal of the Final Plan application, the following approvals shall be obtained in writing, where appropriate:

1. Maine Department of Environmental Protection, under the Site Location of Development Act, Great Ponds Act, Fresh Water Wetlands Act, Alteration of Streams and Rivers Act, or if a Wastewater Discharge License is needed.

2. Maine Department of Human Services, if the subdivider proposes to provide a central water supply system.

3. Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized.

D. The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the Final Plan.

E. Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. The Board shall determine whether to hold a public hearing on the Final Plan application.

F. A public hearing may be held by the Board within thirty days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised the Rockland Courier Gazette at least two times, the date of the first publication to be at least seven days before the hearing and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing.

G. The Board shall notify the Selectmen, Code Enforcement Officer, Road Commissioner, School Superintendent, Law Enforcement Agencies, and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways, and the size and construction characteristics of any multi-family, commercial or industrial buildings. The Board shall request that these officials submit written statements, signed and dated, attesting to the adequacy of their department’s existing capital facilities to service the proposed subdivision. Comment on the adequacy before and after the proposed development of the Town of Washington’s a. Solid waste disposal facility, b. roads, c. schools, d. fire protection, and e. police protection shall be included.

H. Before the Board grants approval of the Final Plan, the subdivider shall
meet the performance guarantee requirements contained in Article XIII.

I. If the subdivision is located in more than one municipality, the Board shall have a joint meeting with the Planning Board of the adjacent municipality to discuss the Plan.

J. The Board, within thirty days from the public hearing or within sixty days of receiving a complete application, if no hearing is held, shall make findings of fact, and conclusions relative to the standards contained in Title 30, M.R.S.A. §4956, subsection 3 and in these regulations. If the Board finds that all standards of the Statute and these regulations have been met, they shall approve the Final Plan. If the Board finds that any standards contained in these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any conditions shall be stated in the records of the Board.

8.2. Submissions.

The Final Plan shall consist of one or more maps or drawings drawn to a scale of not more than one hundred feet to the inch. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can be read. Plans shall be no larger than 24 by 36 inches in size, and shall have a margin of two inches outside of the border line on the left side for binding and a one inch margin outside the border along the remaining sides. Space shall be reserved on the plan for endorsement by the Board. Two reproducible, stable based transparent originals, one to be recorded at the Registry of Deeds, the other to be filed at the Municipal Offices, and three copies of the plan shall be submitted. The subdivider may, instead submit one reproducible stable based transparent original of the Final Plan and one Recording Plan with three copies of the Final Plan. In addition, one copy of the Final Plan, reduced to a size of 8 1/2 by 11 inches or 11 by 17 inches, and all accompanying information shall be mailed to each Board member no less than seven days prior to the meeting.

The application for approval of the Final Plan shall include the following information.

A. Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor’s Map and Lot numbers.

B. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.

C. The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, and other essential existing physical features.

D. Indication of the type of sewage disposal to be used in the subdivision.

E. Indication of the type of water supply system(s) to be used in the subdivision.

1. When water is to be supplied by private and/or communal wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the
2. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.

F. The date the Plan was prepared, magnetic and true north point, graphic map scale, names and addresses of the record owner, subdivider, and individual or company who prepared the plan.

G. The location of any districting boundaries within 1000 feet of any part of the subdivision, and the location of the proposed subdivision within the Town of Washington boundaries.

H. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.

I. The location, names, and present widths of existing and proposed roads, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every road line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angles radii, length of curves and central angles of curves, tangent distances and tangent bearings for each road shall be included.

J. A soil erosion and sedimentation control plan, prepared in accordance with the standards contained in the latest revised edition of the Environmental Quality Handbook published by the U.S. Soil Conservation Service.


L. The width and location of any roads or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.

M. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the Plan, and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If open space or other land is to be offered to the municipality, written evidence that the Municipal Officers are satisfied with the legal sufficiency of the written offer of cession shall be included.

N. A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots. A separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality, or quasi-municipal districts. These lists shall include but not be limited to:

- Schools, including busing
- Road maintenance and snow removal
- Police and fire protection
- Solid waste disposal
- Recreation facilities
- Storm water drainage
The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.

O. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.

8.3. Final Approval and Filing.

A. No plan shall be approved by the Board as long as the subdivider is in violation of the provisions on a previously approved Plan.

B. Upon findings of fact and determination that all standards in Title 30A, M.R.S.A. §4404, and these regulations have been met, and upon voting to approve the subdivision, the Board shall sign the Final Plan. The Board shall specify in writing its findings of facts and reasons for any conditions or denial. One copy of the signed plan shall be retained by the Board as part of its permanent records. One copy of the signed plan shall be forwarded to the Tax Assessor. One copy of the signed plan shall be forwarded to the Code Enforcement Officer. Any subdivision not recorded in the Registry of Deeds within ninety days of the date upon which the plan is approved and signed by the Board shall become null and void.

C. At the time the Board grants Final Plan approval, it may permit the Plan to be divided into two or more sections subject to any conditions the Board deems necessary in order to insure the orderly development of the Plan. If any municipal or quasi-municipal department head notified of the proposed subdivision informs the Board that their department or district does not have adequate capital facilities to service the subdivision, the Board shall require the Plan to be divided into two or more sections subject to any conditions the Board deems necessary in order to allow the orderly planning, financing and provision of public services to the subdivision. If the superintendent of schools indicates that there is less than 20% excess classroom capacity existing in the school(s) which will serve the subdivision, considering previously approved but not built subdivisions, the Board shall require the Plan to be divided into sections to prevent classroom overcrowding.

D. No changes, erasures, modifications, or revisions shall be made in any Final Plan after approval has been given by the Board and endorsed in writing on the Plan, unless the revised Final Plan is first submitted and the Board approves any modifications, except in accordance with Article IX. The Board shall make findings that the revised plan meets the standards of Title 30A, M.R.S.A. §4404, and these regulations. In the event that a Plan is recorded without complying with this requirement, it shall be considered null and void, and the Board shall institute proceedings to have the Plan stricken from the records of the Registry of Deeds.

E. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any road, easement, or other open space shown on such plan. When a park, playground, or other recreation area shall have been shown on the plan to be dedicated to the municipality, approval of the Plan shall not constitute an acceptance by the municipality of such areas. The Board shall require the Plan to contain appropriate notes to this effect. The Board may also require the filing of a written agreement between the
applicant and the Municipal Officers covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such dedicated area.

F. Construction or alteration activities for which approval has been granted under this Ordinance shall commence within six (6) months of the date of issuance and shall be substantially completed within twenty-four (24) months of the date of issuance.

Activities which are not commenced or substantially completed within the time limits provided above shall be subject to new application and the approval issued under this Ordinance shall be considered void. The Board shall have a notice placed in the Registry of Deeds to that effect.

