

2014

Wayne Maine Town Ordinances

Wayne (Me.). Municipal Officers

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Municipal Offices

Town of Wayne

Memorandum

To: Wayne Board of Selectmen
From: Jim Kane / Town Manager
Re: Town Office Hours
Date: July 11, 1994

In order to provide a broader window of opportunity for the citizens of Wayne to accomplish their business, I suggest we test the following hours of operation beginning July 18, 1994.

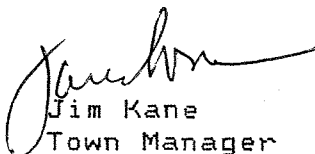
The Town Manager is the office Monday through Friday from 8:00 a.m. to 4:45 p.m.

Regular business hours for tax payments, registrations and licenses are as follows:

* Monday/Wednesday/Thursday	1:30 p.m. to 5:30 p.m.
Tuesday	1:00 p.m. to 6:00 p.m.
Tuesday Thursday	7:30 a.m. to 12:30 p.m.
Friday	1:30 p.m. to 4:30 p.m.

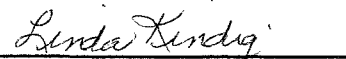
A copy of this letter will be posted.

Sincerely,

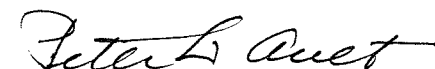

Jim Kane
Town Manager

JK/pj

APPROVED / Board of Selectmen


Linda Kindig, Chair


Mary Farnham


Peter Ault

* New hours adopted Nov. 1, 2008

TOWN OF WAYNE

Incorporated February 12, 1798

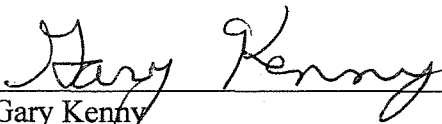
3 Lovejoy Pond Rd
Wayne, Maine 04284

Telephone: 207-685-4983
Fax: 207-685-3836

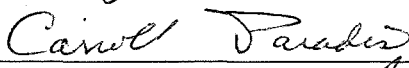
EMPLOYEE RETIREMENT PLAN POLICY

Effective on January 1, 2010

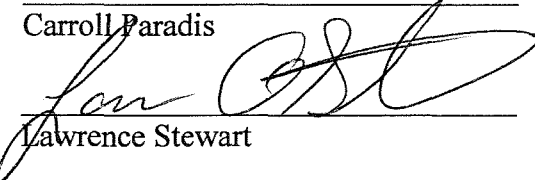
Town agrees to pay up to five percent (5%) into a 457 Deferred Compensation Plan or other Retirement Plan established for the Employee, contingent on a one-to-one match to the five percent total figure by the Employee, who also may elect at his/her own option, and with no Town contribution, to defer additional monies into the retirement plan. Participation in Social Security is mandatory, with both the Town and Employee making the required contributions. All appropriations for this policy must be approved annually at Town Meeting.



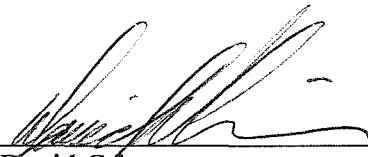
Gary Kenny



Carroll Paradis



Lawrence Stewart



David Criss



Raymond Giglio

Attested by Martha Bennett

TOWN OF WAYNE

Incorporated February 12, 1798

3 Lovejoy Pond Rd
Wayne, Maine 04284

Telephone: 207-685-4983
Fax: 207-685-3836

MEDICAL INSURANCE IN LIEU POLICY


Effective on January 1, 2010

The Town shall provide employees who meet the insurer's eligibility requirements, and who request such coverage from the Town, with paid medical and dental insurance with coverage and benefits under the plan adopted by the Town for all eligible employees. If requested by the employee, medical and/or dental coverage for the dependents of this category of employees may be included on the Town's policy at the employee's expense.

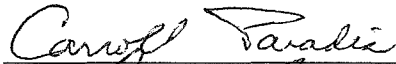
Employees may take the option of having the Town reimburse them for their enrollment in an alternate medical and/or dental insurance plan in the amount of \$1,200. Paid in two equal installments (\$600 on October 1st and \$600 on April 1st). All appropriations for this policy must be approved annually at Town Meeting.



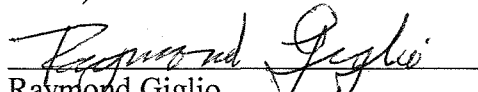
Gary Kenny



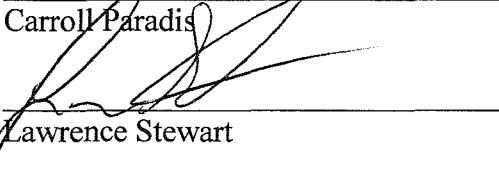
David Criss



Carroll Paradis



Raymond Giglio



Lawrence Stewart

Attested by Martha Bennett

TOWN OF WAYNE PROHIBITION ON USE OF FIREARMS IN VILLAGE AREA

The following article was passed at the 1972 Wayne Town Meeting:

To see if the Town will vote to prohibit the use of firearms for hunting wildlife within the thickly settled areas of Wayne Village; said area to be within the following boundaries; beginning at the junction of State Routes 133 and 219; thence southeasterly to the junction of the Mt. Pleasant Cemetery Road and the Bristol-Davis etc. Camp Road; thence along the Mt. Pleasant Cemetery Road to the junction of the Morrison Heights Road; thence to a point on the eastern shore of Pocasset Lake 1000' northerly from Libby's concrete wharf; thence northwesterly to the north line of the Elementary School Lot; thence westerly to the point of beginning, or act anything thereon.

226.22
958.01
500.25
4,174.49
66.99

appointed by the Snowmobile Club of Wayne and three members to be the Board of Selectmen of the Town of Wayne, or act anything thereon.

Article 33. To see if the Town will vote to amend the restricted hunting area in Wayne village as voted March 11, 1972 to include all land east of Pond Road to Pocasset lake shore from the Pakulski property north to Hales Brook, or act anything thereon.

Passed

1976 Town Meeting

Town of Wayne
ADDRESSING ORDINANCE

Section I. Purpose

The purpose of this ordinance is to ease the rapid location of properties by law enforcement, fire, rescue, and emergency medical services personnel in the town of Wayne.

Section II. Authority

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

Section III. Administration

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

- a. A Wayne map for official use showing road names and numbers.
- b. An alphabetical list of all property owners as identified by current assessment records, by last name, showing the assigned numbers.
- c. An alphabetical list of all roads with property owners listed in order of their assigned numbers.

Section IV. Naming System

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

The following criteria shall govern the naming system:

- a. No two roads shall be given the same name (e.g., no Pine Rd and Pine Lane).
- b. No two roads should have similar-sounding names (e.g., Beech Street and Peach St.)
- c. Each road shall have the same name throughout its entire length within the municipality of Wayne.

Section 7. New Construction and Subdivisions

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

a. **New Construction.** Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to obtain an assigned number from the CEO as authorized by the Board of Selectmen. This shall be done at the time of the issuance of the building permit.

b. **New Subdivisions.** Any prospective subdivider shall show a proposed road name and lot numbering system of the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the (Selectmen/CEO), shall constitute the assignment of road names and numbers to the lots in the subdivision. On the final plan showing proposed roads, the applicant shall mark on the plan, lines or dots, in the center of the streets every 50 (fifty) feet to aid in assignment of numbers to structures subsequently constructed.

Section VIII, Effective Date

This ordinance shall become effective as of Annual Town Meeting (June 13, 1996). It shall be the duty of the Board of Selectmen to notify by mail each property owner and the Post Office of a new address at least 30 (thirty) days before the effective date of its use. It shall be the duty of each property owner to comply with this ordinance, including the posting of new property numbers, within 30 (thirty) days following notification.

Regarding new structures: numbering will be installed before the structure is first used or occupied, whichever comes first.

file=911E

Section V. Numbering System

Numbers shall be assigned every 50 (fifty) feet along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, determined by the number origin. (The frontage interval may vary in more densely or lightly populated areas, and it should be so indicated where that particular interval applies.)

The following criteria shall govern the numbering system:

- a. All number origins shall begin from the designated center of Wayne or that end of the road closest to the designated center. (The numbering origin does not have to be the town center but could be a border with another community. See Step 2a on page 23 for suggestions.) For dead end roads, numbering shall originate at the intersection of the adjacent road and terminate at the dead end.
- b. The number assigned to each structure shall be that of the numbered interval falling closest to the front door. If the front door cannot be seen from the main road, the number shall be that of the interval falling closest to the driveway of said structure.
- c. Every structure with more than one principle use or occupancy shall have a separate number for each use or occupancy.(i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Street, Apt 2).

Section 6. Compliance

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

- a. Number on the Structure or Residence. Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property near the front door or entry.
- b. Number at the Street Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line next to the walk or access drive to the residence or structure.
- c. Size and Color of Number. Numbers shall be displayed in a color and sized approved for use by the Board of Selectmen and shall be located to be visible from the road with a minimum size of 3 inches in height.
- d. Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this ordinance.

TOWN OF WAYNE

TREASURER ORDINANCE

PURPOSE AND AUTHORITY

The purpose of this ordinance is to retain the position of Treasurer as an elected position, who shall however be subject to personnel and administrative policies adopted by the Board of Selectmen. It is the intent of this ordinance that the Treasurer shall freely exercise all powers and duties of office relating to financial matters, control and use of other personnel, and the day-to-day operation of the town office. This ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

APPOINTMENT/AUTHORITY

The Treasurer shall be elected by the citizens of Wayne at the Municipal Elections prior to the Annual Town Meeting, works under the direction and is accountable to the Board of Selectmen for the financial management of all revenues and expenditures over which the selectmen have control. The Treasurer will coordinate with the Town Manager for the performance of daily bookkeeping functions. The Town Manager will directly supervise the Office Assistant for the performance of those functions. Performance must be in accordance with local ordinances and MRSA 30-A.

RESPONSIBILITIES

The Treasurer has a dual commitment. The first concerns his/her relationship with the citizens of the Town, and is subject to reporting requirements involving banks, creditors, governmental agencies, and the like. The relationship with the Board of Selectmen, being the ultimate authority, is one of trust, reinforced by periodic disclosure requirements to keep the Selectmen apprised of the status and performance of town funds.

The second is internal and pertains to the review, every other week, of the records and reports associated with the preparation of the following, but not limited to: Deposit slips and Receipt Journals; Payable Journals and Warrants; Bank Reconciliation; transfer of funds; copies of records and reports as prepared by the Tax Collector, Motor Vehicle Agent and Clerk, with the office assistant, who is responsible for complying with Maine Statutes, local ordinances, acceptable municipal accounting practices and office procedures.

June 13, 1996

DUTIES

The Town Manager retains ultimate responsibility for the satisfactory performance of the duties of the office assistant and for the soundness of the financial position of the Town. The Treasurer's authority over the office assistant will be directly related to the requirements of the Treasurer for correctness in documentation and reporting only, and will not include matters specifically related to personnel issues: office hours, attire, use of sick time or vacation, how petitions and correspondence are handled, how complaints are routed, and so on. The Town Manager will have the final say in regards to personnel issues as stated previously. The Treasurer is directly involved in the following areas:

Financial

1. Reviewing every other week, the receipts, cash deposits, disbursements, payroll and financial reports, investments, bond and loan administration and any other statutory responsibilities of a town treasurer;
2. Completing and signing a prepared checklist with reporting comments as to the satisfaction of documentation, suggestions and/or recommendations for future reporting with presentation of the report being made to the Town Manager for approval by the Selectmen;
3. Informing the Selectmen of any problem areas, potential overdrafts and questionable invoices;
4. Monitoring bookkeeping practices, revenues, appropriations and expenditures throughout the year;
5. Investing town funds under the direction of the Selectmen;
6. Administration of foreclosures in cooperation with the Tax Collector;
7. Provide assistance in the preparation of the annual budget;
8. Work closely with the auditor to realize the audit; and
9. Pay funds to CSD and track accounting under the direction of the School Committee warrants and municipal officers.

POWERS AND DUTIES

30-A MRSA Section 5601 et seq. are considered part of this description.

SELECTMEN'S ROLE

In the event of a dispute between the Treasurer and Manager on how to interpret a personnel rule, the question will be forwarded to the Board of Selectmen for resolution. Likewise, if complaints about performance are made about the Treasurer by the Manager, or vice-versa, they will be reviewed by the Board of Selectmen for a formal resolution.

3

Selectmen have the power to adopt administrative policies from time to time in regards to matters pertaining to office procedures, and such policies apply to the elected Treasurer as well as to appointed officials.

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June 13, 1996

**VACANCY IN ELECTED OFFICE ORDINANCE
TOWN OF WAYNE**

SECTION 1: AUTHORITY

This ordinance is enacted pursuant to 30-A M.R.S.A. Section 2602 (6) (B) and 3001.

SECTION 2: VACANCIES TO BE FILLED BY ELECTION

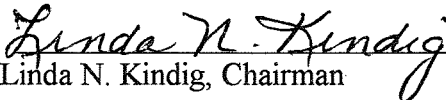
Notwithstanding 30-A M.R.S.A. Section 2602 (2), when there is a vacancy in an elected town office other than that of selectman or school committee, it shall be filled by election at a meeting held not later than the next annual town meeting, provided that the Selectmen may appoint an interim official to serve until such election and until a successor is elected and qualified.

Vacancies in the office of selectman and school committee shall continue to be filled as provided by law.


SECTION 3: EFFECTIVE DATE

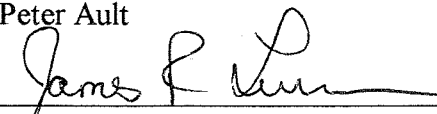
This ordinance shall become effective on the date of its enactment and shall apply to all such vacancies occurring on or after said date, regardless of when such office was originally filled, unless and until this ordinance is amended or repealed.

The below signed Municipal officers certify to the Clerk of the Town of Wayne that the above is a true copy of "Vacancy in Elected Office Ordinance, Town of Wayne" to appear on Town Meeting warrant June 11, 1996.


Linda N. Kindig, Chairman


Cynthia Pettengill


Peter Ault


James Turner

YARD SALE ORDINANCE

SECTION 1. INTENT AND PURPOSE.

The provisions contained in this Ordinance are intended to prohibit the infringement of any businesses in any area of the Town of Wayne by regulating the term and frequency of yard sales, so as not to disturb or disrupt the residential environment of the area.

SECTION 2. DEFINITIONS.

For the purpose of interpreting the provisions of this Ordinance the following terms shall have the meaning given herein:

A. Personal Property shall mean and include property which is owned, utilized, and maintained by an individual or members of his or her residence and acquired in the normal course of living or maintaining a residence. It does not include merchandise which was purchased for resale.

B. Yard Sale shall mean and include all general sales, open to the public, conducted from or on any residential premise for the purpose of disposing of personal property including but not limited to all sales entitled "garage," "lawn," "attic," "porch," "barn," "flea market," or "rummage sale."

C. Donated Personal Property shall mean the personal property of persons other than those residing on or owning the premises where the sale is to take place, such personal property being donated to, or being conducted by, a tax exempt religious, charitable, or civic organization, and the entire proceeds of the sale being donated to, or retained by, the sponsoring religious, charitable or civic organization.

D. Residential Premises shall mean any lot of land along with any buildings thereon within the Town of Wayne.

SECTION 3. PERMITTED SALES.

A. No person shall sell or offer for sale personal property from any residential premises, as defined herein, except as permitted by this SubSection. Only the sale of donated personal property or personal property, as defined herein, shall be permitted to be sold from residential premises, and only after issuance to the seller of a permit for such purposes, as follows:

(1). A permit shall be issued by the Code Enforcement Officer, or Town Office personnel designated by the Selectmen, upon application by the owner of the premises on which the sale is to take place at the Wayne Town Office or other location designated by the Selectmen. Said application shall be made prior to the date of the sale, and show the date(s) of the sale, location, and person(s) conducting the sale. A fee of \$1.00 shall be paid upon application. The permit must be available for inspection by the Code Enforcement Officer during the sale. The seller or owner of the premises on which the sale is to be conducted may include personal property owned by others in the sale.

(2). No permit shall be issued for sales of personal property upon residential premises for a period of more than three (3) consecutive days, and no more than two (2) permits shall be issued for such sales upon a residential premises in any one calendar year. Unsold articles shall be

removed from public view within six (6) hours following the sale.

SECTION 4. SIGNS:

One two faced sign of not more than four (4) square feet may be placed at the location of the sale for the duration of the sale only. Any directional signs placed to direct traffic to the sale will be removed immediately at the close of the sale.

SECTION 5. EXCEPTIONS.

Occasional exposure for sale of not more than three (3) items of personal property is exempt from the permit requirements of this Ordinance unless such exposure for sale shall be considered to be intending to avoid the provisions of this or the Wayne Zoning Ordinance. Such exposure shall be considered to be intending to avoid the provisions of the Ordinances if the exposure is frequent and/or continuous and involves changing items, or items not owned by the person on whose property they are exposed for sale. The burden shall be on the property owner on whose property the items are exposed for sale to provide, if requested by the Code Enforcement Officer, information which clearly substantiates that no intention to avoid the provisions of the Ordinance exists. Failure to do so shall cause the requirements of this Ordinance to apply and the items removed per the provisions of Section 6.