Activities may be extended for up to one (1) year by the Board if application is submitted not later than thirty (30) days prior to expiration.
9.1. Procedure

An applicant for a revision to a previously approved plan shall, at least seven days prior to a scheduled meeting of the Board, request to be placed on the Board’s agenda. If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.

9.2. Submissions

The applicant shall submit a copy of the approved plan, as well as three copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations.

9.3 Scope of Review

The Board’s scope of review shall be limited to those portions of the plan which are proposed to be changed.
ARTICLE X - ENFORCEMENT

10.1. Inspection of Required Improvements.

A. At least five days prior to commencing each major phase of construction of required improvements, the subdivider or builder shall:

1. Notify the Code Enforcement Officer in writing of the time when he proposes to commence construction of such improvements, so that the Municipal Officers can cause inspection to be made to assure that all municipal specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Board.

2. To pay for the costs of inspection, pay to the Town of Washington Planning Board Account a fee in the amount of 2% of the estimated costs of the required improvements. Said fee minimum to be $400.

B. If the inspecting official finds upon inspection of the improvements that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the subdivider, he shall so report in writing to the Municipal Officers, Planning Board, and the subdivider or builder. The Municipal Officers shall take any steps necessary to preserve the municipality’s rights.

C. If at any time before or during the construction of the required improvements, it appears to be necessary or desirable to modify the required improvements, the inspecting official is authorized to approve minor modifications due to unforeseen circumstances such as encountering hidden outcrops of bedrock, natural springs, etc. The inspecting official shall issue any approval under this section in writing and shall transmit a copy of the approval to the Board. Revised plans shall be filed with the Town. For major modifications, such as relocation of rights-of-way, property boundaries, changes of grade by more than 1%, etc., the subdivider shall obtain permission to modify the plans from the Board.

D. At the close of each summer construction season the Town shall, at the expense of the subdivider, have the site inspected by a qualified individual. By December 1 of each year during which construction was done on the site, the inspector shall submit a report to the Board based on that inspection, addressing whether storm water and erosion control measures (both temporary and permanent) are in place, are properly installed, and appear adequate to do the job they were designed for. The report shall also include a discussion and recommendations on any problems which were encountered.

E. Prior to the sale of any lot, the subdivider shall provide the Board with a letter from a Registered Land Surveyor, stating that all monumentation shown on the plan has been installed.

F. Upon completion of road construction a written certification signed by a professional engineer registered in the State of Maine shall be submitted to the Municipal Officers at the expense of the applicant, certifying that the road meets or exceeds the design and construction requirements of these regulations. If there are any underground utilities, the servicing utility shall certify in writing that they have been installed in a manner acceptable to the utility.

G. The subdivider, builder or lot owners shall be required to maintain all improvements and provide for snow removal on roads and sidewalks.
10.2. Violations and Enforcement.

A. No plan of a division of land within the municipality which would constitute a subdivision shall be recorded in the Registry of Deeds until a Final Plan has been approved by the Board in accordance with these regulations.

B. No person, firm, corporation or other legal entity may convey, offer or agree to convey any land in a subdivision which has not been approved by the Board and recorded in the Registry of Deeds.

C. No person, firm, corporation or other legal entity may convey, offer or agree to convey any land in an approved subdivision which is not shown on the Final Plan as a separate lot.

D. Any person, firm, corporation or other legal entity who conveys, offers or agrees to convey any land in a subdivision which has not been approved as required by this ordinance shall be punished by a fine of not less than $100, and not more than $2500 for each such conveyance, offering or agreement. The Town of Washington may institute proceedings to enjoin the violation of this section, and may collect attorneys’ fees and court costs if it is the prevailing party.

E. No utility company of any kind shall serve any lot in a subdivision for which a Final Plan has not been approved by the Board.

F. Development of a subdivision without Board approval shall be a violation of law. Development includes grading or construction of roads, grading of land or lots, or construction of buildings which require a Final Plan approved as provided in these regulations and recorded in the Registry of Deeds.

G. No lot in a subdivision may be sold, leased, or otherwise conveyed before the road upon which the lot fronts is completed in accordance with these regulations up to and including the entire frontage of the lot. No unit in a multi-family development shall be occupied before the road upon which the unit is accessed is completed in accordance with these regulations.
ARTICLE XI - GENERAL STANDARDS

In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a Final Plan. In all instances the burden of proof shall be upon the applicant.

11.1. Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan or policy statement of the municipality and with the provisions of all pertinent state and local codes and ordinances.

11.2. Retention of Open Spaces and Natural or Historic Features.

   A. The plan shall, by notes on the final plan and deed restrictions, limit the clearing of trees to those areas designated on the plan.

   B. The Board shall require the reservation of between five and ten percent of the area of the subdivision as open space in order to provide for the recreational needs of the occupants of the subdivision or to maintain the scenic or natural beauty of the area. In determining the need for open space the Board shall consider the proximity of the subdivision to neighboring dedicated open space or recreation facilities; the needs identified in the municipal comprehensive plan or recreation plan for open space or recreation facilities in the neighborhood surrounding the subdivision; the type of development and the demographic characteristics of potential residents in the subdivision; and the density or lot sizes of the development. The developer may instead make a payment in-lieu-of dedication into a municipal open space or recreation land acquisition fund.

   C. Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry, have a total frontage on one or more roads of at least 200 feet, and have no major dimensions of less than 200 feet. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Board may deem suitable and no less than twenty-five feet of road frontage. The configuration of such sites shall be deemed adequate by the Board with regard to scenic attributes to be preserved, together with sufficient areas for trails, lookouts, etc. where necessary and appropriate.

   D. Reserved land acceptable to the Board and subdivider may be dedicated to the municipality as a condition of approval.

   E. Where land is not suitable or is insufficient in amount, or where the applicant prefers, a payment-in-lieu of dedication shall be calculated at the market value of the developed land at the time of the subdivision, as determined by the municipal tax assessor, and paid into a municipal land acquisition or improvement fund.

   F. The Board may require that the development plans include a landscape plan that will show the preservation of any existing trees larger than 36" inches diameter breast height, the replacement of trees and vegetation, graded contours, streams and the preservation of scenic historic or environmentally significant areas. Cutting of trees on the northerly borders of lots should be avoided as far as possible, to retain a natural wind buffer.

   G. If the proposed subdivision contains any historical or archaeological sites, or any areas identified in the Comprehensive Plan or by the Maine
Critical Areas Program as rare and irreplaceable natural areas, these areas shall be included in the open space, and suitably protected by appropriate covenants and management plans.

H. Any public rights of access to the shoreline of a water body shall be maintained by means of easements or rights-of-way, or should be included in the open space, with provisions made for continued public access.

11.3. Blocks. Where road lengths exceed 1,000 feet between intersections with other roads, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway of at least five feet in width constructed in accordance with design standards in Section 12.2.L. Maintenance obligations of the easement shall be included in the written description of the easement.

11.4. Lots.

A. All lots shall meet the minimum requirements of the Land Use Ordinance for the district in which they are located. The lot configuration should be designed to maximize the use of solar energy on building sites with suitable orientation.

B. Lot configuration and area shall be designed to provide for adequate off-road parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.

C. Lots with multiple frontages shall be avoided wherever possible. When lots do have frontage on two or more roads, the plan, and deed restrictions shall indicate vehicular access shall be located only on the less traveled way.

D. Wherever possible, side lot lines shall be perpendicular to the road.

E. The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as either to provide for or preclude future resubdivision. Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.

F. If a lot on one side of a stream, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the stream, tidal water, or road to meet the minimum lot size.

G. Flag lots and other odd shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited.

H. Lots shall be numbered in such a manner as to facilitate mail delivery. Even numbers shall be assigned to lots on one side of the road, and odd numbers on the opposite side. Where the proposed subdivision contains the extension of an existing road or road approved by the Board, but not yet constructed, the lot numbers shall correspond with the existing lot numbers. The lot numbering shall be reviewed by the Postmaster and his comments considered by the Board.

I. Where a major subdivision abuts or contains an existing or proposed arterial road, no residential lot may have vehicular access directly onto the arterial road. This requirement shall be noted on the Plan and in the deed of any lot with frontage on the arterial road.
11.5. Utilities.

A. Utilities shall be installed underground except as otherwise approved by the Board.

B. Underground utilities shall be installed prior to the installation of the final gravel base of the road.

C. The size, type and location of road lights, electric and gas lines, telephone, and other utilities shall be shown on the plan and approved by the Board.

11.6. Required Improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.

A. Monuments.

1. Stone monuments shall be set at all road intersections and points of curvature, but no further than 750 feet apart along road lines without curves or intersections.

2. Stone monuments shall be set at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135° or less.

3. Stone monuments shall be a minimum of four inches square at the top and four feet in length, and set in the ground at final grade level. After they are set, drill holes, 1/2 inch deep shall locate the point or points described above.

4. All other subdivision boundary corners and angle points, as well as all lot boundary corners and angle points shall be marked by suitable monumentation.

B. Water Supply.

1. The Board may allow the use of individual wells or a private community water system.

a. Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other ground water sources, and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.

b. If a central water supply system is provided by the subdivider, the location and protection of the source, and the design, construction and operation of the system and shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A C.M.R. 231).

c. The subdivider shall construct ponds and dry hydrants to provide for adequate water storage for fire-fighting purposes. An easement shall be granted to the municipality granting access to the dry hydrants where necessary. The Board may waive the requirement for fire ponds only upon submittal of evidence that the soil types in the subdivision will not permit their construction.

C. Sewage Disposal.

1. Private Systems.

a. The developer shall submit evidence of soil suitability for
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subsurface sewage disposal prepared by a Maine Licensed Site Evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve area shall be shown on the plan and restricted so as not to be built upon.

b. In no instance shall a disposal area be permitted on soils or on a lot which requires a New System Variance from the Subsurface Wastewater Disposal Rules.

D. Surface Drainage.

The storm water management plan submitted in accordance with Section 12.4 shall be installed.

11.7. Land Features.

A. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

B. Except for normal thinning, landscaping, and cutting trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion and to minimize storm water runoff.

C. To prevent soil erosion in shoreline areas, tree cutting in the strip extending one hundred feet inland from the normal high water mark of any waterbody shall be limited in accordance with the Maine State Minimum Shoreland Zoning Ordinance as amended.

11.8. Dedication and Maintenance of Common Open Space and Services.

1. All common land, facilities and property shall be owned jointly or in common by the owners of the dwelling units by means of a home-owners association, by an association which has as its principal purpose the conservation or preservation of land in essentially its natural condition, or by the Town of Washington, if so voted.

2. Further subdivision of the common land or its use for other than non-commercial recreation or conservation purposes, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to non-commercial recreational or conservation uses may be erected on the common land.

3. The common open space shall be shown on the Final Plan with appropriate notation on the plan to indicate that:

a. It shall not be used for future building lots; and

b. A part or all of the common open space may be dedicated for acceptance by the Town of Washington.

4. The by-laws of the proposed homeowners association shall specify maintenance responsibilities and shall be submitted to the Board prior to Final Plan approval.

5. Covenants for mandatory membership in the homeowners association setting forth the owners’ rights, interests, and privileges in the association and the common property, shall be reviewed by the Board and included in the deed for each lot or dwelling.
6. The homeowners association shall have the responsibility of maintaining the common property or facilities.

7. The association shall levy annual charges against all owners of dwelling units to defray the expenses connected with the maintenance of common property and tax assessments.

8. The developer or subdivider shall maintain control of the common property, and be responsible for its maintenance until development sufficient to support the association has taken place.

9. Provision shall be made in these by-laws for enforcement of these by-laws by the Town of Washington should the association fail to do so.

11.9. Construction in Flood Hazard Areas.

When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall indicate that all principal structures on lots in the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation. Such a restriction shall be included in the deed to any lot which is included or partially included in the flood hazard area.

11.10. Impact on Ground Water

A. When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:

1. A map showing the basic soils types.

2. The depth to the water table at representative points throughout the subdivision.

3. Drainage conditions throughout the subdivision.

4. Data on the existing ground water quality, either from test wells in the subdivision or from existing wells on neighboring properties.

5. An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within the watershed of a lake, projections of the development’s impact on groundwater phosphate concentrations shall also be provided.

6. A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.

B. Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

C. No subdivision shall contaminate the ground water beyond the Maine Drinking Water Standards as measured at the property boundaries.

D. If ground water contains contaminants in excess of the Maine Drinking Water standards, and the subdivision is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.
E. Subsurface waste water disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Final Plan, and as restrictions in the deeds to the affected lots.

11.11. **Access Control and Traffic Impacts**

A. General. Provision shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to safeguard against hazards to traffic and pedestrians in existing roads and within the subdivision, to avoid traffic congestion on any road and to provide safe and convenient circulation on public roads and within the subdivision. More specifically, access and circulation shall also conform to the following standards and the design criteria below.

1. The vehicular access to the subdivision shall be arranged to avoid traffic use of existing local residential roads.

2. Where a lot has frontage on two or more roads, the access to the lot shall be provided to the lot across the frontage and to the road where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

3. The road giving access to the subdivision and neighboring roads which can be expected to carry traffic to and from the subdivision shall have traffic carrying capacity or be suitably improved by the subdivider to accomodate the amount and types of traffic generated by the proposed subdivision. No subdivision shall increase the volume:capacity ratio of any road above 0.8 nor reduce the road’s Level of Service to “D” or below.

4. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, and traffic controls within public roads.

5. Accessways shall be of a design and have sufficient capacity to avoid queueing of entering vehicles on any road.

6. Where topographic and other conditions allow, provision shall be made for circulation access connections to adjoining lots of similar existing or potential use:

   a. When such access connection will facilitate fire protection services as approved by the Fire Chief; or

   b. When such access will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a road.

B. Subdivision Access Design for Subdivisions entering onto Arterial roads.

When the access to a subdivision is a road, the road design and construction standards of this appendix shall be met. Where there is a conflict between the standards in this section and the road design and construction standards section, the stricter or more stringent shall apply.

1. General. Access design shall be based on the estimated volume using the access classification defined below.

   a. Low Volume Access: Less than 25 vehicle trips per day.
b. Medium Volume Access: Any access that is not a low volume or high volume access.

c. High Volume Access: Peak hour volume of 400 vehicles or greater.

2. Sight Distances. Accesses shall be designed in profile and grading and located to provide the required sight distance measured in each direction. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit with the front of the vehicle a minimum of 10 feet behind the curbliness or edge of shoulder, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. The required sight distances are listed below for various posted speed limits.

a. Two Lane Roads. A sight distance of ten feet for each mile per hour of posted speed limit shall be maintained or provided.

b. Four Lane Roads. The sight distances provided below are based on passenger cars exiting from accesses onto four lane roads and are designed to enable exiting vehicles:

1. Upon turning left or right to accelerate to the operating speed of the road without causing approaching vehicles to reduce speed by more than 10 miles per hour, and

2. Upon turning left, to clear the near half of the road without conflicting with the vehicles approaching from the left.

<table>
<thead>
<tr>
<th>Operating Speed (mph)</th>
<th>Safe Sight Distance - Left (ft)</th>
<th>Safe Sight Distance - Right (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>130</td>
<td>130</td>
</tr>
<tr>
<td>30</td>
<td>220</td>
<td>260</td>
</tr>
<tr>
<td>40</td>
<td>380</td>
<td>440</td>
</tr>
<tr>
<td>50</td>
<td>620</td>
<td>700</td>
</tr>
</tbody>
</table>

3. Vertical Alignment. Accesses shall be flat enough to prevent the dragging of any vehicle undercarriage. Low volume accesses shall slope upward or downward from the gutter line on a straight slope of 2 percent or less for at least 25 feet followed by a slope of no greater than 10 percent for the next 50 feet. The maximum grade over the entire length shall not exceed 15 percent. Medium and high volume accesses should slope upward or downward from the gutter line on a straight slope of 2 percent or less for at least 25 feet. Following this landing area, the steepest grade on the access shall not exceed 8 percent.

4. Low Volume Accesses.

a. Skew Angle. Low volume accesses shall be two-way operation and shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less than 60 degrees.

b. Curb Radius. The curb radius shall be between 5 feet and 15 feet, with a preferred radius of 10 feet.

c. Access Width. The width of the access shall be between 12 feet and 16 feet, with a preferred width of 16 feet.

d. Curb-Cut Width. Curb-cut width shall be between 22 feet and 46 feet, with a preferred width of 36 feet.
5. Medium Volume Accesses.
   a. Skew Angle. Medium volume accesses shall be either one-way or two-
      way operation and shall intersect the road at an angle as nearly 90
      degrees as site conditions permit, but in no case less than 60
      degrees.
   b. Curb Radius. Curb radii will vary depending if the access is one-
      way or two-way operation. On a two-way access the curb radii shall
      be between 25 feet and 40 feet, with a preferred radius of 30 feet.
      On one way accesses, the curb radii shall be 30 feet for right
      turns into and out of the site, with a 5 foot radius on the
      opposite curb.
   c. Width. On a two-way access the width of the access shall be
      between 24 feet and 26 feet, with a preferred width of 26 feet,
      however where truck traffic is anticipated, the width may be no
      more than 30 feet. On a one-way access the width shall be between
      16 feet and 20, with a preferred width of 16 feet.
   d. Curb-Cut Width. On a two-way access the curb-cut width shall be
      between 74 feet and 110 feet, with a preferred width of 86 feet.
      On a one-way access the curb-cut width shall be between 46 feet and
      70 feet, with a preferred width of 51 feet.

6. High Volume Accesses.
   a. Skew Angle. High volume accesses shall intersect the road at an
      angle as nearly 90 degrees as site conditions permit, but in no
      case less than 60 degrees.
   b. Curb Radius. Without channelization islands for right-turn
      movements into and out of the site, the curb radii shall be between
      30 feet and 50 feet. With channelization islands, the curb radii
      shall be between 75 feet and 100 feet.
   c. Curb-Cut Width. Without channelization, curb-cut width shall be
      between 106 feet and 162 feet with a preferred width of 154 feet.
      With channelization, the curb-cut width shall be between 196 feet
      and 262 feet, with a preferred width of 254 feet.
   d. Entering and exiting accesses shall be separated by a raised median
      which shall be between 6 feet and 10 feet in width. Medians
      separating traffic flows shall be no less than 25 feet in length,
      with a preferred length of 100 feet.
   e. Width. Access widths shall be between 20 feet and 26 feet on each
      side of the median, with a preferred width of 24 feet. Right turn
      only lanes established by a channelization island shall be between
      16 feet and 20, with a preferred width of 20 feet.
   f. Appropriate traffic control sinage shall be erected at the
      intersection of the access and the road and on medians and
      channelization islands.

7. Special Case Accesses. Special case accesses are one-way or two-way
   drives serving medium or high volume uses with partial access (right
   turn only) permitted. These accesses are appropriate on roadway
   segments where there is a raised median and no median breaks are
   provided opposite the proposed access. These accesses are usually
   located along the approaches to major signalized intersections where a
   raised median may be provided to protect left-turning vehicles and
separate opposing traffic flows.

a. Perpendicular driveways.

1. Curb Radii. Curb radii shall be between 30 feet and 50 feet, with a preferred radius of 50 feet.

2. Access width. The width of the access shall be between 26 feet and 30 feet, with a preferred width of 30 feet. On two-way accesses, a triangular channelization island shall be provided at the intersection with the road. On each side of the island the one-way drive shall be between 15 feet and 24 feet with a preferred width of 20 feet.

3. Curb-Cut Width. The total curb-cut width shall be between 86 feet and 130 feet with a preferred width of 130 feet.

4. Channelization island. The channelization island on two-way accesses shall be raised and curbed. Corner radii shall be 2 feet.

b. Skewed Accesses.