SECTION 6. VIOLATIONS AND ENFORCEMENT.

Property owners conducting or permitting sales of personal property regulated by this Ordinance on their property without the necessary permits shall be in violation of the Ordinance. Such person (s) shall be notified by the Code Enforcement Officer in writing to remove from public view all signs and articles for sale, and to cease sale activities at the premises within six (6) hours of notification. Persons so notified and failing to do so shall be subject to a fine of not more than \$100.00.

GIVEN OUR HANDS ON THIS 15th DAY OF JUNE 1987

TOWN OF WAYNE BOARD OF SELECTMEN

Donald D. Gatti, Chairman

Joan A. Hazzard

Robert D. Ault

RETURN

I, Sherwood Mullen, do certify that I have warned and notified the inhabitants of the Town of Wayne of the date, time and purpose of the within warrant by posting copies of this warrant at the Wayne General Store, Wayne Post Office, Wayne Corner Store, and Wayne Town Office on June _____, 1987

ATTEST:

Sherwood Mullen, Resident of Wayne

TOWN OF WAYNE

CABLE TELEVISION ORDINANCE

The Town of Wayne, Kennebec County and State of Maine, acting by and through its municipal officers, HEREBY ORDAINS the following Cable Television Ordinance:

Section 1. PURPOSE

This ordinance authorizes the municipal officers to control and administer the franchising and regulation of cable television systems using public ways in the Town of Wayne and to enter into agreement on behalf of the Town of Wayne in order to assure that the needs and interests of the local citizens are adequately met; and to determine, according to the judgement of the municipal officers, the type and degree of regulations deemed to be in the best interests of the citizens of the Town. Cable television systems which are located in accordance with this ordinance and the regulations of the franchise are not considered defects in public ways.

Section 2. DEFINITIONS

a. "Cable Service" means (a) the one-way transmission to subscribers of video programming, or other programming service, and (b) subscriber interaction, if any, which is required for the selection of such video programming or other programming service.

b. "Cable Television System" means any facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and is provided to multiple subscribers within the Town. Such terms shall not include a facility that serves only subscribers in one or more multiple unit dwellings under common ownership, control or management, unless such facility uses any public right-of-way. The term shall also not include any facilities of any electric utility used solely for operating its electric utility systems.

c. "Cable Television Operator" means any person, group of persons, firm or corporation (a) who provides cable service over a cable television system and directly or through one or more affiliates owns a significant interest in such cable system, or (b) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system.

d. "Town" means the Town of Wayne, organized and existing under the laws of the State of Maine and the area within its territorial limits.

e. "Municipal Officers" means the Wayne Board of Selectmen.

f. **Federal Definition Controlling.** The definitions contained in this ordinance rely on those contained in the Cable Communications Policy Act of 1984 (47 U.S.C. Section 521 et seq.), as it is from time to time amended and interpreted. Any ambiguity shall be resolved by reference to the federal statutes, regulations and the decisions interpreting the same. In the event of any conflict between this ordinance and the federal statutes, the latter shall control.

Section 3. FRANCHISE REQUIRED.

No cable system operator shall install, maintain, or operate within the Town, or place or maintain along the Town's public ways, any cable television system and appurtenances, or parts thereof, unless a franchise authorizing the use of said public ways has first been obtained pursuant to the provisions of this ordinance and unless said franchise is in full force and effect.

Section 4. GENERAL REQUIREMENTS

a. Any cable television system shall be constructed and operated in accordance with Federal Communications Commission regulations and in such a manner as to provide a safe, adequate and reliable service to subscribers.

b. No cable television operator, notwithstanding any provision in a franchise, may abandon service or any portion thereof without having given six months prior written notice to the Municipal Officers and to the Municipal Officers of any other town which may be affected by the abandonment. If abandonment of service is prohibited by the terms of the franchise, no cable television operator may abandon that service without written consent of the Municipal Officers. Any cable television operator that violates this paragraph shall be subject to a fine of \$50.00 per day, for each day that the violation continues.

c. The Town shall be entitled to injunctive relief in addition to any other remedies available by law to protect any rights conferred by this ordinance or state law (Title 30 M.R.S.A., Section 2158, as amended).

Section 5. FRANCHISE CONTRACT.

a. The Municipal Officers of the Town may contract on such terms or conditions, and impose such fees as are in the best interests of the Town, including the granting of exclusive or non-exclusive franchises for a period not to exceed fifteen (15) years, for the placing and maintenance of cable television systems within the territorial limits of the Town.

b. Each franchise shall contain the following provisions:

1. The area or areas to be served;
2. A line extension policy;
3. A provision for renewal, the term of which shall not exceed 15 years;
4. Procedures for the investigation and resolution of complaints by the cable television operator;
5. Such other terms and conditions which are in the best interests of the municipality; and
6. The provision of full-service, all-channel cable service free of charge to the Wayne Grammar School and the Ladd Recreation Center.

c. The Municipal Officers are authorized to require the cable television operator to file a surety performance bond conditioned upon the faithful performance of the contract and full compliance with any laws, ordinances, or regulations governing said franchise. When the cable television operator has completed its proposed system as set forth in its proposal, and in compliance with its franchise agreement, the Municipal Officers may permit the operator to cancel such bond.

d. Applicants for a franchise may be required to pay a non-refundable filing fee to the Town of up to one hundred dollars (\$100.00) to defray the cost of public notices, advertising, legal and other expenses incurred in acting upon applications.

e. Five copies of the application shall be filed with the Town Clerk and shall contain such information as the Town may require, including but not limited to:

1. A general description of the applicant's proposed operation;
2. A statement detailing its business or corporate organization;
3. A written commitment to timely service and restoration of property;
4. A schedule of proposed charges;
5. A statement detailing its previous two fiscal years, and an estimated five-year financial projection of its proposed system;
6. A statement detailing the applicant's prior operational experience in cable television systems and/or microwave service, including that of its officers, management and any staff to be associated with the proposed operation; and
7. A general statement of the applicant's ability and intent to incorporate technological improvements and advancements in the Wayne Cable T.V. system as such improvements or advancements are generally available in the industry.

Section 6. PUBLIC COMMENT PERIODS

a. This ordinance and any amendment thereto requires a seven-day notice of the meeting at which the ordinance or amendments to the ordinance are to be proposed and acted upon. Said notice shall be given in the manner provided for town meetings, and such ordinances shall be effective immediately upon adoption.

b. Upon filing, any franchise application and related documents are public records open to inspection by the public during reasonable hours, including specifically the regular business hours of the Town Office.

c. Before issuance of a request for proposals, the Town shall maintain the proposed request for proposals on the agenda of the Selectmen's Meeting for a period of at least seven days for the purpose of determining any special local needs or interest. Any citizen of the Town shall have the right to comment in writing, filed in advance, or orally at the meeting at which the proposed request for proposals is to be considered.

d. Following reasonable notice to the public, any franchise application shall be available for inspection for a period of at least twenty days prior to the Municipal Officers taking action on the same. Any citizen of the Town shall have the right to comment in writing, filed in advance, or orally at the meeting at which the franchise applications are to be considered.

e. Before authorizing the issuance of any such franchise contract, the Municipal Officers shall review the applicant's character, financial and technical qualifications and the adequacy and feasibility of the applicant's qualifications to operate a cable television system within the Town, and shall conduct a public hearing thereon with at least seven days advertised notice prior to said public hearing.

**TOWN OF WAYNE
CROSSWALK ORDINANCE**

Authority: This Crosswalk Ordinance is adopted pursuant to 30A-MRSA Section 3009.

Purpose: This ordinance is designed to protect public health and welfare by designating the placement of crosswalks on certain public ways in Wayne, Maine.

Definitions:

"Crosswalk" means a painted street crossing for pedestrians across a public way.

"Public Way" means any town way or public easement as defined in 23MRSA Section 3021, and any portion of any State or State-Aid highway located within the Town. This term includes ways commonly designated as streets, lanes, roads and avenues and includes paved or unpaved shoulders of such ways.

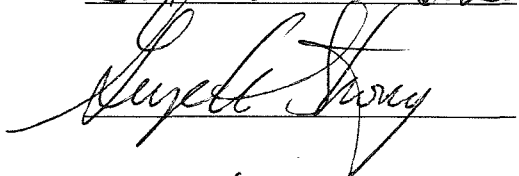
Crosswalks: The municipal officers of the Town of Wayne hereby establish crosswalks across public ways in the following locations:

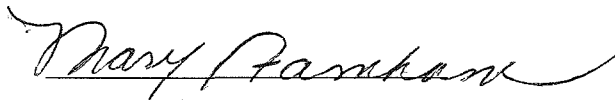
- a. Across State Route 133 immediately north of the Pond Rd. intersection.
- b. Across State Route 133 at the Mill Street intersection.

Effective Date: This ordinance shall become effective when adopted by a majority of the Municipal Officers.









Wayne Board of Selectmen

Dated: November 23, 1998

RESOLUTION

TOWN OF WAYNE CODE OF ETHICS

Adopted May 29, 2007

Be it Resolved by the Wayne Board of Selectmen, that:

Appointees of the various boards of the Town of Wayne serve as representatives of the local government. They must perform their duties to the same standards as is required of the permanent full and part time municipal employees. This policy is designed to ensure that members of the public are treated with civility, without prejudice or bias and without impairment by all representatives of the local government.

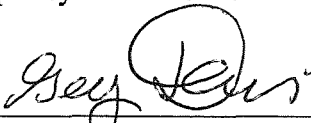
To that end, the following policy has been developed to govern their behaviors in their capacity as members of the various boards, to include the following: Board of Selectmen, Budget Committee, Planning Board, Board of Appeals, as well as any other appointees or short term groups, such as Comprehensive Planning, Land Use Ordinance Committee, Cemetery Committee, Charter Commission, Recreation Committee, Recycling Committee or any other committees that may be instituted in the future.


- 1) All board members will behave with civility at all times while operating in their official capacity. They will refrain from use of foul or offensive language, personal verbal or physical attacks, or angrily addressing a member of the public. It is perfectly acceptable for a board member to excuse him or herself from their duties if being verbally threatened or attacked, but responding in-kind once so attacked is not permissible.
- 2) They will refrain from the use of any and all drugs or alcohol before or during the performance of their official duties. Evidence of such use of drugs or alcohol, such as overly argumentative behavior, staggering, slurred speech, and the like may be grounds for them to be asked to leave a meeting of their board, and can lead to being removed from their appointment.
- 3) All members of the various boards will act without bias toward any individual or issue. Members should always base their decisions solely on the facts of the case, not personal history with the individual or issue, nor taking into account, age, race, religion, sexual orientation, or other protected domains of the Title VII Civil Rights Act. It is acceptable to recuse oneself if they believe they will be unable to act without prejudice in a matter before their board. Members must also recuse themselves if they have any form of financial stake in a matter before their board, as that too could be interpreted as creating a biased atmosphere. Board or committee members will excuse themselves from voting if there is a conflict of interest, or appearance of one, and/or if they feel they are unable to make a fair and unbiased

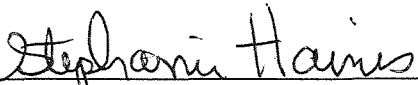
decision. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.

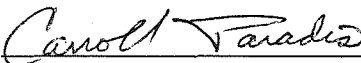
Chair people of the various boards should review this policy no less than annually with their members, and to utilize this policy during meetings if a person's behavior seems to be in violation of 1) lack of civility 2) impairment by drugs or alcohol, or 3) appearance of bias or prejudice in their decision-making. Board and Committee members are to sign a notice annually stating that they have reviewed this policy and will abide by it. Chair people must report all such violations of this policy to the Town Manager.


Witness to All:



Greg Davis, Town Manager


Gary Kenny, Chairman


Stephanie Haines, Vice Chairman



Carroll Paradis


James Thompson


David Criss

This is a true and attested copy of a resolve adopted by vote of the Town of Wayne Board of Selectmen at a regular meeting held on May 29, 2007, at 7:00 p.m. at which time five members of the Board of Selectmen were present and voting.

A true copy, attest:


Town Clerk or ~~Deputy~~

Municipal Offices Town of Wayne

March 26, 1993

TO:
Maine Municipal Association
Legal Services Department
Community Drive
Augusta, Maine 04330

FROM:
Wayne Board of Selectmen
R1 Box 515
Wayne, Maine 04284

RE: Policy on access to legal advice from MMA

At their March 1, 1993 meeting the Wayne Board of Selectmen voted to adopt a policy which mirrors the MMA policy on access to legal services and formalizes the Selectmen's position on access. The policy is as follows:

"The Selectmen will not allow a private citizen to obtain legal services from MMA without express written authorization to do so by the Selectmen. This limitation also applies to municipal officials making inquiries outside the duties of their office."

Attached is a most recent list of town officials who are most apt to seek advice.

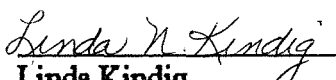
Jean A. Bailey
Town Manager

TOWN OF WAYNE

ACCESS TO PUBLIC RECORDS POLICY

Town officials bear the responsibility of the care of records both when in use at the Town Office or outside of the building. Whenever possible back up copies should be used to insure against loss or damage. Records that leave the Town Office with town officials should be signed out so that their whereabouts and expected time of return is known. Assessing cards are an exception to this. Public access to records should be made in the presence of town officials.

Given under our hand this 25th day of March 1994,


Linda Kindig


Mary Farnham


Peter Ault

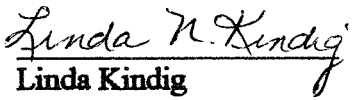
Wayne Board of Selectmen.

TOWN OF WAYNE

COMMERCIAL/INDUSTRIAL PERSONAL PROPERTY POLICY

All commercial/industrial personal property that can be classified as machinery/equipment or furniture and fixtures should be declared annually to the assessors.

Given under our hand this 21st day of March 1994,


Linda Kindig


Mary Farnham


Peter Ault

Wayne Board of Selectmen.

Road Commissioner

Policy Guide

The following policy guide outlines a series of joint, coordinated and position unique responsibilities to be achieved to ensure a continuous line of communications between the Road Commissioner, the Board of Selectmen and the Town Manager. Additional policies, such as the Tree Warden policy and Culvert policy are an integral part of this policy and will be included and made part of this policy. A diagram delineating the general organizational structure can be found at the end of this policy guide.

Road Commissioner:

Duties/Responsibilities of the Road Commissioner include:

1. Assure that the town ways and bridges within Wayne are maintained in a safe condition for travelers with motor vehicles (23 MRSA sect 3651 and 2701).
2. Conduct regular inspections of the roads within Wayne during April, May, June, August, September, October and November in each year (23 MRSA Sect 2702). Provide the Board of Selectment with recommendations.
3. Develop specifications for negotiated projects and sign off on the completion of the projects e.g., roadside grass cutting etc*.
4. Annually provide to the town a report of activities and associated costs (Annual Report)
5. Meet with Manager/Treasurer on a regular basis to keep track of budgetary status and road issues.
6. Issue new driveway culvert permits indicating sizing, placement and acceptance.
7. Emergency work will be done at the discretion of the RC.
8. Inspection/coordination for pole permits.
- * * 9. Office Hours - Availability to the public.
10. Frozen culverts will come under the responsibility of the RC.

*Local contractors will be used whenever possible for routine maintenance and emergency work that the Road Commissioner is unable to perform.

Board of Selectmen, Road Commissioner and Town Manager.

Coordinated Projects:**

1. Develop culvert inspection/installation/replacement plan by mapping and documenting conditions planned and completed repairs.
2. Develop a five(5) year plan for the maintenance of Wayne's roads.

** These responsibilities will be shared among the Board, Road Commissioner and Town Manager.

The Board of Selectmen/Manager The Board of Selectmen and Town Manager will perform and coordinate the following activities with the Road Commissioner:

1. Prepare snow plow contracts and monitor winter roads.
2. Provide written bid/contract (public, competitive bid process) for annual sand/salt requirements. Explore group purchases of salt with other towns.
3. Ensure the storage area for sand/salt is maintained.
4. Coordinate procedures for the sale of sand to local contractors and make available sand to local residents.
5. Projects over \$5,000 will be coordinated through the Board of Selectmen who will evaluate the project to determine whether the project will be placed out to bid or negotiated. Projects estimated to cost more than \$15,000 will be put out to bid.
6. Prepare paving and other contracts deemed appropriate for the selectmen, oversee, and approve work as necessary.

Stephen Sander

Sally M. Joun

Raymond Henry

Mary Farnham

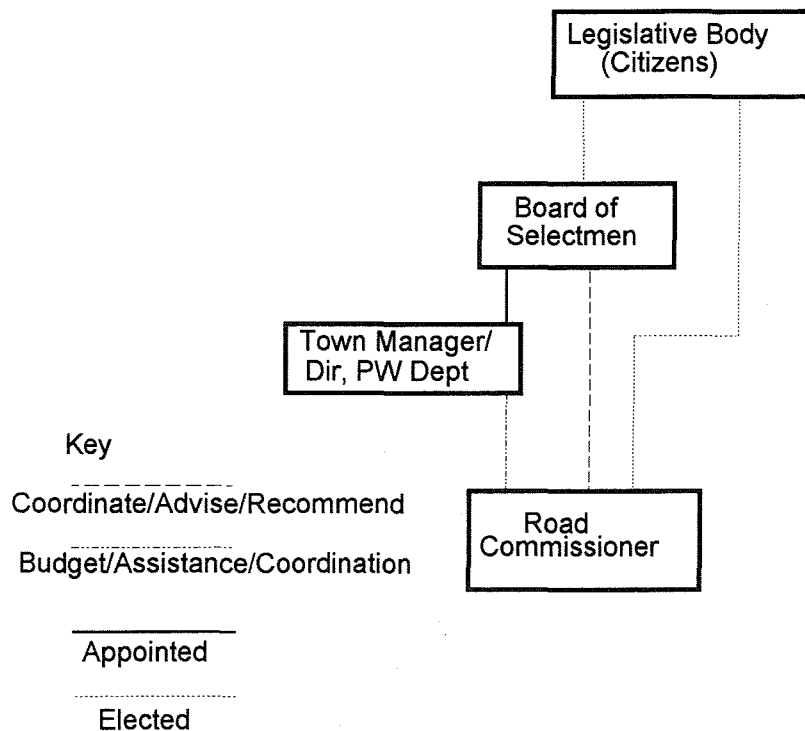
Wayne Board of Selectmen

Walter H. Dunt

Road Commissioner

7/6/98

Town of Wayne Roads Department



The purpose of this chart is to delineate the general organizational structure that supports the elected Road Commissioner.

The Board of Selectmen and Road Commissioner both have a coordination/advising and recommending role. This relationship is necessary in order to avoid duplication of effort, confusion, and to maintain an effective communications channel.

The role of the Town Manager/Dir. Public Works is to assist and provide the Road Commissioner with necessary support for him to accomplish his responsibilities efficiently and effectively as outlined in this policy.

TOWN OF WAYNE ROAD ORDINANCE

SECTION 1 GENERAL

A. The purposes of this ordinance are:

1. To provide an application procedure for Town acceptance of roads and to adopt minimum specifications to which such ways must conform prior to consideration for acceptance.
2. To instruct the Wayne Planning Board to assure that these minimum specifications are met in any development plans which are brought before the Board.

B. Limitations - The Town can accept roads only by vote at a legal Town Meeting. Roads dedicated, laid out, partially constructed, or used for public or private use prior to passage of this ordinance shall comply with the requirements of this ordinance before formal acceptance by the Town. Nothing in this Ordinance shall be construed as a prior commitment by the Town to accept any new road, irrespective of its condition or of any work performed in anticipation of acceptance by the Town.

C. Severability - Should any section or provision of this ordinance be found to be illegal by the courts, only that section will cease to be effective until an amendment is made and adopted. The illegality of any section will therefore have no bearing on the effectiveness of the rest of the ordinance.

D. Conflict - In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, safety or other ordinance of the Town of Wayne, the provision which establishes the higher standard for the future maintenance of Town roads and the promotion and protection of the health and safety of the people shall prevail.

E. Effective Date - This ordinance shall take effect upon passage by majority vote of the Town.

SECTION 2 APPLICATIONS

A. An application for acceptance of a street or road shall be submitted, in writing, to the Planning Board with a copy to the Municipal Officers and a copy to the Road Commissioner. The application shall include the following information:

1. The full name(s) of the owners(s) of the land containing the road to be accepted.
2. The full name(s) of the developer, registered surveyor, and/or registered professional engineer.
3. A statement of the starting and ending points of the road with relation to existing roads, buildings or landmarks.
4. A statement of any legal encumbrances on the property.
5. The name of the proposed road.
6. The proposed completion date of construction of the road if not complete at time of application.

B. The application shall also be accompanied by 3 copies of the original plan of the road showing the following:

1. Drawn to scale (50' to 1").
2. Magnetic north.
3. Delineation of the starting and ending points of the road in relation to established roads, buildings and landmarks.
4. Ownership and length of frontage of all abutting lots.
5. The rights-of-way (R-O-W) lines relation to existing buildings and landmarks.
6. Dimensions, both linear and angular, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements and building lots.
7. All natural water ways and water courses within or in land contiguous to the said road.
8. References to suitable permanent markers or monuments placed in the field to fully identify the proposed road.
9. Special construction features (guard rails, fences, curbing).
10. A profile plan of the road drawn to a longitudinal scale of 50' to 1" and a vertical scale of 5' to 1" showing:
 1. The profile of the center line of the road.
 2. The proposed and existing grades thereof.

3. The proposed provisions for culverts and bridges.

C. The application shall also be accompanied by 3 sets of cross sections drawn to a scale of 5' to 1". The cross-sections shall be shown at a minimum of 100' intervals, or lesser intervals as conditions warrant.

SECTION 3 SPECIFICATIONS

A. The following specifications must be met for roads being constructed for acceptance by the Town of Wayne or as part of a subdivision:

1. Roads shall have a minimum right-of-way of 50 feet. Said right-of-way shall be cleared of all stumps, roots, rocks, bushes, ledge and perishable materials.

2. The travel way shall be a width of 20 feet and shall be located in the approximate center of the R-O-W. The Planning Board may approve travel ways of 18 feet where the expected volume of traffic or topography warrants.

3. The travel way shall be graded to a sub-grade minimum of 18 inches base gravel and 3 inches finish gravel (graded surface gravel).

4. Shoulders shall be a minimum of 3 feet with 3:1 fill slopes of the same material as subsection 3 above.

5. Roads shall be paved with 1 inch of bituminous penetration in accordance with the latest State Department of Transportation specifications.

6. All drainage shall be designed to safely handle a 50 year storm.

7. Slopes and drainage ditches shall be stabilized in such a manner as to prevent erosion and/or washing of silt which will obstruct flowage through culverts or catch basins. This shall be accomplished in one of the following manners:

a. Loam and seed or sod.

b. Ditches of 12% or greater shall be riprapped with stone, cement slabs or pit screenings.

c. Hay bales or erosion control mesh.

d. Any combination of the above.

8. Culverts shall be placed and sized to meet the drainage condition. Culverts shall not be less than 15 inches, shall be new aluminum or galvanized, corrugated or spiral metal with collars, or recognized equivalents accepted by the Maine Department of Transportation.

9. All dead-end roads shall have an approved cul-de-sac having a minimum turning radius of 45' and/or an approved turnaround

10. Easements - Wherever it is required to alter an existing water course in constructing or reconstructing a road, the owner or developer will secure a drainage easement from the property owner affected. Wherever the toe of slope for ditches, shoulders, grading and other purposes required by the Ordinance cannot be adhered to within the R-O-W limits, and grading or excavation is necessary beyond these limits, it shall be necessary for the builder to secure good and sufficient slope easements from abutting property owners. These drainage and slope easements will be secured by the owner or developer without cost to the Town and such rights properly indemnifying the Town shall be presented and recorded prior to any action for acceptance.

11. Prior to acceptance, driveway culverts shall be installed in accordance with specifications of this ordinance by the owner or developer.

SECTION 4 ACCEPTANCE PROCEDURES

A. Prior to the acceptance of the road by the Town, the Planning Board shall certify in writing to the Municipal Officers, with a copy to the Road Commissioner, that the requirements of this ordinance have been met.

B. The Road Commissioner has the duty to make sufficient inspections of a road under construction, or if already constructed, to have knowledge of compliance or noncompliance with this ordinance, and to report the same to the Planning Board.

C. Following careful consideration of the application, plans and on site investigation, the Planning Board is authorized to give clearance for the construction or reconstruction of a road within the limitations of the Ordinance, but without prejudice of rights as to final recommendation for acceptance, or as to acceptance by the Town. If said road has already been constructed the Planning Board may, after its investigations, recommend to the Municipal Officers that they include acceptance of the road on the next Town Warrant.

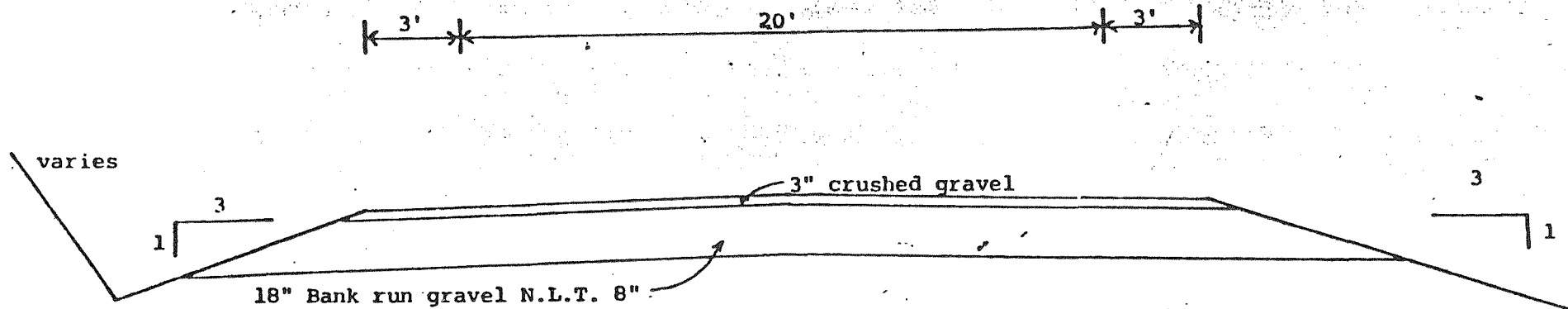
D. Following completion of the road and a positive recommendation by the Planning Board, a road may be accepted or rejected as a Town Way by a majority vote at annual Town Meeting.

SECTION 5 APPEALS

A. Appeals for variances from the provisions of this Ordinance will be heard by the Wayne Board of Appeals.

B. A variance may be granted by the Appeals Board only where strict application of the Ordinance, or a provision thereof, would cause undue hardship to the applicant or would not be in the best interest of the community.

C. Following the filing of an appeal for a variance, the Board of Appeals shall hold a public hearing on the appeal within 30 days. The Planning Board, Road Commissioner and Municipal Officers shall be notified at least 20 days in advance of the time and place of the hearing. The Appeals Board shall publish notice of the hearing at least 10 days in advance in a newspaper of general circulation in the area.



50' right of way

20' travel way

3' shoulders

crown = 1/4" per foot

TOWN OF WAYNE

Incorporated February 12, 1798

Telephone: 207-685-4983

Fax: 207-685-3836

TOWN OF WAYNE
COUNTY OF KENNEBEC
STATE OF MAINE

ORDINANCE FOR LINCOLN POINT RD STOP SIGN

SECTION I: PURPOSE

The purpose of this ordinance is to regulate the flow of vehicles at the Hardscrabble Road / Lincoln Point Road intersection to ensure the public's safety and prevent damage to property caused by damage by vehicles in the above said intersection. Pursuant to M.S.R.A. 30A SS 3009.

SECTION II: STOP SIGN DESIGNATION

1. The following area(s) shall be designated with a STOP SIGN.
 - a. The right side of the Lincoln Point Road at the intersection of Hardscrabble Road.

SECTION III: EXCEPTIONS

There shall be NO exceptions to this regulation.

SECTION IV: ENFORCEMENT

The Town of Wayne Selectboard hereby grants both the Kennebec County Sheriffs Department along with the Maine State Police the authority to enforce this regulation and duly fine violators at the current State of Maine fine schedule.

SECTION V: EFFECTIVE DATE

This Ordinance shall take effect upon its passage.

Dary A Keeney
Raymond J. Gephlo
Carol Paradis

[Signature]

Martha J Bennett
Attested by Town Clerk

12/9/08

TOWN OF WAYNE

Incorporated February 12, 1798

3 Lovejoy Pond Rd.
Wayne, ME 04284

Telephone 207 685-4983
Fax 207-685-3836
townofwayne@aol.com

Ordinance Restricting Vehicle Weight on Posted Ways

Section 1. Purpose and Authority

The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is to prevent damage to town ways and bridges in the Town of Wayne which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. §§ 2395 and 2388.

Section 2. Definitions

The definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 3. Restrictions and Notices

The municipal officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the municipal officers. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section 4. Exemptions

Vehicles that are exempt from the Maine Department of Transportation's (MDOT) "Rules and Regulations Restricting Heavy Loads on Closed Ways" dated December 31, 1996 and amended on March 4, 1998, a copy of which is attached hereto and is hereby incorporated as part of this Ordinance, [Attachment E to this Information Packet], are exempt from this Ordinance. In addition, any vehicle delivering home heating fuel and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for

residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).

Section 5. Permits

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the municipal officers for a permit to operate on a posted way or bridge notwithstanding the restriction. The municipal officers may issue a permit only upon all of the following findings:

- (a) no other route is reasonably available to the applicant;
- (b) it is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and
- (c) the applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.

Even if the municipal officers make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.

In determining whether to issue a permit, the municipal officers shall consider the following factors:

- (a) the gross registered weight of the vehicle;
- (b) the current and anticipated condition of the way or bridge;
- (c) the number and frequency of vehicle trips proposed;
- (d) the cost and availability of materials and equipment for repairs;
- (e) the extent of use by other exempt vehicles; and
- (f) such other circumstances as may, in their judgment, be relevant.

The municipal officers may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

Section 6. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee [such as road commissioner, code enforcement officer or law enforcement officer].

Section 7. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

Section 8. Amendments

This Ordinance may be amended by the municipal officers at any properly noticed meeting.

Section 9. Severability; Effective Date

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take effect immediately upon enactment by the municipal officers at any properly noticed meeting.

Enacted by vote of the municipal officers on March 2, 1998.

Sally M. Sams

Christi Pettergill

George A. Story

Selectmen of Wayne

TOWN OF WAYNE POSTED ROADS LIST

On March 2, 1998 the Wayne Selectmen voted to seasonally restrict vehicle weight on the following roads:

Cross Road
Hathaway Road
North Wayne Road
Kent's Hill Road
Innes Ridge Road
Lovejoy Pond Road
Walton Road
Berry Road
King's Highway
Tucker Road
Strickland Ferry Road
Cove Road - note the Town of Leeds is permanently restricting weight on their end of this road
Coolidge Road
Pond Road
Memorial Park Lane
Old Winthrop Road
Gott Road
Morrison Heights Road
Hardscrabble Road
Fairbanks Road
Mt. Pisgah Road
Green True Road
Maxim Road
Lord Road
Besse Road

TOWN OF WAYNE ORDINANCE
REGULATION OF MOTOR VEHICLES
TRAFFIC ON WILSON POND

I. PURPOSE

The purpose of this Ordinance is to promote the health, safety, and general welfare of the public by controlling the use of motor vehicles on Wilson Pond during the hours between sunset and sunrise when the lake is icebound.

II. AUTHORITY

This Ordinance is adopted pursuant to the authority contained in Title 30A, Section 3009.

III. OPERATION UNLAWFUL

It shall be unlawful to operate a motor vehicle as defined in Title 29, Section 1, Sub-Section 7, except ATVs and snowmobiles, on Wilson Pond from sunset to sunrise of the following day, except as otherwise provided herein.

IV. EXCEPTION

The prohibition contained in Section III of this Ordinance shall not apply to such use of motor vehicles as is reasonably necessary to plow skating rinks or obtain access to lakeside camps which the operator of the motor vehicle owns or has permission from the owner to use, provided, however, that a permit shall first be obtained for such use from the Police Department or appropriate Local Official. A grace period shall be provided for persons fishing on the lake during the period between sunset and one-half hour thereafter and during the period between sunrise and one-half hour prior thereto.

V. ENFORCEMENT

This Ordinance may be enforced on any portion of the lake by any law enforcement officer of the Town of Winthrop, or the Town of Monmouth, or the Town of Wayne.

VI. PENALTY

The driver of any vehicle found to be in violation of this Ordinance shall be subject to court process in the Maine District Court and shall be subject to a fine of \$100 for each such violation.

VII. EFFECTIVE DATE

This Ordinance shall take effect after passage by the Wayne Board of Selectmen or on the date a substantively identical ordinance takes effect in the Towns of Monmouth and Winthrop.

ENACTED BY A VOTE OF THE WAYNE BOARD OF SELECTMEN ON 2/12/91
IN COOPERATION WITH THE TOWNS OF WINTHROP AND MONMOUTH TO PREVENT
NIGHT ACCIDENTS AND DISTURBANCES ON THE LAKE .