1. Skew Angle. The skew angle shall be between 45° and 60°, with a preferred angle of 45°.

2. Curb Radii. Curb radii shall be between 30 feet and 50 feet on the outside of the intersection, with a preferred radius of 30 feet. Curb radii shall be between 5 feet and 10 feet on the acute side of the intersection with a preferred radius of 5 feet.

3. Access width. The width of the access shall be between 15 feet and 24 feet, with a preferred width of 20 feet. Where entering and exiting accesses meet, the width shall be between 24 feet and 30 feet with a preferred width of 30 feet.

4. Curb-Cut Width. The total curb-cut width for each access shall be between 35 feet and 75 feet with a preferred width of 42 feet.

c. Access Location and Spacing.

1. Minimum Corner Clearance. Corner clearance shall be measured from the point of tangency (PT) for the corner to the point of tangency for the access. In general the maximum corner clearance should be provided as practical based on site constraints. Minimum corner clearances are listed below based upon access or minor road volume and intersection type.

<table>
<thead>
<tr>
<th>Access Type</th>
<th>Intersection Signalized</th>
<th>Intersection unsignalized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Volume</td>
<td>150</td>
<td>50</td>
</tr>
<tr>
<td>Medium Volume</td>
<td>150</td>
<td>50</td>
</tr>
<tr>
<td>High Volume</td>
<td>500</td>
<td>250</td>
</tr>
<tr>
<td>Special Case</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right turn in only</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Right turn out only</td>
<td>100</td>
<td>50</td>
</tr>
</tbody>
</table>
Where the minimum standard for a full access drive cannot be met, only a special case access shall be permitted. If based on the above criteria, full access to the site cannot be provided on either the major or minor roads, the site shall be restricted to partial access. Alternately, construction of a shared access drive with an adjacent parcel is recommended.

2. Access Spacing. Accesses and road intersections shall be separated from adjacent accesses, roads and property lines as indicated in the table below, in order to allow major through routes to effectively serve their primary function of conducting through traffic. This distance shall be measured from the access point of tangency for spacing between accesses and from the access point of tangency to a projection of the property line at the edge of the roadway for access spacing to the property line.

MINIMUM ACCESS SPACING

<table>
<thead>
<tr>
<th>Access type</th>
<th>Minimum Spacing to Property Line (Dpl)</th>
<th>Minimum Spacing to Adjacent Access by Access Type&lt;sup&gt;2&lt;/sup&gt;(Dsp)&lt;sup&gt;3&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(feet)</td>
<td>Low (feet)</td>
</tr>
<tr>
<td>Low Volume</td>
<td>5</td>
<td>***</td>
</tr>
<tr>
<td>Medium Volume</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>High Volume (w/o RT)*</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>High Volume (w/RT)**</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Special Case</td>
<td>10</td>
<td>75</td>
</tr>
</tbody>
</table>

1 Dpl measured from point of tangency of access to projection of property line on roadway edge.
2 For two more accesses serving a single parcel, or from a proposed access from an existing access.
3 Dsp measured from point of tangency of access to point of tangency of adjacent access.
* High volume access without right turn channelization.
** High volume access with right turn channelization.
*** Low volume accesses are not permitted in combination with other access types on a single lot.
**** Right-turn-in-only upstream of right-turn-out-only. Right-turn-out followed by right-turn-in not allowed.

D. Number of Accesses. The maximum number of accesses onto a single road is controlled by the available site frontage and the table above. In addition, the following criteria shall limit the number of accesses independent of frontage length.

1. No low volume traffic generator shall have more than one two-way access onto a single roadway.

2. No medium or high volume traffic generator shall have more than two two-way accesses or three accesses in total onto a single roadway.
Town of Washington Subdivision Ordinance · 4/1/89 · Amended 3/31/01
E. Construction Materials/Paving.

1. All accesses entering a curbed road shall be curbed with materials matching the road curbing. Sloped curbing is required around all raised channelization islands or medians.

2. All accesses shall be paved with bituminous concrete pavement within the road right-of-way. All commercial accesses regardless of access volume shall be paved with bituminous concrete pavement within 30 feet of the road right-of-way.

A. The Board shall not approve any subdivision plan unless proposed roads and storm water management systems are designed in accordance with any local ordinance or the specifications contained in these regulations. Approval of the Final Plan by the Board, shall not be deemed to constitute or be evidence of acceptance by the municipality of any road or easement.

B. Subdividers shall submit to the Board, as part of the Final Plan, detailed construction drawings showing a plan view, profile, and typical cross-section of the proposed roads and existing roads within 300 feet of any proposed intersections. The plans shall include the following information:

1. Date, scale, and magnetic or true north point.
2. Intersections of the proposed road with existing roads.
3. Roadway and right-of-way limits including edge of pavement, edge of shoulder, sidewalks, and curbs.
4. Kind, size, location, material, profile and cross-section of all existing and proposed drainage structures and their location with respect to the existing natural waterways and proposed drainage ways.
5. Complete curve data shall be indicated for all horizontal and vertical curves.
6. Turning radii at all intersections.
7. Centerline gradients.
8. Locations of all existing and proposed overhead and underground utilities, to include but not be limited to water, sewer, electricity, telephone, lighting, and cable television.

C. Upon receipt of plans for a proposed road the Board shall forward one copy to the Municipal Officers, the Road Commissioner, and may forward one copy to a Consulting Engineer for review and comment.

D. Where the subdivider proposes improvements within existing public roads, the proposed design and construction details shall be approved in writing by the Road Commissioner or the Maine Department of Transportation, as appropriate.

E. Where the subdivision roads are to remain private roads, the following words shall appear on the recorded plan.

“All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted or maintained by the Town.”

12.2. Road Design Standards

A. These design standards shall be met by all roads within subdivisions, and shall control the roadway, shoulders, curbs, sidewalks, drainage systems, culverts, and other appurtenances.

B. Roads shall be designed to discourage through traffic within a residential subdivision.
C. Reserve strips controlling access to roads shall be prohibited except where their control is definitely placed in the municipality.

D. Adjacent to areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial uses is contemplated by the municipality, the road right-of-way and/or pavement width shall be increased on each side by half of the amount necessary to bring the road into conformance with the standards for commercial roads in these regulations.

E. Where a subdivision borders an existing narrow road (not meeting the width requirements of the standards for roads in these regulations), or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the plan shall indicate reserved areas for widening or realigning the road marked “Reserved for Road Realignment (Widening) Purposes.” Land reserved for such purposes may not be included in computing lot area or setback requirements of the Zoning Ordinance. When such widening or realignment is indicated on the Official Map, the reserve area shall not be included in any lot, but shall be reserved to be deeded to the municipality or State.