TOWN OF WAYNE

CULVERT INSTALLATION POLICY

The Board of Selectmen hereby establish the following policy with regards to culvert installation and maintenance for entrances onto accepted Town Roads:

1. A planned entrance onto Wayne town roads will be requested through the Road Commissioner.
2. If a culvert is necessary, the Road Commissioner issues a permit stating the culvert type, diameter, and length. If a culvert is not necessary, the Road Commissioner will so indicate on the permit application.
3. The landowner is responsible for the purchase, installation, and proper back-filling of said culvert. Instructions for installation are available.
4. After approval of the installation, the Town thereafter, becomes responsible for the care and maintenance of the culvert. This includes any necessary replacement.
5. Before any digging begins, "Dig Safe" will be notified and a Dig Safe Number obtained. The number is 1-800-225-4977.

Approved:

Cynthia Pettengill, Chair

Sally M. Towns
Sally Towns, Deputy Chair

Mary Farnham
Mary Farnham

Steve Saunders
Steve Saunders

George Strong
George Strong

7/6/98

NOTICE

Pursuant to M.R.S.A. Title 30, Section 2151, the Municipal Officers of the Town of Wayne hereby give notice of their intent to enact an Ordinance entitled "Speed Limit Ordinance" at their regularly scheduled Board meeting to be held on July 16, 1984 at 7:00 p.m. at the Wayne Town Office. Any citizen wishing to be heard is urged to attend in person or submit verbal or written comments to the Board prior to the meeting.

Wayne Speed Limit Ordinance

Purpose : To regulate the speed of vehicles on certain Wayne Roads.

Speed Limits:

1. The speed limit on the Old Winthrop Road shall be 25 mph from the intersection of Route 133 and the Old Winthrop Road to the last private property.
2. The speed limit on Back Street shall be 20 mph from the intersection of Back Street and Route 133 to the end.

Penalty: Any person found in a court of law to have violated this ordinance shall be assessed a civil penalty of \$25.00 for each offense. The civil penalty shall be recovered for the use of the Town of Wayne.

Effective Date: This ordinance shall take effect upon its enactment by the Wayne Board of Selectman at a duly called meeting.

Given under our hands this day of July, 1984.

Donald L. Gatti
Donald L. Gatti

Clarence H. Judd
Clarence H. Judd

Joan A. Hazzard
Joan A. Hazzard

Wayne Board of Selectman

RETURN

I, Sherwood Mullen, do certify that I have warned and notified the inhabitants of the Town of Wayne of the date, time and purpose of the within notice by copies of this notice at the Wayne General Store, Wayne Post Office, Wayne Store, and Wayne Town Office on July 9, 1984.

ATTEST:

Sherwood W. Mullen
Sherwood Mullen, Resident of

Municipal Offices Town of Wayne

CERTIFICATION OF TOWN OF WAYNE PLANNING BOARD ORDINANCE

We the undersigned Board of Selectmen of the Town of Wayne hereby certify that the text of an ordinance entitled "Town of Wayne Planning Board Ordinance" shall be submitted to a vote at the 1994 annual Town Meeting and shall be attested by the Clerk for posting with the warrant calling that meeting.

Signed,

Patricia D. Johnson

Patricia D. Johnson
Town Clerk
June 14, 1994

Linda N. Kindeg

Darcy Foxham

Peter A. Ault

Shall an ordinance entitled "Town of Wayne Planning Board Ordinance" be enacted?

TOWN OF WAYNE PLANNING BOARD ORDINANCE

1. PURPOSE AND EFFECTIVE DATE: The purpose of this ordinance is to provide governance for the Town of Wayne Planning Board. This board shall perform duties expected of planning boards under state law and any other applicable ordinances. This ordinance is adopted pursuant to Art. VIII, Part 2, Section 1 of the Maine Constitution and 30-A MRSA Section 3001. It shall become effective upon its adoption.

2. APPOINTMENT:

A. Board members shall be appointed by the municipal officers and sworn by the clerk or other person authorized to administer oaths.

B. The board shall consist of five (5) members and two(2) alternate members.

C. The term of each member shall be five (5) years . The term of office for each alternate member shall be five (5) years.

D. Transition. The members, including alternate members, of the Town of Wayne Planning Board as it has heretofore existed shall continue to serve the terms for which they have been appointed, in order to preserve the staggering of terms that has heretofore existed. Members and alternates may be reappointed for subsequent terms as provided in this ordinance.

E. Ratification. All actions taken heretofore by the Wayne Planning Board, including but not limited to actions taken in which one or more alternate members have participated in discussion or voting, are hereby declared to be the acts of the legally constituted planning board of the Town of Wayne.

F. When there is a permanent vacancy, the municipal officers shall appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a legal resident of the town, attend at least 75% of all meetings during the preceding twelve (12) month period. When a vacancy occurs, the chairperson of the board shall immediately so advise the municipal officers. The board may recommend to the municipal officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the planning board by unanimous vote, for cause, after notice and hearing.

G. A municipal officer may not be a member or alternate member.

3. ORGANIZATION AND RULES

A. The board shall elect a chairperson and a vice chairperson from among its members. The term of office shall be one (1) year with eligibility for re-election.

B. When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the chairperson, the chairperson shall designate an alternate member to sit in that member's stead.

C. An alternate member may attend all meetings of the board and participate in its proceedings, but may vote only when he or she has been designated by the chairperson to sit for a member.

D. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.

E. The chairperson shall call at least one regular meeting of the board each month.

F. No meeting of the board shall be held without a quorum consisting of three (3) members or alternate members authorized to vote, calculated on the basis of the number of members present and voting.

G. The board shall adopt rules for transaction of business and a secretary shall keep a record of its resolutions, transactions, findings, and determinations. All records shall be deemed public and may be inspected at reasonable times.

4. DUTIES; POWERS

A. The board shall prepare or supervise the preparation of a Comprehensive Plan as defined by 30 MRSA Section 4960-C.

B. The board shall perform such duties and exercise such powers as are provided by the Wayne ordinance and the laws of the State of Maine.

C. The board may request goods and services necessary to its proper function from the Board of Selectmen.

STATE OF MAINE
MANUFACTURED HOME
INSTALLATION STANDARD

CHAPTER 900 MANUFACTURED HOME INSTALLATION STANDARD

SUMMARY; ESTABLISHES STANDARDS FOR THE INSTALLATION OF MOBILE HOMES TO MEET THE REQUIREMENTS OF RESOLVE 26 OF 1989. THE RULES DEFINE INSTALLATION AS THE PROCESS OF AFFIXING OR ASSEMBLING OR SETTING UP MANUFACTURED HOUSING ON FOUNDATIONS OR SUPPORTS AT A BUILDING SITE, AND INCLUDES THE CONNECTION OF EXISTING ELECTRICAL, OIL BURNER, GAS, WATER, SEWAGE AND SIMILAR SYSTEMS .

SUBPART 1

SCOPE AND INTENT OF STANDARD, ORGANIZATION OF STANDARD, AND DEFINITIONS

1-1 SCOPE This standard covers the installation of manufactured homes, wherever located.

1-2 INTENDED USAGE OF MANUFACTURED HOMES COVERED UNDER THIS STANDARD. The provisions of this standard are intended to apply to manufactured homes (single section, multiple section or expanded types) for use as a single family dwelling+. The following homes are included :

Note 1: the standard does not apply to manufactured housing used for other than dwelling purposes.

Note 2: The provisions of this standard shall not apply to recreation vehicles as defined in the NFPA 501C, Standard for Recreation Vehicles, or to park model trailers as defined in the ANSI A119.5, Standards for Park Trailers.

1-2.1 TYPES OF STRUCTURE COVERED.

(a) **Manufactured Homes.** The manufactured homes covered under this Standard are as follows:

(1) Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the HUD standard, meaning structures, transportable in one or more sections, which in the traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site, are 320 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 plumbing, heating, air conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph 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.

(2) Those units constructed prior to June 15, 1976, meaning mobile homes, transportable in one or more sections, which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations when connected to the required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.

1-2.2 **APPLICABILITY.** This standard is applicable only for new or used mobile homes and is not intended for modular or other types of manufactured dwellings. The standard is designed for the safety and health of mobile home users. It is intended to apply to all mobile homes. Where this standard provides useful technical data for improvements to existing sites falling within its scope and such is encouraged. However, mobile home park pads which are now licensed and all homes currently installed on private lots and may not comply with all design and construction standards of these rules, shall be deemed acceptable if capable of being maintained and operated in a safe and sanitary condition.

This standard shall not be construed as relieving the installers of a manufactured home of responsibility for compliance with the manufacturer's installation instructions, state and local ordinances, codes, and regulations. This standard does not relieve the manufactured home owner or occupant from responsibilities for the proper use and maintenance of a manufactured home.

1-3 DEFINITIONS

ANCHORING EQUIPMENT (TIES). Straps, cables, turnbuckles, and chains, including tensioning devices, which are used to secure a manufactured home.

ANCHORING SYSTEM. A method of construction which when properly designed and installed will resist overturning and lateral movement of the manufactured home.

APPROVED. Acceptable to the Board.

NOTE: THE BOARD DOES NOT APPROVE OR CERTIFY ANY INSTALLATION, PROCEDURES, EQUIPMENT, OR MATERIAL, NOR APPROVE OR EVALUATE TESTING LABORATORIES. IN DETERMINING THE ACCEPTABILITY OF INSTALLATION OR PROCEDURES, EQUIPMENT OR MATERIALS, THE BOARD'S ACCEPTANCE MAY BE BASED ON A SITE INSPECTION BY BOARD PERSONNEL OR AGENTS OF THE BOARD. THE BOARD REFERS TO THE LISTING OR LABELING PRACTICES TO AN ORGANIZATION CONCERNED WITH PRODUCT EVALUATIONS WHICH IS IN A POSITION TO DETERMINE COMPLIANCE WITH APPROPRIATE STANDARDS FOR THE CURRENT PRODUCTION OF LISTED ITEMS.

DIAGONAL TIE. A tie intended to primarily resist horizontal or shear forces and which may secondarily resist vertical, uplift, and overturning forces.

FOUNDATION, MANUFACTURED HOME. A site-built or site assembled system of stabilizing devices which is:

(a) Capable of transferring design dead loads and live loads required by Federal Regulations and other design loads unique to local home sites due to wind, seismic, and water conditions, that are imposed by or upon the structure into the underlying soil bedrock without failure.

GROUND ANCHOR. A device at the manufactured home stand designed to transfer manufactured home anchoring loads to the ground.

HURRICANE-RESISTIVE MANUFACTURED HOME. A manufactured home which meets the wind design load requirements for Zone II in Subpart D, Section 3280.305(c)(2) of the Federal Standard or the applicable hurricane-resistive design requirements of the Standard for Mobile Homes, NFPA 501B/ ANSI A119.1 edition in effect at the time of manufacture.

INSTALLER. Any licensed dealer or an employee of a licensed dealer, or a person licensed as a mechanic' who engages in the process of affixing or assembling or setting up of manufactured housing on foundations or supports at a building site.

INSTALLATION. The process of affixing or assembling or setting up manufactured housing on foundation or supports at the building site.

Mechanic. For the purposes of these rules, any licensed individual who engages in the process of installing manufactured housing. Meaning the process of affixing or assembling or setting up a home on foundations or supports at the building site.

PAD. That area which has been established for the placement of a home.

PIER. That portion of the support system between the footing and the manufactured home, exclusive of caps and shims.

SET-UP. The work performed and operations involved in the placement and securing of a manufactured home or any portion thereof.

SHALL. Indicates a mandatory requirement.

SHOULD. Indicates a recommendation or that which is advised but not required.

SITE. A designated parcel of land designed for the accommodation of one manufactured home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

SKIRTING. A weather-resistant material to enclose the space from the bottom of the manufactured home to grade.

STABILIZING DEVICES. All components of the anchoring and support systems such as piers, footings, ties, anchoring equipment, ground anchors, or any other materials and methods of construction which supports and secures the manufactured home to the ground.

STAND. That area of a manufactured home site which has been reserved for the placement of a manufactured home.

SUPPORT SYSTEM. A combination of footings, piers, caps, and shims that will, when properly installed, support the manufactured home.

TIE. See anchoring equipment.

VERTICAL TIE. A tie intended to resist the uplifting and overturning forces.

SUBPART 2

SITING AND FOUNDATION SYSTEMS

2.1 Siting and Foundation Systems

2-1.1 GENERAL. This chapter prescribes standards for siting, design and installation of manufactured home foundation systems. It identifies acceptable foundations systems. This chapter is applicable to all new and relocated manufactured homes, when and wherever newly installed at a home site. Homes which are designated 30 PSF snow zone in the manufacturer's data plate shall not be installed in 40 PSF roof load zones designated in Appendix B. Homes designated 20 PSF snow zone in the manufacturer's data plate shall not be installed in the State Of Maine. Homes which are designated 15 PSF wind zone on the manufacturer's data plate shall not be installed in a 25 PSF wind load zone as identified in Appendix B.

2-1.2 A MANUFACTURED HOME FOUNDATION SYSTEM shall be constructed on each manufactured home site..

EXCEPTION: Sites which have been licensed by Manufactured Housing Board in accordance with rules governing the licensing of mobile home parks prior to the adoption of this Installation Standard.

2-1.3 A Manufactured Home Foundation System shall be constructed in accordance with one of the following;

- (a) the manufacturer's installation instructions,
- (b) Appendix C of the Installation Standard
- (c) a foundation design prepared by a Registered professional engineer or architect for the site.

2-2 SITE CONSIDERATIONS.

2-2.1 GENERAL

2-2.1.1 EVALUATION. Each site shall be evaluated by the person assuming responsibility to determine if it is suitable for its intended use and if such hazards as flood erosion, sediment deposition, , or other hazards exist that might impair the use or utility of the site. When, during preparation of the site, such unforeseen factors as rock formation, high groundwater levels, springs, biologically generated gases, etc., are encountered, corrective works shall be taken to siting of the manufactured home.

2-2.1.2 PROTECTIVE SLOPES OF UNPAVED AREAS AROUND MANUFACTURED HOME STANDS. Grades shall slope away from stands, from walls, skirting, and foundations, and from water supply wells to adequate outfalls or to drainage swales discharging to adequate outfalls.

2-3 Soil Considerations

2-3.1 FOOTINGS. It shall be determined when natural soils or controlled fill (free of grass and organic material) are used, that the footing shall support the loads imposed by the support system of the manufactured home placed thereon.

2-3.2. ANCHORING

2-3.2.1 ANCHOR DESIGN AND INSTALLATION. Homes installed on sites in the 25 psf wind zone as identified in Appendix B of this standard and which are occupied by other than the home owner shall be installed with an anchoring system properly designed and constructed to resist sliding and overturning of the home.

2-4 PLACEMENT

2-4.1 Clearances.

2-4.1.1 Clearance Under Home. A minimum clearance of 12 in. shall be maintained beneath the lowest member of the main frame (I-beam or channel beam)ons.

2-4.1.2 Elevated Manufactured Homes. When the manufactured home is installed on a basement or split entry type foundation over a habitable lower-level area, or when more than one-fourth of the area of the manufactured home is installed so that the bottom of the main frame members are more than 3 ft. above ground level, the foundation system shall be designed by a registered professional engineer or architect. Appendix C can not be used for any elevated installation or in combination with the manufacturers instructions.

2-4.1.3 Removal of Manufactured Home Transportation Components at the Time of Installation. No portion of a manufactured home shall be removed when located on its home site unless it is designed to be removed in accordance with HUD's and the manufacturer's instruction.

2-5.1 VENTILATION

2-5.1.1 Access to and Ventilation of Underfloor Areas.

(a) Provisions shall be made to minimize condensation in underfloor areas through ventilation openings or other suitable means.

(b) If combustion air for heat appliance(s) is taken from within the underfloor areas. Ventilation shall be adequate to assure proper operation of the appliance(s). This requirement shall take precedence over the provisions of 2-6-2.1 (a).

(c) A minimum of four ventilation openings shall be provided from the underfloor space to the exterior. One shall be placed at or near each corner as high as practicable. Their total net free area shall be calculated by:

1. $a = A/150$ or

2. $a = A/600$ if the home is installed on a concrete slab or with a ground cover in accordance with 2-6.2.4.

where:

A = the area of the crawl space, square feet

a = the total net free vent area

Openings shall provide cross ventilation on at least two opposite sides. The openings shall be covered with corrosion resistant wire mesh not less than 1/8 in. and not more than 1/2 in. in any dimension or with openings designed to retard entry of dry vegetation, waste material, or rodents.

2-6.2.2. Intake air for ventilation purposes shall not be drawn from underfloor spaces of the home.

2-6.2.3. Moisture producing devices, such as dryers, shall be vented to the atmosphere in such a manner to insure that moisture laden air is carried beyond the perimeter of the home.

2-6.2.4 Under floor Continuous Ground Cover/Vapor Retarder.

If a ground cover is required, a uniform 4 to 6 mil. polyethylene sheet material or other acceptable membrane materials shall be installed for this purpose.

2-6.2.5 Skirting

(a) Materials. Skirting, if used, shall be of durable materials suitable for exterior exposures.

General Installation. Skirting, if used, shall be installed in accordance with the manufacturer's installation instructions. It shall be secured, as necessary, to assure stability, to minimize vibrations, to minimize susceptibility to wind damage, and to compensate for possible frost heaves. Access opening(s) not less than 18 in. in any dimension and not less than 3 sq. ft. in area shall be provided and shall be located so that any water supply and sewer drain connections located under the manufactured home are accessible for inspection. Such access panel(s) or door(s) shall not be fastened in a manner requiring the use of a special tool to remove or open same. On-site fabrication of skirting shall meet the objectives cited herein.

SUBPART 3

PLUMBING

3-1 General Requirements

NOTE: Where this standard differs from the State of Maine Plumbing Code, the standard adopted by the State of Maine shall prevail.

3-1.1 Need for Plumbing and Utility Connections. Each manufactured home stand shall be provided with water supply and sewer located and arranged to permit attachment to the manufactured home in a workmanlike manner.

3-1.2 Location of Plumbing Utility Connections. The plumbing utility connection shall be located under the mobile home stand.

3-2 Water Supply.

3-2.1 Water -Riser Pipes, Size, and Protection. Water-riser pipes shall be a minimum of 3/4 in. nominal diameter. Water-riser pipes shall extend a minimum of 6 in. above ground elevation. Water riser pipes shall be terminated with a threaded plug, hose bib, or cap when a manufactured home does not occupy a site. Surface drainage shall be diverted from the location of the riser pipe.

3-2.1.1. Water Supply Shutoff Valves. An accessible shutoff valve shall be provided on the water-riser pipe serving the manufactured home. The system shall be protected from backflow for **single family residences on shared wells.**

3-2.1.2. Protection Against Freezing. Provision shall be made to protect the water supply piping and valves, including the riser.

(a) Frost-proof valves shall be installed where necessary and shall be listed for backflow protection.

(b) In areas subject to heaving and thawing, the piping shall be adequately protected to prevent damage.

(c) Heat cables and tapes, when used for protection of plumbing components against freezing, shall be listed and labeled.

(d)

3-3 Wells as a Source of Supply.

3-3.1 Location of Wells. A well shall not be located within the boundaries of a manufactured home stand.

SUBPART 4

MECHANICAL EQUIPMENT

(HEATING and COOLING)

4-1 Exterior Mechanical Equipment.

4-1.1 Mechanical Equipment shall not be installed in a manner that would obstruct any means of required egress. Mechanical equipment shall not be installed in window openings which are part of an exiting system and shall not obstruct sidewalks or other means of egress from the home.

SUBPART 5

FUEL SUPPLY

5-1 General. All fuel piping systems serving manufactured homes, which are not part of the manufactured home shall be designed and constructed in compliance with all applicable local , state and Federal codes

SUBPART 6

ELECTRICAL

6-1 Site Electrical Equipment and Installations. Sites provided with an electrical service shall have all electrical equipment and installations designed and constructed, and maintained in accordance with the applicable provisions of NFPA 70, National Electrical Code.

SUBPART 7

LIFE AND FIRE SAFETY

7-1 For life and fire safety requirements, see NFPA 501A, Standard for Firesafety Criteria for Manufactured Home Installation, Sites and Communities (1987) and NFPA 101, Life Safety Code (1988).

APPRNDIX A

PREVENTIVE MAINTENANCE

APPENDIX A

Use and Preventive Maintenance of Manufactured Home Installations

This Appendix is not part of the requirements of this document, but is included for information purposes only.

A-1 Responsibilities of the Manufactured Home Resident.

A-1.1 The resident should comply with all applicable requirements of this standard and should maintain his manufactured home site, its facilities, and its equipment in good repair and in a firesafe condition.

A-2 Storage Practices Beneath Manufactured Homes

A-2.1 Periodic inspections of the enclosed space are recommended to assure that all utility and other connections are secured and no fire hazards exist

A-2.2 Homeowner should keep site free of an accumulation of combustible materials such as rubbish, paper, leaves. and brush

APPENDIX B

WIND ZONE and ROOF LOAD ZONE

PREFACE TO APPENDIX C

THE PURPOSE OF THIS APPENDIX IS TO PROVIDE INSTALLATION INSTRUCTIONS WHICH MAY BE LESS EXPENSIVE TO IMPLIMENT THAN THE MANUFACTURER'S INSTALLATION INSTRUCTIONS. THE METHODS USED IN THIS APPENDIX WILL PROVIDE ADEQUATE STRUCTURAL SUPPORT FOR HOMES IN ALL BUT THE MOST EXTREME WINTER TEMPERATURE CONDITIONS. DURING EXTREME TEMPERATURE CONDITIONS, FOUNDATIONS DETAILED IN THESE INSTRUCTIONS MAY BE SUBJECT TO FROST HEAVE. OWNERS WHO CHOOSE TO HAVE HOMES INSTALLED IN ACCORDANCE WITH THESE INSTRUCTIONS MUST UNDERSTAND THAT THEY ACCEPT RESPONSIBILITY FOR MAINTAINING THE HOME IN A LEVEL CONDITION. FAILURE TO MAINTAIN THE HOME IN A LEVEL CONDITION. FAILURE TO MAINTAIN THE HOME IN A LEVEL CONDITION MAY RESULT IN THE MANUFACTURER'S WARRANTY BEING VOIDED. MECHANICS INSTALLING NEW HOMES AND PARK OWNERS RENTING PADS TO HOME OWNERS SHOULD INSURE THAT HOMEOWNERS UNDERSTAND THE RISKS AND THEIR RESPONSIBILITY WHEN HOMES ARE INSTALLED ON SITES CONSTRUCTED IN ACCORDANCE WITH THESE INSTRUCTIONS.

GENERAL REQUIREMENTS

1. HOME SITE SELECTION

Home sites shall not be constructed on mud, organic silt or filled sites. Home sites shall not be constructed in any naturally occuring seasonal dainage swail.

2. HOME SITE PREPARATION

Sitew soil conditions shall be evaluated. Home sites shall be prepared as required by SITE PREPARATION DETAILS I and the GENERAL SPECIFICATIONS FOR SITE PREPARATION.

3. LOCATION OF SUPPORTS

- A. New homes shall be supported where required by the manufacturer's installation instructions.
- B. Used homes for which installation instructions are available shall be supported where required by those instructions.

- C. Used homes for which installation instructions are not available shall be supported at locations indicated in SUPPORT LOCATION DETAILS V
- D. Each unit in multi unit homes shall be supported as a separate unit in accordance with these instructions. For purposes of these instructions, required marriage wall support shall be the same as required for perimeter blocking support.

4. FOOTING REQUIREMENTS

- A. Footings shall consist of a concrete pad constructed in accordance with CONCRETE SLAB DETAIL IV-A when;
 - 1) The home requires perimeter support, or
 - 2) The home is located in the Coastal Zone shown in Appendix B and the home is rented or occupied by someone other than the home owner.
- B. Footings for homes other than those identified in Requirement 4.A-1 shall be constructed in accordance with FOOTING DETAIL II or CONCRETE SLAB DETAIL IV-A.
- C. A footing shall be installed at each support location.
- D. Footings shall be centered within 1" of the support location.
- E. Footing surface shall be leveled within 1/4" of the top surface after the home has been installed.

5. PIER REQUIREMENTS

- A. Piers shall be constructed at all locations of support under the main steel frame of the home.
- B. Piers constructed under the main frame shall be constructed in accordance with pier details.
- C. Perimeter blocking or support, where required shall be constructed in accordance with perimeter blocking details.
- D. Piers shall be centered under the main frame within 1" of required support location.

6. LEVELING REQUIREMENTS

After the home is set, the home shall be leveled so that all doors and windows operate as intended and waste water plumbing systems function in a safe manner. Specifically leveling shall be adequate to maintain plumbing trap seals and prevent the buildup of solid waste in drain piping.

- A. THE FLOOR SHOULD BE NOT MORE THAN 3/8" out of level in any 8' span.
- B. THE FLOOR SHOULD NOT BE MORE THAN 2" out of level along the entire length of the home.

7. TIE DOWN REQUIREMENTS

Tie downs shall be installed in accordance with the Concrete Slab Detail IV-A on all homes which:

- A. Are located in the Coastal Zone as defined in Appendix B of this standard.
- B. Which are rented or otherwise occupied by other than the home owner.

GENERAL SPECIFICATIONS FOR SITE PREPARATION

1. COMPACTED FILL SHALL CONSIST OF GRAVEL OR SAND WHICH CONTAINS LESS THAN 5% (BY WEIGHT) GRAINS THAT WILL PASS A #200 SEIVE. GRAVEL FILL SHALL CONTAIN NO ROCKS OR BOULDERS LARGER THAN 3 INCHES IN DIAMETER. COMPACTED FILL SHALL CONTAIN NO ORGANIC MATTER. COMPACTED FILL SHALL NOT BE FROZEN WHEN PLACED OR COMPACTED.

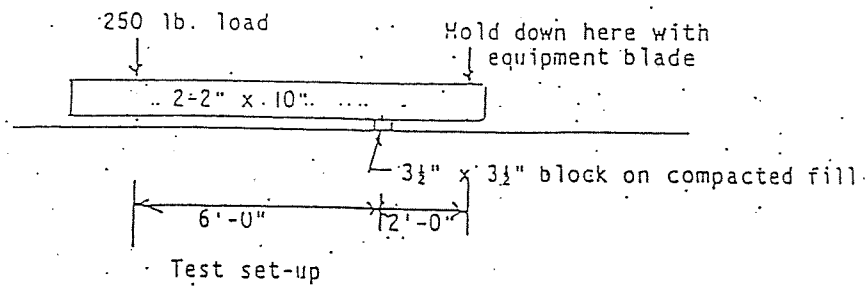
OR

COMPACTED FILL SHALL CONSIST OF SAND OR GRAVEL OF HARD DURABLE PARTICLES FREE FROM VEGETABLE MATTER, LUMPS OR BALLS OF CLAY AND OTHER DELETERIOUS SUBSTANCES MEETING THE CURRENT TYPE B AGGREGATE REQUIREMENTS OF THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS HIGHWAY AND BRIDGES. TYPE B AGGREGATE SHALL NOT CONTAIN PARTICLES OF ROCK WHICH WILL NOT PASS THE FOUR (4) INCH SQUARE MESH SIEVE.

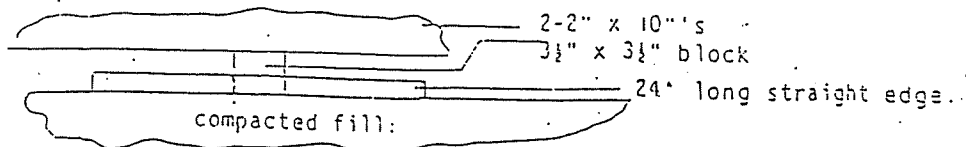
2. COMPACTED FILL SHALL BE COMPACTED IN A MAXIMUM OF 6 INCH LIFTS. EACH LIFT SHALL BE COMPACTED SUFFICIENTLY SO THAT WHEN 1000 LBS. IS APPLIED TO A 3 1/2 X 3 1/2 BLOCK PLACED ON TOP OF THE FILL, THE BLOCK WILL NOT SINK MORE THAN 3/8 INTO THE FILL. (SEE RECOMMENDED COMPACTION TEST PROCEDURE ON PAGE NEXT PAGE).
3. COMPACTED FILL SHALL BE PLACED ON UNDISTURBED AND UNFROZEN SOIL. THE SITE SHALL BE FREE OF TOPSOIL AND ORGANIC MATTER PRIOR TO THE PLACEMENT OF FILL.
4. CRUSHED ROCK SHALL CONSIST OF CLEAN, WASHED ROCK, AND MAY RANGE IN SIZE FROM PEA GRAVEL TO 3/4 INCH. ALL CRUSHED ROCK SHALL BE RETAINED BY A #4 SEIVE.
5. THE PERIMETER FOUNDATION SITES SHALL BE GRADED TO PREVENT THE FLOW OF SURFACE WATER UNDER THE HOME AND TO PREVENT THE ACCUMULATION OF SURFACE WATER UNDER THE HOME AND TO PREVENT THE ACCUMULATION OF SURFACE WATER WITHIN TEN (10) FEET OF THE PERIMETER OF THE HOME.

RECOMMENDED COMPACTION TEST PROCEDURE

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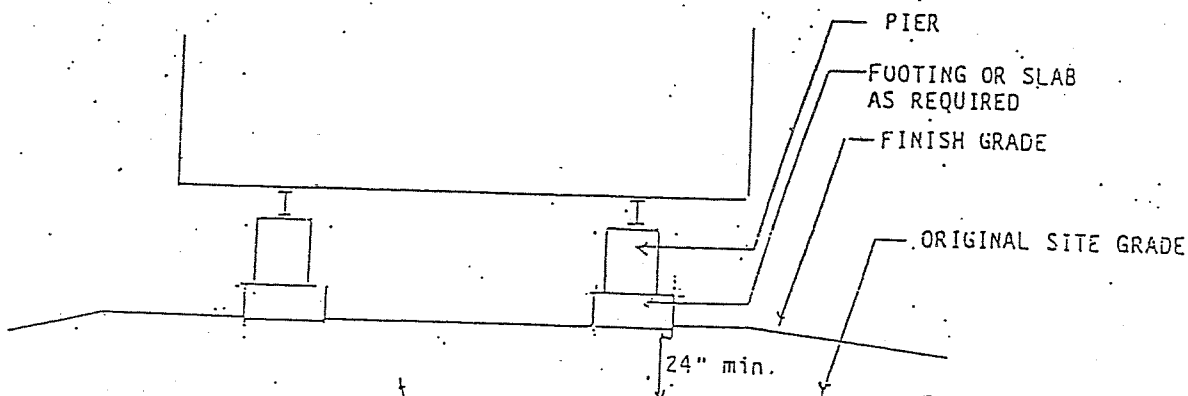
Place a 24" long straight edge or level on fill beside block. Center the straight edge on the block.



If the block sinks more than 3/8" with respect to the straight edge when the 250 lb. load is applied, more compaction is required.

NOTES:

1. This detail may be used on any foundation site that does not contain mud, organic silt or uncontrolled fill.
2. Sites prepared in the coastal Zone as defined in Appendix B require 18" where 24" is specified in this detail.
3. Finish grade shall be loamed and seeded with grass or otherwise finished to prevent erosion of compacted fill.
4. Compacted fill may be placed below the original site grade only if a drainage system is installed in the fill to prevent the accumulation of water within 24" of the bottom of the footing.

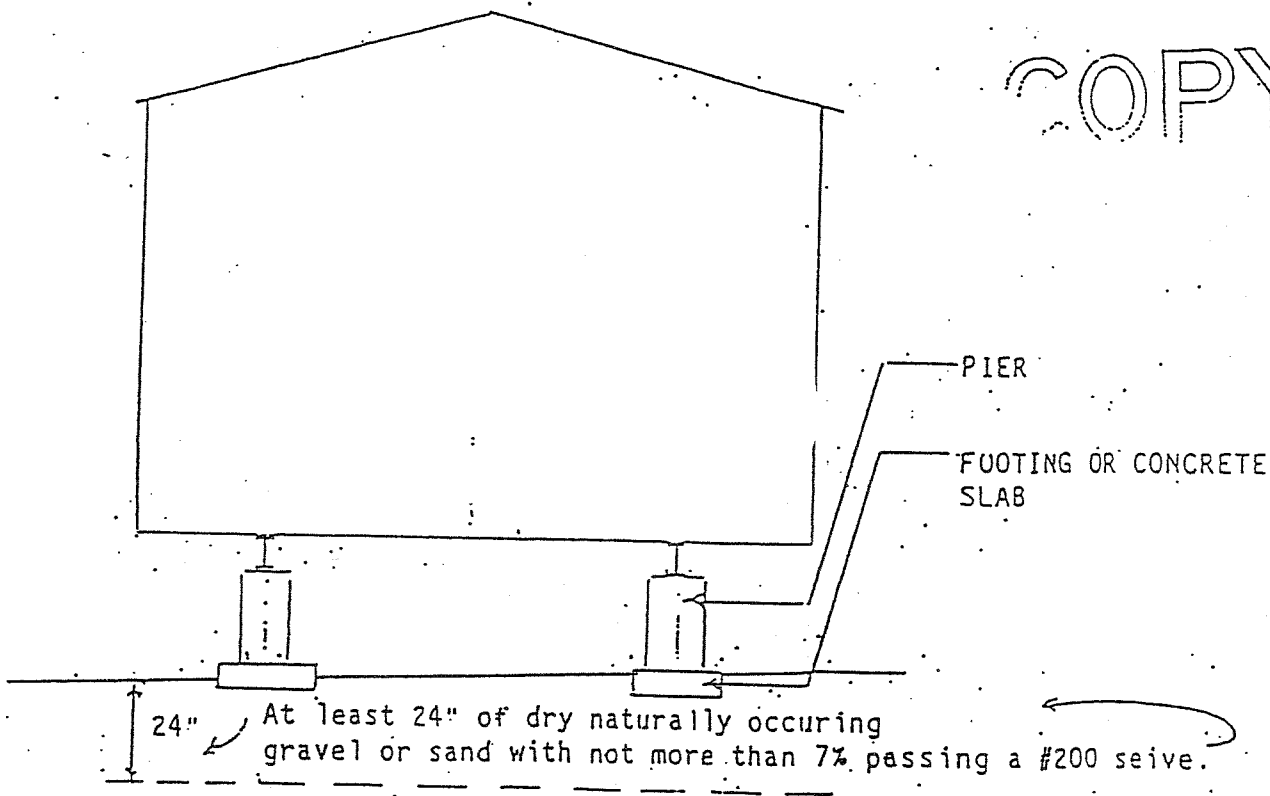


Minimum of 24" of compacted fill under footings. fill shall meet the General Specifications for Site Preparation for gravel and compaction.