F. Any subdivision expected to generate average daily traffic of 200 trips per day or more, shall have at least two road connections with existing public roads, roads shown on an Official Map, or roads on an approved subdivision plan for which performance guarantees have been filed and accepted. Any road with an average daily traffic of 200 trips per day or more, shall have at least two road connections leading to existing public roads, roads shown on an Official Map, or roads on an approved subdivision plan for which performance guarantees have been filed and accepted.

G. The following tabular design standards apply according to road classification. Roads shall be hard surfaced and dust free and designed in accordance with those standards described in appendix B to this ordinance. Hard surface may be concrete, bituminous surface or stone/gravel.
### Town of Washington Subdivision Ordinance · 4/1/89 · Amended 3/31/01

<table>
<thead>
<tr>
<th>Description</th>
<th>Type of Road</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arterial</td>
</tr>
<tr>
<td>Minimum Right-of Way Width</td>
<td>80’</td>
</tr>
<tr>
<td>Minimum Travel Surface Width</td>
<td>44’</td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>8’</td>
</tr>
<tr>
<td>Minimum Grade</td>
<td>0.5%</td>
</tr>
<tr>
<td>Maximum Grade*</td>
<td>5%</td>
</tr>
<tr>
<td>Minimum Centerline Radius</td>
<td>500’</td>
</tr>
<tr>
<td>Minimum Tangent between curves of reverse alignment</td>
<td>200’</td>
</tr>
</tbody>
</table>

| Roadway Crown                           | 1/4”/ft      | 1/4”/ft   | 1/4”/ft | N/A                  | 1/4”/ft               |
| Minimum angle of road intersections**    | 90°          | 90°       | 75°     | 75°                  |                       |
| Maxi grade within 75’ of intersection    | 2%           | 2%        | 2%      | N/A                  | 2%                    |
| Minimum curb radii at intersections      | 30’          | 20’       | 15’     | N/A                  | 30’***                |
| Minimum r/o/w radii at intersections     | 20’          | 10’       | 10’     | 10’                  | 20’                   |
| Min width of shoulders (each side)       | 5’           | 3’        | 3’      | 3’                   | 9’                    |

* Maximum grade may be exceeded for a length of 100 feet or less.
** Road intersection angles shall be as close to 90° as feasible but no less than the listed angle.
*** Should be based on turning radii of expected commercial vehicles, but no less than 30 feet.

H. The centerline of the roadway shall be the centerline of the right-of-way.

I. Dead End Roads. In addition to the design standards above, dead-end roads shall be constructed to provide a cul-de-sac turn-around with the following requirements for radii: Property line 65 ft.; outer edge of pavement 50’; inner edge of pavement: 30 ft. Where the cul-de-sac is in a wooded area prior to development, a stand of trees shall be maintained within the center of the cul-de-sac. The Board may require the reservation of a twenty foot easement in line with the road to provide continuation of pedestrian traffic or utilities to the next road. The Board may also require the reservation of a fifty foot easement in line with the road to provide continuation of the road where future subdivision is possible.

J. Grades, Intersections, and Sight Distances.

1. Grades of all roads shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.

2. All changes in grade shall be connected by vertical curves to provide the following minimum stopping sight distances based on the road design speed.

<table>
<thead>
<tr>
<th>Design Speed (mph)</th>
<th>20</th>
<th>25</th>
<th>30</th>
<th>35</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stopping Sight Distance (ft)</td>
<td>125</td>
<td>150</td>
<td>200</td>
<td>250</td>
</tr>
</tbody>
</table>

Stopping sight distance shall be calculated with a height of eye at 3-1/2 feet and the height of object at 1/2 feet.
3. Where new road intersections or driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table below. Sight distances shall be measured from the driver’s seat of a vehicle standing on that portion of the exit with the front of the vehicle a minimum of 10 feet behind the curbline or edge of shoulder, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement.

<table>
<thead>
<tr>
<th>Posted Speed Limit (mph)</th>
<th>25</th>
<th>30</th>
<th>35</th>
<th>40</th>
<th>45</th>
<th>50</th>
<th>55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight Distance (ft)</td>
<td>250</td>
<td>300</td>
<td>350</td>
<td>400</td>
<td>450</td>
<td>500</td>
<td>550</td>
</tr>
</tbody>
</table>

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

4. Cross (four-cornered) road intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important traffic intersections. A minimum distance of two hundred feet shall be maintained between centerlines of side roads.

K. Sidewalks. Sidewalks may be installed within subdivisions.

1. Bituminous Sidewalks.
   a. The crushed aggregate base course shall be no less than eight inches thick.
   b. The hot bituminous pavement surface course shall be no less than two inches after compaction.

2. Portland Cement Concrete Sidewalks.
   a. The sand base shall be no less than six inches thick.
   b. The Portland Cement concrete shall be reinforced with six inch square, number 10 wire mesh and shall be no less than four inches thick.

L. Granite curbing shall be installed on a thoroughly compacted gravel base of six inches minimum thickness. Bituminous curbing shall be installed on the base course of the pavement. The specified pavement width above shall be measured between the curbs.

12.3. Road Construction Standards

A. Minimum thickness of material after compaction:

<table>
<thead>
<tr>
<th>Road Materials</th>
<th>Arterial</th>
<th>Collector</th>
<th>Minor</th>
<th>Private Right of Way</th>
<th>Industrial/Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Sub-base Course (Max. sized stone 4&quot;)</td>
<td>18&quot;</td>
<td>18&quot;</td>
<td>18&quot;</td>
<td>12&quot;</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Crushed Aggregate Base Course</td>
<td>4&quot;</td>
<td>3&quot;</td>
<td>3&quot;</td>
<td>3&quot;</td>
<td>4&quot;</td>
</tr>
<tr>
<td>Hot Bituminous Pavement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Thickness</td>
<td>3 1/4&quot;</td>
<td>2 1/2&quot;</td>
<td>2 1/2&quot;</td>
<td></td>
<td>3&quot;</td>
</tr>
<tr>
<td>Surface Course</td>
<td>1 1/2&quot;</td>
<td>3/4&quot;</td>
<td>3/4&quot;</td>
<td>1 1/4&quot;</td>
<td></td>
</tr>
<tr>
<td>Base Course</td>
<td>1 3/4&quot;</td>
<td>1 3/4&quot;</td>
<td>1 3/4&quot;</td>
<td>1 3/4&quot;</td>
<td></td>
</tr>
</tbody>
</table>
B. Preparation.

1. Before any clearing has started on the right of way, the center line and side lines of the new road shall be staked or flagged at fifty foot intervals.

2. Before grading is started, the entire right-of-way shall be cleared of all stumps, roots, brush, and other objectionable material. All ledge, large boulders, and tree stumps shall be removed from the right-of-way.