NOTES:

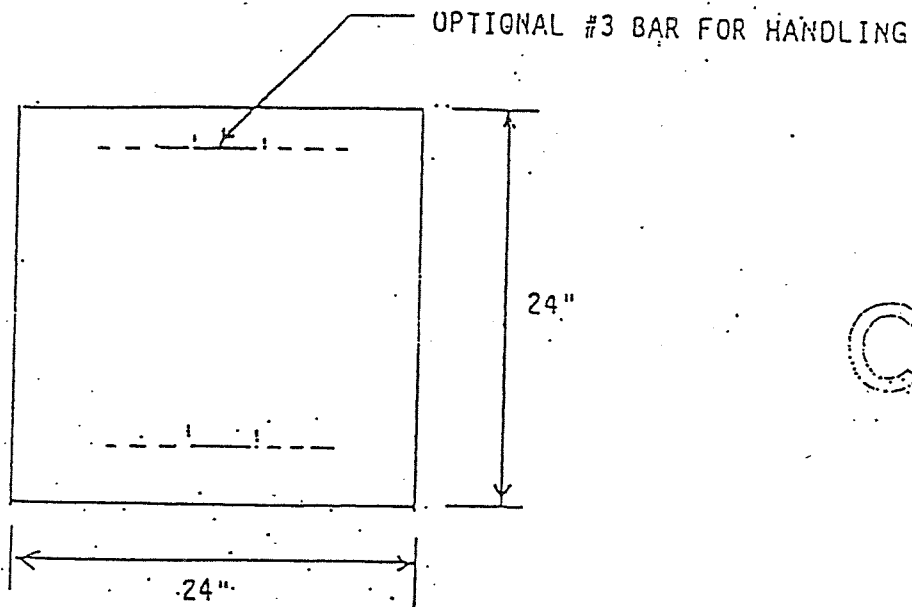
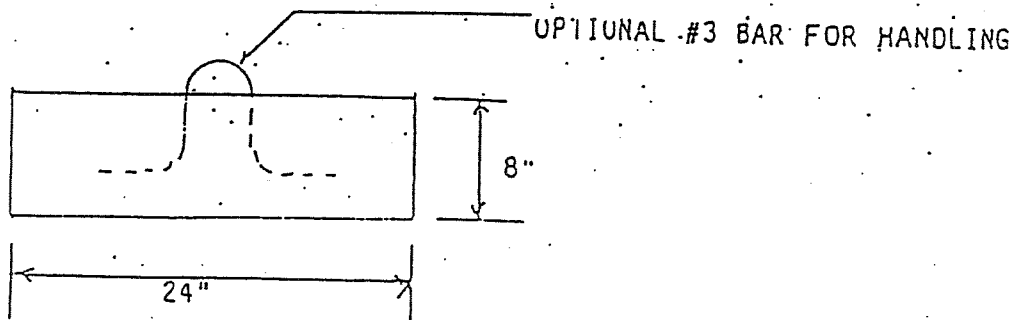
1. This detail may be used when:
 - a. the foundation site is overlain with at least 24" of naturally occurring gravel or sand with less than 7% (by weight) passing a #200 seive, and
 - b. the highest ground water table is more than 24" below the finish grade.
2. Sites prepared in the Southern Zone as defined in Appendix B require 18" where 24" is specified in Note 1.
3. Construction may be placed on naturally occurring soils after all organic material has been removed from the construction site.

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NOTES:

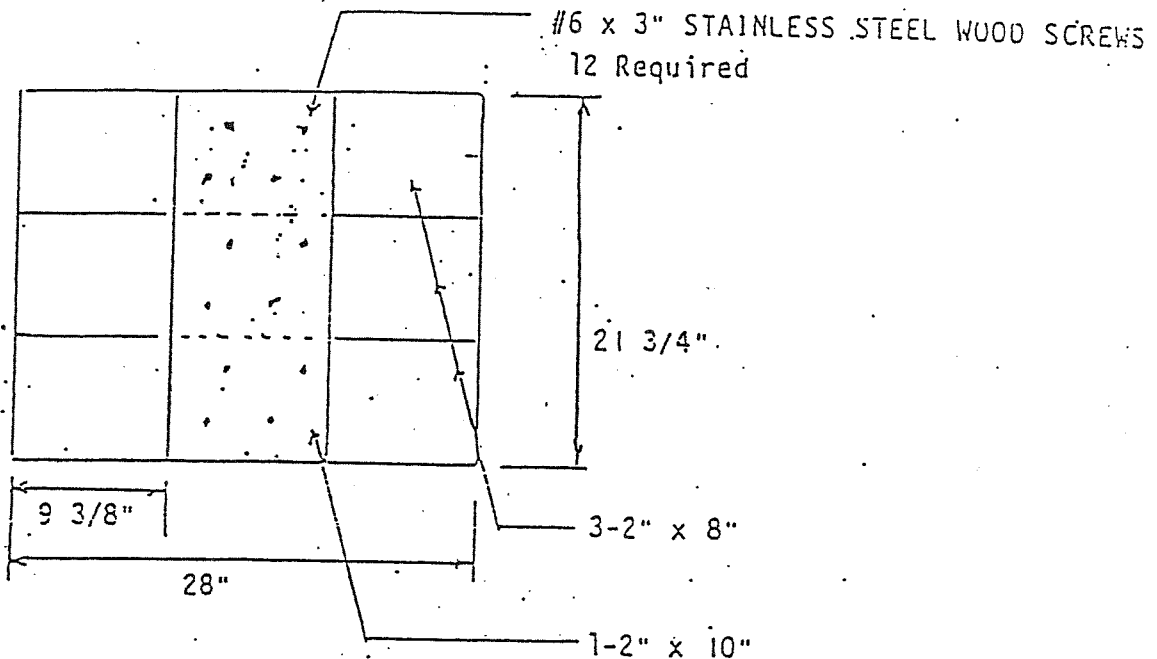
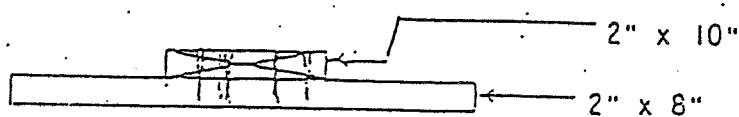
1. Concrete shall have a minimum compressive strength of 3000 psi. at 28 days.
2. Concrete shall be protected from freezing for the first 7 days after it has been cast.
3. Footing pads may be cast on in situ or precast and delivered to the site for placing.
4. Footing pads which are precast for later placement shall be cured at least 7 days prior to handling.

PLAN,SECTION

COPY

NOTES:

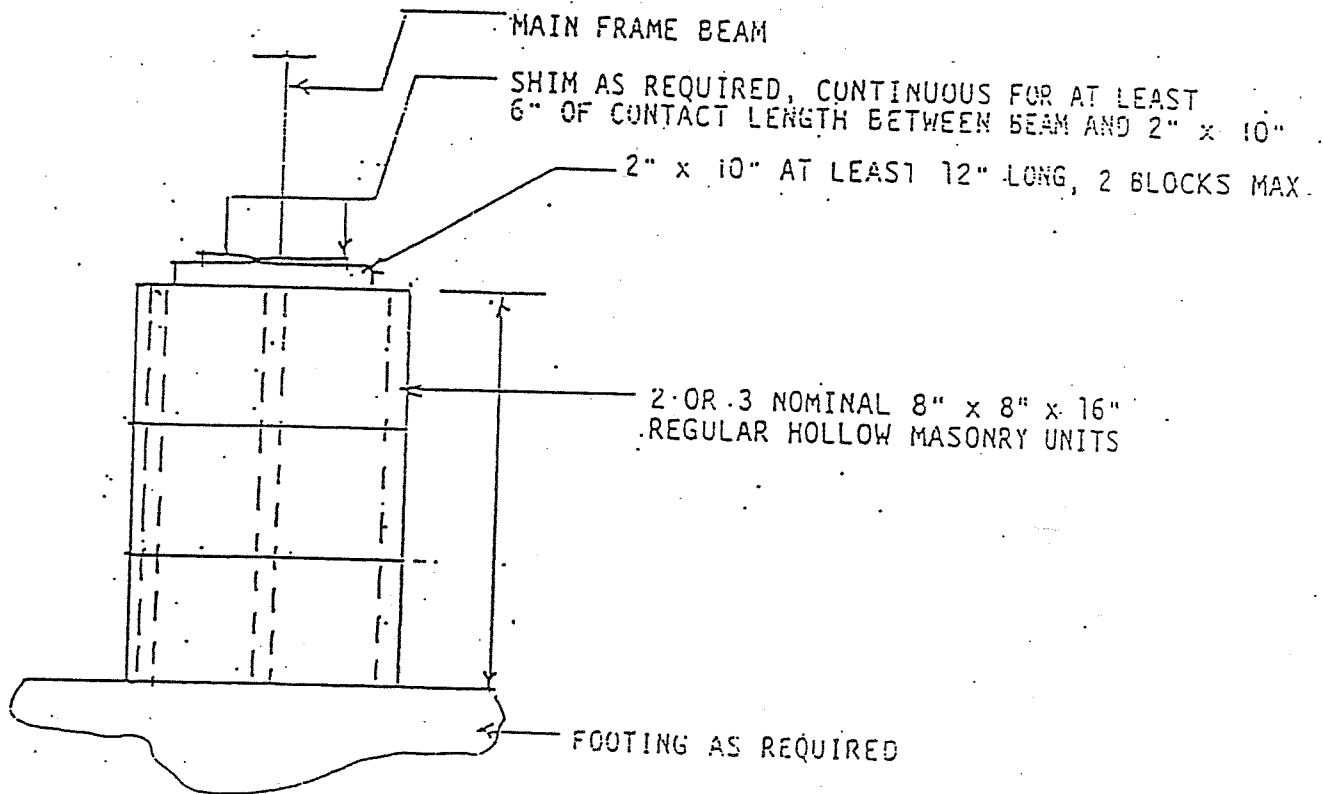
1. This detail is of a wood isolated footing to be placed on a prepared site. This detail may be used when pier height does not exceed 24".
2. Wood used in this detail must be Southern Yellow Pine, #2, pressture treated with water-borne preservatives in accordance with AWPA C2 or C9. The AWPA stamp must indicate that the treatment is for use in contact with ground.

PLANSECTION

NOTE: Pier cement blocks shall be centered on the wood footing with the 16" dimension parallel to the 2" x 10".

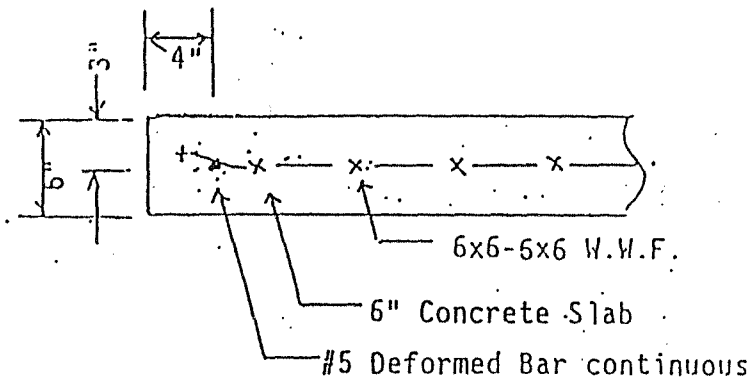
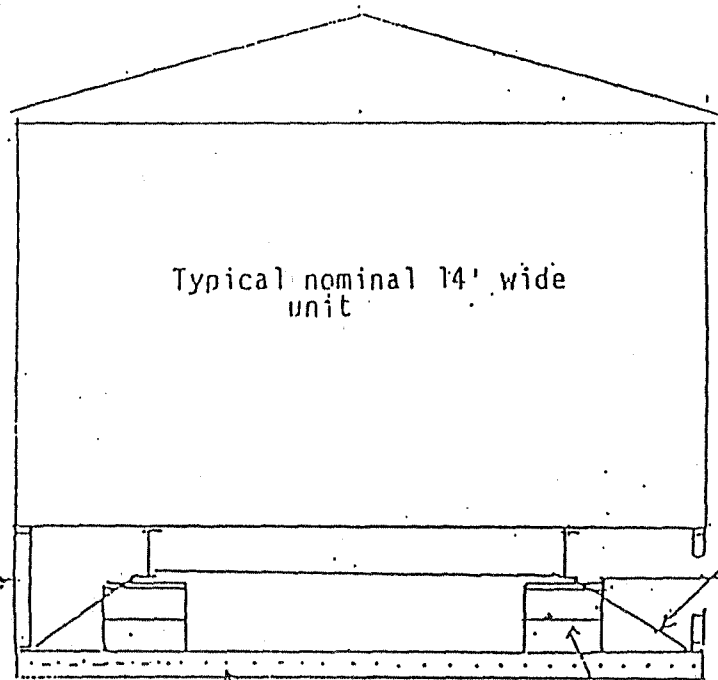
NOTES:

1. This detail applies to piers which are a maximum of 24" high from the top of footing.
2. Masonry units in this detail shall comply with ASTM C90, Grades N-I or N-II.
3. Wood block shall be of a structurally graded lumber with the 12" dimension centered under the main frame. No more than 2 wood blocks may be stacked.
4. Shims shall provide contact between main frame and 2" x 10" for at least 6".



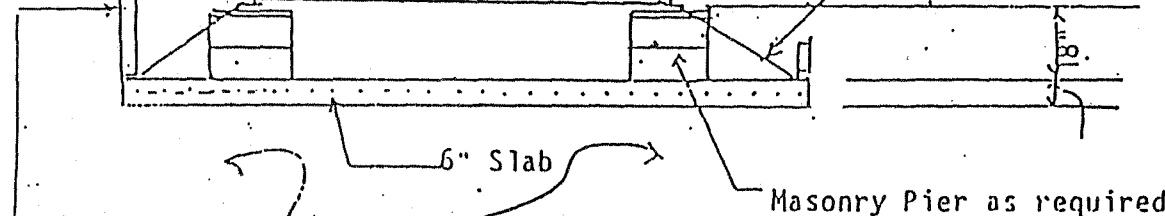
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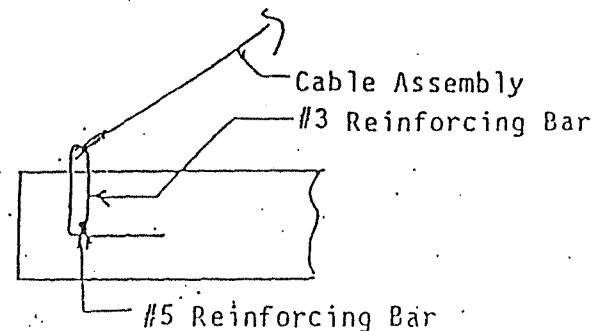
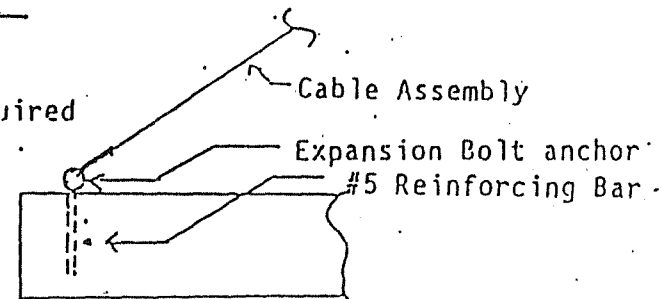


SLAB DETAILS

Cable @ 8' o.c.
7/32", 7x7 Galvanized Aircraft Cable



Subgrade preparation dependent upon site conditions, see site Preparation Details, Sec. I.
Construct 2" x 4" @ 24" o.c. for all homes which require perimeter blocking. Provide venting as required.



ANCHORING DETAILS

Note: Cable assembly to carry 1864 lbs

NOTES:

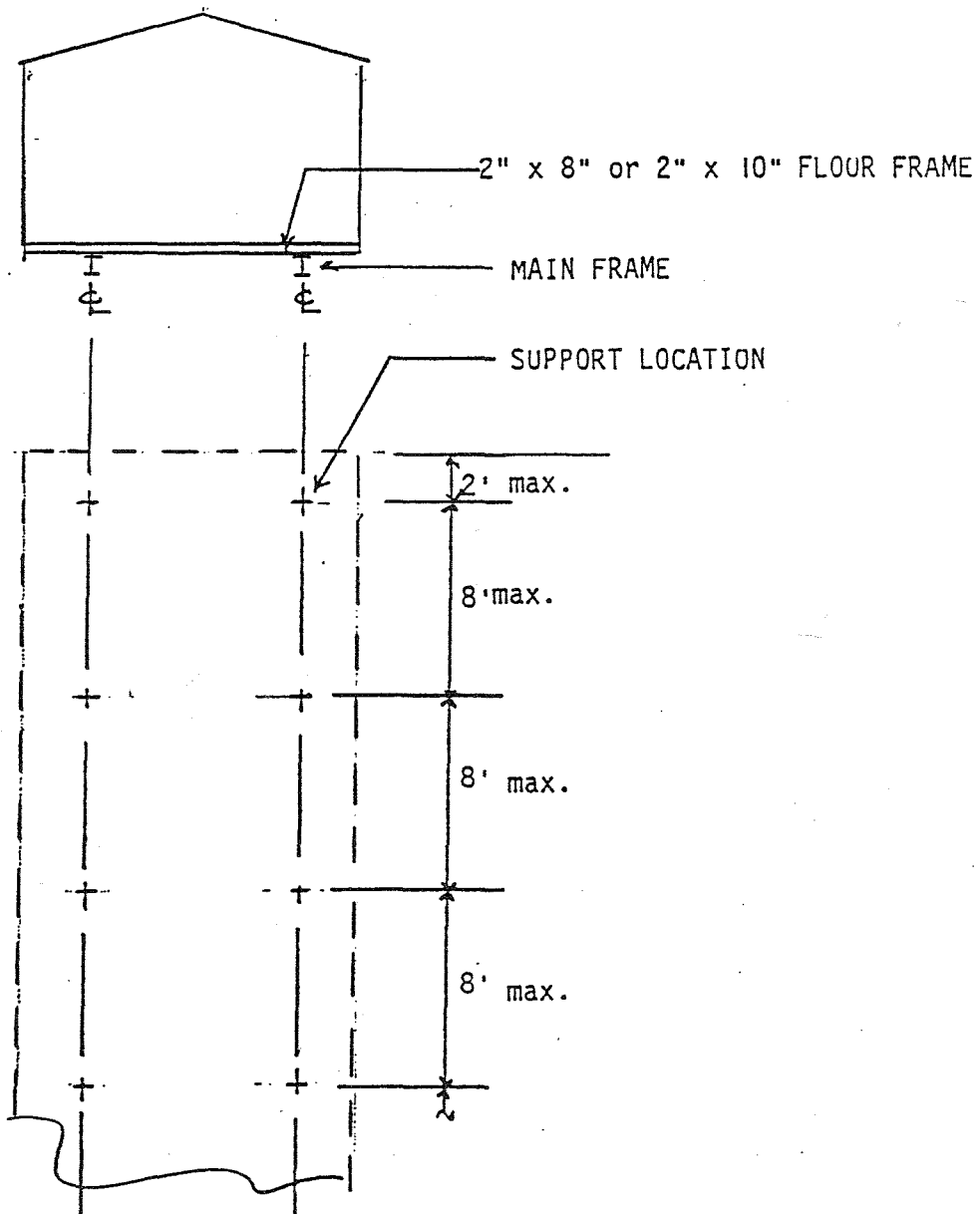
1. This slab and tie down system is suitable for use in Hurricane Zones.
2. Concrete is 3000 psi at 28 days.
3. Reinforcing Bar is ASTM A615, Grade 40 minimum, deformed. Lap splice #5 bars 50" min.

ASTM A185, F = 65 ksi.

COPY

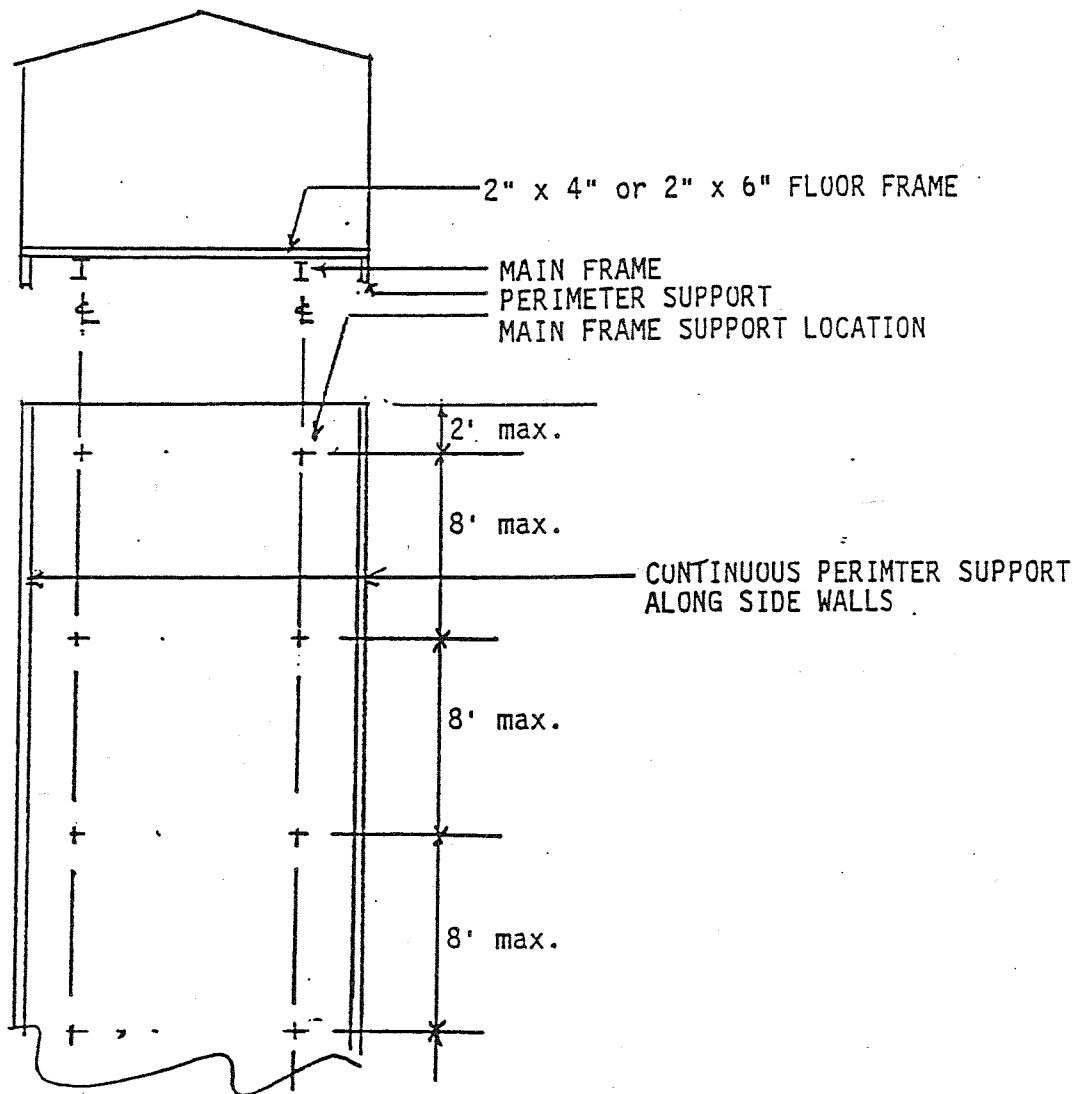
NOTES:

1. This detail applies to homes ;
 - A. which are used, and
 - B. for which no manufacturer's installation instructions are available, and
 - C. which have floor frames constructed with 2" x 8" or deeper floor joists or are 12' or less wide.
2. Support locations are required within 2' of the end of the main frame and at no more than 8' o.c. under the main frame.

LOCATION PLAN

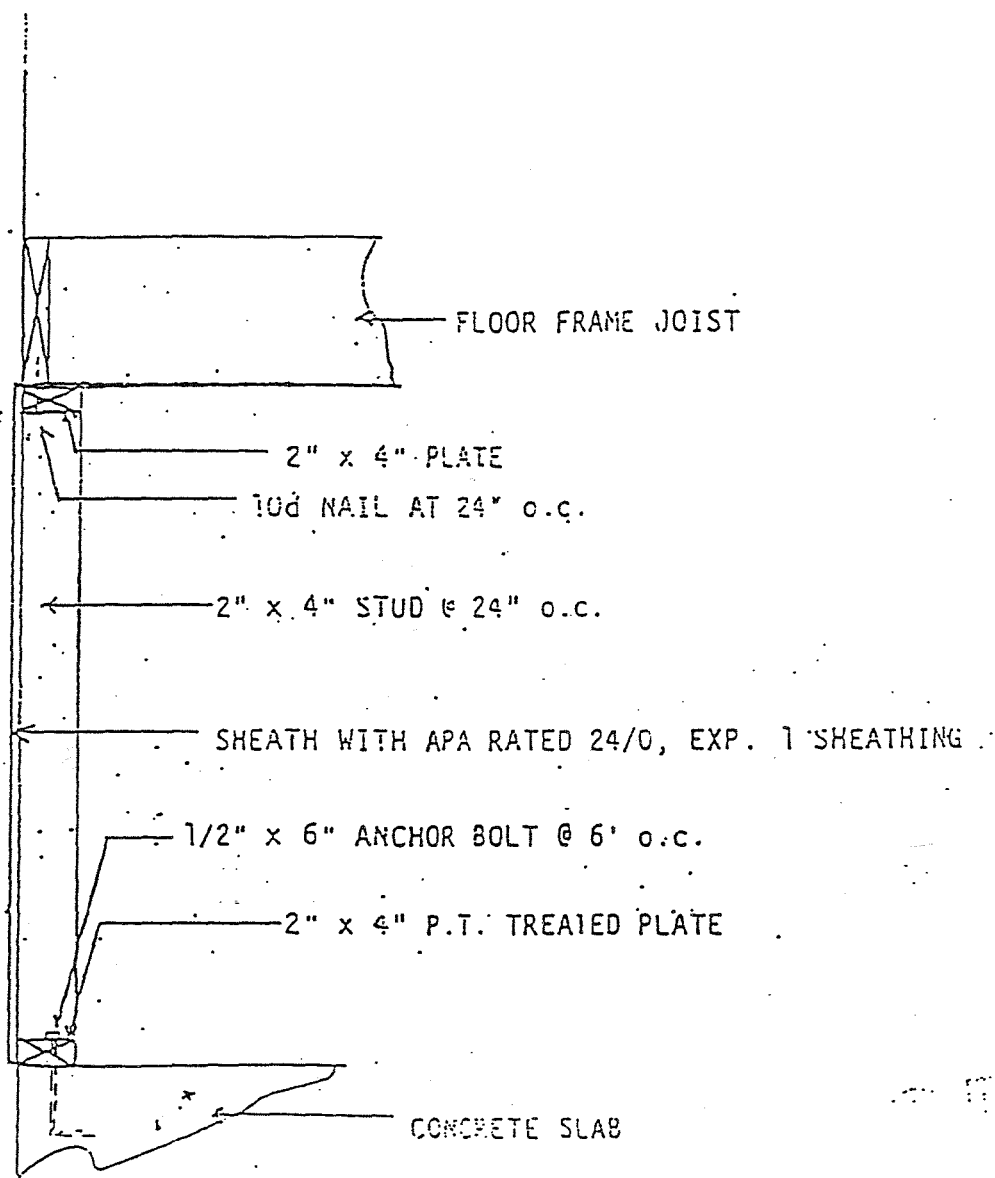
NOTES:

1. This detail applies to homes:
 - A. which are used, and
 - B. for which no manufacturer's installation instructions are available, and
 - C. which have floor frames constructed with 2"x4" or 2"x6" floor joists and
 - D. have not been previously installed in the roof load zone which it will be installed.
2. Support locations are required within 2' of the end of the main frame and at no more than 8' o.c. under the main frame.

LOCATION PLAN

NOTES:

1. This detail applies where perimeter blocking or support is required.
2. Provide venting thru sheathing as required by this standard.
3. Provide an access door to the underside of the home as required by other portions of this standard.
4. P.T. treated lumber shall be treated per AWPA C-2 or C-9 for use above grade.
5. Provide a weather protective covering for the sheathing.



APPENDIX D

APPENDIX D

Ground Level Installation of Manufactured Homes

(Floor at Grade)

D-1 General. Ground level installations refer to manufactured homes installed over an open excavation where the supporting foundations are below finished ground level.

D-1.1 Grading Permit Requirements. All required permits will be obtained.

D-1.2 Retaining Walls. Retaining walls to resist the lateral displacement of soil and other materials should be designed to resist the lateral pressure of the retained material in accordance with accepted engineering practice. Retaining walls, if fastened to the manufactured home at the time of installation, should not degrade the stabilizing system of the home. When a retaining wall is not used as a foundation, it should not be attached to the home. Retaining walls should be constructed of treated foundation grade wood, concrete, masonry, other approved materials or combinations of these materials.

D-1.3 Backfill, Fill and Grading. All fill and backfill soil surrounding the home should be compacted. Grading around the home should be done in such a manner that water will drain from the unit at a slope of 1/2 ft. vertical for every 12 ft. horizontal.

TOWN OF WAYNE

Incorporated February 12, 1798

3 Lovejoy Pond Rd
Wayne, Maine 04284

Telephone: 207-685-4983
Fax: 207-685-3836

Town of Wayne Construction Bid Process Policy

November 24, 2009

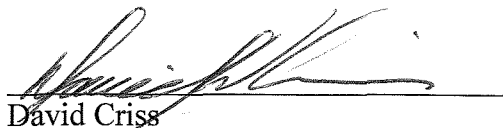
When the Town of Wayne is requesting a quote on a project the Request for Quote (RFQ) will be mailed to all Wayne area relevant contractors listed in attached document. The Town shall advertise in "The Messenger" when requesting proposals and may choose to put an advertisement in the Kennebec Journal or other newspaper requesting bidders to go to the Town's website to get the RFQ. The RFQ shall have a clause stating if the contractor has never done work for the Town of Wayne they must provide the following:

- (3) References of municipalities/business where the contractor has done work.
- Of those three references one must be of a similar job done within the last 12 months.
- Proof of liability insurance (a minimum of \$400,000)

The Town of Wayne shall diligently update the Wayne area construction contractor's list on a six-month basis to ensure capture of all area contractors.


Gary Kenny


Raymond Giglio


David Criss

Lawrence Stewart


Carroll Paradis

Contractors List

CH Stevenson
Attn: Mike Needham
8 Tdos Way
Wayne, Maine 04284
© 754-9695

Wayne Excavators
PO Box 190
Wayne, Maine 04284
© 215-2932

Goucher Construction
50 Lovejoy Pond Rd
Wayne, Maine 04284
(P) 685-4097

Goucher Forest & Excavation
Lee Goucher
99 Kents Hill Rd
Wayne, Maine 04284
(P) 685-3265

Out of Wayne

Scott Lyons Construction
22 Range Way
Manchester, ME 04351-3543
(P) 623-1909
Cushing Construction
32 Roddy Lane
Readfield, ME 04355-3769
(P) 685-7328

Barker Construction LLC
295 Leeds Rd
Livermore Falls, ME 04254
(P) 897-5982

**TOWN OF WAYNE
LOCAL CONTRACTORS FORMAL BID POLICY**

INTRODUCTION: This policy is effective for the Wayne Road Maintenance and Paving Program 98/99. This policy updates a policy adopted by the Board of Selectmen, July 24, 1995.

PURPOSE: The purpose of this policy is to establish the Road Commissioner's operating policies for the Maintenance and Paving programs. This policy does not address funding or prioritization of projects within the Town of Wayne.

RESPONSIBILITIES: The following operating policy, approved by the Wayne Board of Selectmen will be adhered to by the Road Commissioner.

A. Local contractors (residing in Wayne) will be the first level the Road Commissioner contacts to perform normal maintenance on Wayne Roads.

B. The Road Commissioner will negotiate estimates with local contractors to complete maintenance work for the Town. The contractor will be responsible to bring changes to the Road Commissioner before payment.

C. If the level of effort or cost effectiveness of any project exceeds the capability of local contractors, the Road Commissioner reserves the right to negotiate outside of the community.

D. All estimates in excess of \$5,000. for a single project will be reviewed by the Board of Selectmen before they are initiated. All projects estimated to be more than \$15,000 will be put out to bid.

E. All paving of Wayne Town roads will be accomplished through the formal competitive bid process.

F. The Road Commissioner will meet with each contractor to discuss all aspects of the project and will inspect the quality of the work prior to payment.

Stephen Saunders

Mary Farnham

Sally M. Lantz

Russell J. Henry

Wayne Board of Selectmen

Date: 7/6/98

Enacted 10/29/90

TOWN OF WAYNE
SOLID WASTE AND RECYCLING ORDINANCE

ARTICLE I. PURPOSE

The purpose of this ordinance is to protect the health, safety, and general well-being of the citizens of the Town of Wayne; enhance and maintain the quality of the environment, conserve natural resources and prevent water and air pollution by providing a comprehensive, rational and effective means of regulating the disposal of solid waste in the Town in accordance with the provisions of Title 38 MRSA Sec. 1304.