3. All organic materials shall be removed to a depth of two feet below the subgrade of the roadway. Rocks and boulders shall also be removed to a depth of two feet below the subgrade of the roadway. On soils which have been identified by the Town Engineer as not suitable for roadways, the subsoil shall be removed from the street site to a depth of two feet below the subgrade and replaced with material meeting the specifications for gravel aggregate sub-base below.

4. Side slopes shall be no steeper than a slope of three feet horizontal to one foot vertical, and shall be graded, limed, fertilized, and seeded according the the specifications of the erosion and sedimentation control plan.

5. All underground utilities shall be installed prior to paving to avoid cuts in the pavement. Building sewers and water service connections shall be installed to the edge of the right-of-way prior to paving.

C. Bases and Pavement.

1. Bases.

   a. The Aggregate Sub-base Course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the following grading requirements:

<table>
<thead>
<tr>
<th>Sieve Designation</th>
<th>Percentage by Weight Passing Square Mesh Sieves</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/4 inch</td>
<td>25-70%</td>
</tr>
<tr>
<td>No. 40</td>
<td>0-30%</td>
</tr>
<tr>
<td>No. 200</td>
<td>0-7%</td>
</tr>
</tbody>
</table>

   Aggregate for the subbase shall contain no particles of rock exceeding four inches in any dimension.

   b. The Aggregate Base Course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the following grading requirements:

<table>
<thead>
<tr>
<th>Sieve Designation</th>
<th>Percentage by Weight Passing Square Mesh Sieves</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2 inch</td>
<td>45-70%</td>
</tr>
<tr>
<td>1/4 inch</td>
<td>30-55%</td>
</tr>
<tr>
<td>No. 40</td>
<td>0-20%</td>
</tr>
<tr>
<td>No. 200</td>
<td>0-5%</td>
</tr>
</tbody>
</table>

   Aggregate for the subbase shall contain no particles of rock exceeding four inches in any dimension.

2. Pavement Joints. Where pavement joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat,
Town of Washington Subdivision Ordinance · 4/1/89 · Amended 3/31/01

even, vertical joint.

3. Curbs and Gutters.
   a. Street curbs and gutters shall be installed as required by the Board.
   b. Curbs shall be vertical except when sloped curbs are specifically allowed by the Board.

4. Pavements.
   a. Minimum standards for the base layer of pavement shall be the M.D.O.T. specifications for plant mix grade B with an aggregate size no more than 1 inch maximum.
   b. Minimum standards for the surface layer of pavement shall meet the M.D.O.T. specifications for plant mix grade C with an aggregate size no more than 3/4 inch maximum.

12.4. Storm Water Management Design Standards

A. Adequate provision shall be made for disposal of all storm water generated within the subdivision, and any drained ground water through a management system of swales, culverts, underdrain, and storm drains. The storm water management system shall be designed to conduct storm water flows to existing watercourses or storm drains.

1. Where a subdivision is traversed by a stream, river, or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channelling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a Registered Professional Engineer.

2. Drainage easements for existing water-courses or proposed drainage ways shall be provided and indicated on the plan at least thirty feet wide, conforming substantially with the lines of existing natural drainage.

3. All components of the storm water management system shall be designed to limit peak discharge to predevelopment levels for every storm between the 2-year and the 25-year, 24-hour duration, frequencies, based on rainfall data for Portland, Maine. When the subdivision discharges directly to a major water body, peak discharge may be increased from predevelopment levels provided downstream drainage structures are suitably sized.

4. The minimum pipe size for any storm drainage pipe shall be twelve inches. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two feet. Pipe shall be bedded in a fine granular material, containing no stones larger than 3 inches, lumps of clay, or organic matter, reaching a minimum of six inches below the bottom of the pipe extending to six inches above the top of the pipe.

B. The storm water management system shall be designed to accommodate upstream drainage, taking into account existing conditions and approved or planned developments not yet built and shall include a surplus design capacity factor of 25% for potential increases in upstream runoff.

C. Downstream drainage requirements shall be studied to determine the effect of the proposed subdivision. The storm drainage shall not overload
existing or future planned storm drainage systems downstream from the subdivision. The subdivider shall be responsible for financing any improvements to existing drainage systems required to handle the increased storm flows.

D. Catch basins shall be installed where necessary and located at the curb line.

E. Outlets shall be stabilized against soil erosion by stone riprap or other suitable materials to reduce storm water velocity. Wherever the storm drainage system is not within the right-of-way of a public road, perpetual easements shall be provided to the Town allowing maintenance and improvement of the system.

F. Where soils require a subsurface drainage system, the drains shall be installed and maintained separately from the storm water drainage system.

12.5. Storm Drainage Construction Standards.

A. Materials.

1. Reinforced Concrete Pipe. Reinforced Concrete Pipe shall meet the requirements of ASTM Designation C-76 (AASHTO M 170). Pipe classes shall be required to meet the soil and traffic loads with a safety factor of 1.2 on the .01 inch crack strength with a Class B bedding. Joints shall be of the rubber gasket type meeting ASTM Designation C 443-70, or of an approved preformed plastic jointing material such as "Ramnek". Perforated Concrete Pipe shall conform to the requirements of AASHTO M 175 for the appropriate diameters.

2. Asbestos Cement Pipe. Asbestos Cement Pipe shall meet the requirements of ASTM Designation C-428 (AASHTO M 189). Pipe classes shall be required to meet the soil and traffic loads with a safety factor of 1.5 on the crushing strength. Joints shall be of the rubber gasket type meeting ASTM Designation D-1869-63, or of an approved preformed plastic sleeve type.

3. Corrugated Metal Pipe. Corrugated Metal Pipe shall be bituminous coated meeting the requirements of AASHTO Designation M 190 Type C for iron or steel pipe or AASHTO Designation M 196 for aluminum alloy pipe for sectional dimensions and type of bituminous coating. Pipe gauge shall be as required to meet the soil and traffic loads with a deflection of not more than 5%.

4. ABS Pipe. ABS (Acrylonitrile-butadiene-styrene) composite pipe and fittings shall conform to the requirements of AASHTO M 264 and AASHTO M 265. Perforated pipe shall conform to the requirements of AASHTO M 36, Type III.


6. Manholes. Manholes shall be of precast concrete truncated cone section construction meeting the requirements of ASTM Designation C 478 or precast concrete manhole block construction meeting the requirements of ASTM Designation C 139, radial type. Bases may be cast in place 3,000 psi 28 day strength concrete or may be of precast concrete, placed on a compacted foundation of uniform density. Metal frames and traps shall be set in a full mortar bed and with tops shall conform to the requirements of AASHTO M 103 for carbon steel castings, AASHTO M 105, Class 30 for gray iron castings or AASHTO M 183 (ASTM A 283, Grade B or better) for structural steel.
7. Catch Basins. Catch Basins shall be of precast concrete truncated cone section construction meeting the requirements of ASTM Designation C 478 or precast concrete manhole block construction meeting the requirements of ASTM Designation C 139, radial type. Castings shall be square cast iron sized for the particular inlet condition with the gratings perpendicular to the curb line. Bases may be cast in place 3,000 psi 28 day strength concrete or may be of precast concrete, placed on a compacted foundation of uniform density. Metal frames and traps shall be set in a full mortar bed and with tops shall conform to the requirements of AASHTO M 103 for carbon steel castings, AASHTO M 105, Class 30 for gray iron castings or AASHTO M 183 (ASTM A 283, Grade B or better) for structural steel.

B. Drain inlet alignment shall be straight in both horizontal and vertical alignment unless specific approval of a curvilinear drain is obtained in writing from the Board, after consultation with the Municipal Engineer.

C. Manholes shall be provided at all changes in vertical or horizontal alignment and at all junctions. On straight runs, manholes shall be placed at a maximum of 400 foot intervals.

D. Upon completion each catch basin or manhole shall be cleaned of all accumulation of silt, debris or foreign matter and shall be kept clean until final acceptance.

12.6. Additional Improvements and Requirements.

A. Erosion Control. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.

B. Cleanup. Following road construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire road right-of-way. If onsite disposal of the stumps and debris is proposed, the site shall be indicated on the Plan, and be suitably covered with fill and topsoil, limed, fertilized, and seeded.

C. Road Names, Signs and Lighting. Roads which join and are in alignment with roads of abutting or neighboring properties shall bear the same name. Names of new roads shall not duplicate, nor bear phonetic resemblance to the names of existing roads within the Municipality, and shall be subject to the approval of the Board. No road name shall be the common given name of a person. The developer shall reimburse the Municipality for the costs of installing road name, traffic safety and control signs. Road lighting shall be installed as approved by the Board.

12.7. Certification of Construction. Upon completion of road construction a written certification signed by a professional engineer registered in the State of Maine shall be submitted to the Municipal Officers at the expense of the applicant, certifying that the proposed way meets or exceeds the design and construction requirements of the final plan as submitted and approved by the Town of Washington Planning Board.
13.1. Types of Guarantees. With submittal of the application for Final Plan approval, the subdivider shall provide one of the following performance guarantees for an amount adequate to cover the total construction costs of all required improvements, taking into account the time-span of the construction schedule and the inflation rate for construction costs:

A. Either a certified check payable to the Town or a savings account or certificate of deposit naming the Town as owner, for the establishment of an escrow account;

B. A performance bond payable to the Town issued by a surety company, approved by the Municipal Officers;

C. An irrevocable letter of credit from a financial institution establishing funding for the construction of the subdivision, from which the Town may draw if construction is inadequate, approved by the Municipal Officers; or

D. An offer of conditional approval limiting the number of units built or lots sold until all required improvements have been constructed.

The conditions and amount of the performance guarantee shall be determined by the Board with the advice of a Consulting Engineer, Road Commissioner, Municipal Officers, and/or Town Attorney.

13.2. Contents of Guarantee. The performance guarantee shall contain a construction schedule, cost estimates for each major phase of construction taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guarantee to the developer, and a date after which the developer will be in default and the Town shall have access to the funds to finish construction.

13.3. Escrow Account. A cash contribution to the establishment of an escrow account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account, or the purchase of a certificate of deposit. For any account opened by the subdivider, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the subdivider unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the subdivider and the amount withdrawn to complete the required improvements.

13.4. Performance Bond. A performance bond shall detail the conditions of the bond, the method for release of the bond or portions of the bond to the subdivider, and the procedures for collection by the municipality. The bond documents shall specifically reference the subdivision for which approval is sought.

13.5. Letter of Credit. An irrevocable letter of credit from a bank or other lending institution shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan.

13.6. Conditional Agreement. The Board, at its discretion may provide for the subdivider to enter into a binding agreement with the municipality in lieu of the other financial performance guarantees. Such an agreement shall provide for approval of the Final Plan on the condition that up to four lots may be sold or built upon until either:
A. It is certified by the Board, or its agent, that all of the required improvements have been installed in accordance with these regulations and the regulations of the appropriate utilities; or

B. A performance guarantee, acceptable to the municipality, is submitted in an amount necessary to cover the completion of the required improvements at an amount adjusted for inflation and prorated for the portions of the required improvements already installed.

Notice of the agreement and any conditions shall be on the Final Plan which is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guarantees contained in Section 13.8.

13.7. Phasing of Development. The Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision road which is covered by a performance guarantee. When development is phased, road construction shall commence from an existing public way. Final approval of lots in subsequent phases shall be given only upon satisfactory completion of all requirements pertaining to previous phases.

13.8. Release of guarantee. Prior to the release of any part of the performance guarantee, the Board shall determine to its satisfaction, in part upon the report of the Consulting Engineer and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.

13.9. Default. If, upon inspection, the Consulting Engineer finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he shall so report in writing to the Code Enforcement Officer, the Municipal Officers, the Board, and the subdivider or builder. The Municipal Officers shall take any steps necessary to preserve the Town’s rights.

13.10. Improvements Guaranteed. Performance guarantees shall be tendered for all improvements required by Section 11.6 of these regulations and for the construction of the roads.
ARTICLE XIV - WAIVERS

14.1. **Where the Board makes written findings of fact** that there are special circumstances of a particular lot proposed to be subdivided, it may waive portions of the submission requirements or the standards, unless otherwise indicated in the regulations, to permit a more practical and economical development, provided the public health, safety, and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, the Districting Ordinance, or these regulations, and provided the criteria of the State Subdivision Law are met.

14.2. **Where the Board makes written findings of fact** that due to special circumstances of a particular lot proposed to be subdivided, the provision of certain required improvements is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed subdivision, it may waive the requirement for such improvements, subject to appropriate conditions.

14.3. **In granting waivers to any of these regulations** in accordance with Sections 14.1 and 14.2, the Board shall require such conditions as will assure the objectives of these regulations are met.

14.4. **Waviers to be shown on Final Plan.** When the Board grants a waiver to any of the standards of these regulations, the Final Plan shall indicate the waivers granted and the date on which they were granted.
ARTICLE XV - APPEALS

15.1 An aggrieved party may appeal any decision of the Board under these regulations to the Town of Washington Board of Appeals within thirty (30) days.

15.2 An appeal may be taken from any decision of the Board of Appeals to the Superior Court within thirty (30) days after the decision, as provided by 30A M.R.S.A. Section 2691(G)(3), as the same may be amended from time to time.