ARTICLE II. DEFINITIONS

2.1 "Board" shall mean the Board of Selectmen.

2.2 "Disposal" shall mean the discharge, deposit, dumping or placing of any solid waste into or on any land.

2.3 "Hazardous Waste" shall mean a waste substance or material in any physical state, designated as hazardous by the Department of Environmental Protection.

2.4 "Infectious Waste" shall include those wastes so defined by the Department of Environmental Protection pursuant to Title 38 MRSA Sec. 1304.

2.5 "Person" shall mean any individual, firm, association, corporation, partnership, organization, institution, commercial hauler, or other legal entity.

2.6 "Town" shall mean the Town of Wayne.

2.7 "Solid Waste" shall mean useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitations, rubbish, garbage, scrap materials, junk, refuse, inert fill material and landscape refuse, but shall not include septage tank sludge, agricultural, hazardous, or infectious waste.

2.8 "Disposal Facility" shall mean any land or structure or combination thereof including dumps, landfills and transfer stations used for storing, salvaging, reducing, incinerating or disposing of solid wastes, which facility is owned, operated, or regulated by the Town of Wayne.

ARTICLE III. SOLID WASTE DISPOSAL

3.1 The dumping or depositing of any solid waste generated within the town by any person shall be at a disposal facility, provided however, a property owner may deposit inert substances such as earth, rocks, concrete, or similar material for fill purposes only, or landscape refuse, all subject to state and local regulations.

3.2 The dumping or depositing of any solid waste generated outside of the Town of Wayne by any person at a disposal facility in the Town of Wayne is prohibited.

3.2 The Board has the discretion to issue rules regulating solid waste disposal and disposal facilities including but not limited to days and hours of operation, fee schedules, dumping sites within disposal facilities, permits, commercial hauling, and disposal condition of certain types of solid waste.

ARTICLE IV. RECYCLING

4.1 Any person authorized to use a town disposal facility is required to separate certain items from their solid waste to be recycled and deliver these recyclables to the disposal facility in a manner regulated by the Board.

4.2 The Board has the authority to issue rules regulating recycling including, but not limited to, what solid waste items shall be recycled, how the items shall be prepared for recycling, the method of collection at the disposal facility, any fee schedules, and regulation of commercial hauling.

ARTICLE V. ENFORCEMENT

5.1 The Board and/or its designee shall enforce this Ordinance and take whatever action is required to enforce it.

5.2 Any person violating any provision of this Ordinance shall be punished by a fine of \$100 for each violation plus enforcement costs incurred by the Town.

7. Recommendation or implementation of investigations or studies of matters, within the scope of the Committee's purpose/responsibilities, pertaining to Solid Waste and Recycling. Recommendation of third-party advisors to conduct said investigation/studies as Committee deems necessary, for Select Boards to consider funding from Transfer Station budget.

Meetings:

1. The Committee shall meet at intervals deemed necessary, not to exceed a three-month interval, to accomplish aforementioned duties/responsibilities.
2. The Committee's chairman, or the Transfer Station Manager, may call additional meetings as necessary.
3. The Committee may form subcommittees for any purpose, within the scope outlined in this charter, the Committee deems appropriate and may delegate to said subcommittees such power/authority as Committee deems necessary.

Following each meeting of the Committee, minutes/reports will be submitted to respective Select Boards. The Transfer Station Manager shall maintain Minutes/Reports from Committee meetings retained with other Transfer Station records.

- Approved by the Readfield Select Board, March 17, 2008.
- Approved by the Wayne Select Board, May 14, 2008.

Solid Waste and Recycling Committee Charter

Purpose and Composition

The Solid Waste and Recycling Committee (hereafter the "Committee") shall be a standing committee composed of the following voting members: one member from each participating Select Board, and at least three community members from participating municipalities; and the following non-voting members: the Transfer Station Manager and participating Town Managers. The Committee shall review and provide input and recommendations to the Transfer Station Manager and participating Select Boards regarding:

1. All Transfer Station operations, including: the Manager's forecasts and plans for the generation, transmission and distribution of recyclables, Municipal Solid Waste (MSW) and other waste materials brought to the Transfer Station; customer service; public education and awareness; advocacy for increased recycling; implementation of guidelines established for site/facility design, operation and storage at the Transfer Station; and hours of operation (year-round and summer only).
2. The Transfer Station's compliance with established policies, procedures and practices pertaining to the protection of the environment and health/safety of employees, contractors and general public; ensuring said are sufficient to achieve and maintain compliance with applicable laws and regulations.
3. Environmental and/or health/safety related issues.
4. Recycling: methods, materials, tracking, advocacy, awareness, and public education.

Committee members shall be independent of the Transfer Station with respect to their business or place of employment, without any direct or perceived conflict of interest (i.e. Transfer Station employees, commercial trash haulers, waste and recycling firms, etc.) Committee members shall be year-round residents of participating municipalities. Committee members shall be appointed to staggered three-year terms with respective Town Managers reserving the right to remove/add members, if necessary, before end of appointed term. The Committee shall designate a chairman, who shall preside over the meetings.

Duties and Responsibilities

Duties and responsibilities of the Committee shall include, but are not limited to, the following:

1. Annual review of the Transfer Station Manager's compliance reports, environmental, health/safety and/or public relations, to ensure reporting sufficient to meet requirements of applicable laws and regulations as well as local policies, procedures and practices.
2. Quarterly review of Transfer Station's goals: environmental, health/safety, budget, infrastructure, etc. compared to actual.
3. Investigation of any areas of Transfer Station operation not meeting goals for recommended corrective action as necessary.
4. Annual, or more often if deemed necessary, review of Transfer Station site layout and physical plant description to ensure optimal efficiency and safety.
5. Annual review of management's proposed budget for Transfer Station operations.
6. Annual self-assessment of this Committee's performance as prescribed by this Charter with findings to be included in participating Town's Annual Reports.

Town of Wayne
TOWN PARKS AND LANDS ORDINANCE

SECTION 1 - PURPOSE

This Ordinance is adopted to promote the general welfare of the citizens of the Town of Wayne, to provide for the public safety, to provide for the protection and maintenance of public property and parks, and to preserve the public peace.

SECTION 2 - JURISDICTION

1. Town parks and Lands covered by this Ordinance are as follows:

a. Veterans Memorail Park:

1. War Memorial Park (Map 12 Lot 18) bounded by the Mill Pond, Route #133, and the property of Richard A. and Eleanor F. Carver.

2. Roderick Memorial Park (Map 12 Lot 11) bounded by the Mill Pond, Back Street, the property of Marylin Foster, and the property of Maria Murphy including the pedestrian access to the foot bridge spanning the Mill Pond.

b. Town Lands bordering the Mill Pond (Map 12 Lot 50) and the Masonic Lodge, (Map 12 Lot 51) including the pedestrian access to the foot bridge spanning the Mill Pond.

c. Town lands of the Ladd Recreation Area on Gott Road (Map 13 Lot 25).

d. Town lands bordering Lovejoy Stream, Lovejoy Pond Road, and North Pond Road. (Map 17 Lot 5 and Map 17 Lot 12).

e. Lands and playing fields surrounding the Wayne Elementary School (Map 9 Lot 93).

f. The Town park land formerly occupied by the Grange Hall (Map 12 Lot 45).

SECTION III - GENERAL REGULATIONS

1. The lands and parks herein described shall be restricted to use by Wayne residents, tenants, guests accompanied by a resident, and property taxpayers only. Use of these areas by anyone other than a resident, tenant, guests accompanied by a resident, or tax payer in the Town of Wayne will constitute trespass in violation of this Ordinance, subject to the exceptions noted in subsection 4.

2. The lands or parks herein described shall be open to residents, tenants, guests accompanied by residents, and taxpayers for their use between the hours of 6:00 a.m. and 9:00 p.m. daily. Use of these areas between the hours of 9:00 p.m. and 6 a.m. will constitute trespass in violation of this Ordinance, subject to the exceptions noted in subsection 4.

3. The following uses are prohibited at all times:

- a. Consumption of alcoholic beverages or scheduled drugs, pursuant to State Law.
- b. Any manner of obstruction of the pedestrian access to the foot bridge spanning the Mill Pond.
- c. Use of the foot bridge spanning the Mill Pond by motor vehicles, motorcycles, or snowmobiles.
- d. Creating a public disturbance by noise or disorderly conduct.

4. Exceptions to Regulations:

- a. Activities or functions sponsored by or approved by the Municipal Officers may be exempt from Subsection 1 or 2 of the General Regulations by vote of the Municipal Officers.
- b. All uses of the facilities and lands of the Ladd Recreation Center shall be governed by the Ladd Recreation Committee.
- c. All uses of the facilities and the lands of the Wayne Elementary School shall be governed by the Wayne School Committee.
- d. Pedestrian use of the foot bridge spanning the Mill Pond is permitted at any time for travel between Route #133 and Back Street

SECTION IV - PENALTY

Violation of this Ordinance shall be subject to a fine of not less than \$25.00 nor more than \$100.00

SECTION V - SEPARABILITY

The invalidity of any provision of the Ordinance shall not affect the validity of any other provision.

SECTION VI - EFFECTIVE DATE

This Ordinance shall take effect upon its passage.

SUBDIVISION REGULATIONS
TOWN OF WAYNE

Adopted 1/17/87

SECTION A - AUTHORITY

1. This ordinance is adopted pursuant to the provisions of Section 4956, Title 30 of the Revised Statutes of Maine, as amended.

SECTION B - TITLE

1. This ordinance shall be known and cited as the "Subdivision Regulations of the Town of Wayne."

SECTION C - PURPOSE

1. The purpose of this ordinance shall be to promote the general health and welfare of the Town of Wayne; to assure, in general, development of areas in harmony with the Comprehensive Plan of the community; to assure proper arrangement and coordination of streets and ways within a subdivision in relation to other or planned streets and utilities by the subdivider; to prevent unsound or unsafe development of land by reason of the lack of water supply, drainage, sewage disposal, transportation or other public services, and to promote the amenities of the town through provisions for parks, playgrounds, and other recreation areas, preservation of trees and natural features in the Town of Wayne.

SECTION D - DEFINITIONS

1. For the purpose of this ordinance, certain terms used herein are defined as follows:

Subdivision shall mean the division of a tract or parcel of land in a manner defined by Title 30, Section 4956, MRSA, Paragraph 1, Titled "Land Subdivisions," as amended.

Street shall mean and include any street, avenue, boulevard, road, alley and any other right of way, excluding driveways serving not more than one lot, constructed within the boundaries of a subdivision to serve interior lots and connecting them to an access road or public way.

Access Road shall mean any public easement, private road, or private right of way connecting a subdivision to a public way.

Reserve Strip shall mean and include any area for which future public use is intended for street connections or for pedestrian ways.

Re-subdivision shall mean the relocation of any street or lot line in a subdivision, or a change in restrictive covenants or agreements required for Final Approval, at any time after the approval of a Final Plan has been granted by the Planning Board.

SECTION E - JURISDICTION

1. This ordinance shall pertain to all land within the boundaries of the Town of Wayne.
2. This ordinance shall be in effect from the time of its adoption by the vote of a majority of the voters present and voting at a Town Meeting and repeals and supercedes the Subdivision Regulations of the Town of Wayne, Maine, adopted March 13, 1971 with subsequent amendments.
3. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance, regulation, code or covenant in effect in the Town of Wayne the provision which imposes the higher standard or is more restrictive shall apply.
4. The invalidity of any section, sub-section, paragraph, sentence, clause, phrase, or word of this ordinance shall not be held to invalidate any other section, sub-section, paragraph, sentence, clause, phrase or word of this ordinance.

SECTION F - ADMINISTRATIVE REGULATIONS

1. The Planning Board of the Town of Wayne, hereinafter called the Board, shall administer this ordinance and is the approval authority.
2. Whenever any subdivision or re-subdivision is proposed or before any contract for the sale of or offer to sell such subdivision or resubdivision or any part thereof shall have been negotiated and before any permit for the erection of a structure shall be granted, the subdividing owner or his agent shall obtain final approval of such subdivision or re-subdivision from the Board.
3. No transfer of ownership shall be made of any land in a proposed subdivision or re-subdivision until a Final Plan of such subdivision or re-subdivision has been approved by the Board nor until a duly approved copy of such Final Plan has been filed with the Planning Board and recorded by the County Register of Deeds.
4. The Register of Deeds shall not record any plan of a proposed subdivision or re-subdivision until it has been approved by the Board and approval is attested by the signatures of a majority of the members of the Board on the original tracing of the Final Plan of such subdivision or re-subdivision.
5. Application Fees - A minimum fee shall be charged for processing subdivision or re-subdivision applications as follows: \$30.00 per application for a 3 lot subdivision; \$40 per application for a 4-10 lot subdivision; \$40 plus an additional \$10 for each lot over 10 for a subdivision of more than 10 lots; payable to the Town of Wayne upon application or resubmission of an application to the Planning Board. Fees for re-subdivision shall be based on the number of new lots proposed in the re-subdivision. The Planning Board may establish a schedule of fees greater than this minimum for subdivision applications.

SECTION G - PENALTIES

In addition to any penalties that may be imposed under Title 30, MRSA, Sections 4956 and 4966, or amendments thereto, or any other state law, any person who conveys or agrees to convey any land by reference to a plan which has not been approved as required by this ordinance and recorded by the proper Register of Deeds, shall be punished by a fine or not more than \$200 for each lot conveyed or agreed to be conveyed, except that nothing herein contained shall be deemed to bar any legal or equitable action to restrain or enjoin any act in violation of these regulations.

SECTION H - APPLICATION PROCEDURES & PRELIMINARY PLAN

1. The Planning Board is authorized and directed to develop an application form which requires the submission of information and plans which it deems necessary in order to adequately review an application under the terms of the Wayne Zoning Ordinance, these regulations, and other applicable State or Local ordinances and/or regulations.

2. The Applicant shall:

a. Submit a written application, the form and substance of which having been adopted by the Planning Board, to the Board at a regular meeting.

The written application shall be accompanied by:

1. A Preliminary Plan, which plan shall be at a scale of not less than 100'=1", and other plans and documents as specified by the application form.

2. A copy of the USGS Topographical Map or a Town of Wayne Map, with the area outlined of the proposed subdivision, and has contour lines indicated at a contour interval of 10 feet.

3. A supplementary map showing the relationship of the parcel to be subdivided to abutting properties, and public ways, or access roads at a scale of not less than 500'=1".

b. Pending Application: An application for subdivision review shall be considered "pending" upon its submission at a regular meeting of the Planning Board, provided that the application form itself is fully filled in with the complete information required and is accompanied by the plans, documents, and maps required by the application form and these regulations; and after an on-site inspection has been made.

3. The Board shall:

a. Within 30 days of receipt of a fully filled-in application and the documents required by the application form, schedule an on-site inspection. An on-site inspection by the Board is required to consider an application complete. The on-site inspection must be held at a time when the land is not covered by snow, or at any time that the Board cannot readily observe lot boundaries, location of soils test areas, character of the land, and/or other physical features of the parcel. If such conditions exist to prevent an adequate inspection in the opinion of the Board, the applicant shall be notified in writing and any time limits imposed by these regulations for review shall be extended accordingly until an on-site inspection can be made.

b. At its next regular meeting following the on-site inspection, the Board shall determine and so notify the applicant in writing of any additional information, documentation, plans, or reports of consultants it may require to consider the application complete. For subdivisions of greater than 10 lots and/or those requiring access road construction, the Board may require additional plans drawn at different scales than 100'=1" to adequately visualize and review the proposed subdivision. If no additional information, documents, and/or plans are required, the Board shall determine the completeness of the application at this meeting.

c. Consultation with Other Agencies Required: When deemed necessary to adequately review the application, the Board may consult, at any time in the review process, 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 such fields. Consultation from sources without fee shall be employed first, if available. If not, any fees incurred for such consultation shall be the responsibility of the applicant who will be notified by the Board of the estimated costs of the consultation in advance. The amount of said fees shall be paid by the applicant before preliminary approval is granted, and time limits for review and approval extended accordingly, until such reports are obtained.

d. A complete application shall be one which contains all of the information, documents, plans, proposed detail of restrictive covenants, and/or proposed forms of maintenance agreements for roads, streets, and common areas, as required by the application form or the Board. The Board shall formally determine an application complete at a regular meeting, and so notify the applicant in writing.

e. Within 30 days of determination that an application is complete, the Board may hold, at its discretion, a public hearing. Notice of said hearing shall be published at least seven (7) days prior to the hearing date.

f. Within 30 days of a public hearing, or within 60 days of determination of a complete application, if no hearing is held, or within some other time limit as is mutually agreed upon between the applicant and the Board, The Board shall issue an order of findings and fact either granting, granting with conditions, or denying preliminary approval based upon its review of the application under the following review standards.

SECTION I - REVIEW STANDARDS

1. Each complete application will be reviewed as follows:

a. General: The Board shall consider each complete application under the following standards, and shall grant preliminary approval, or preliminary approval with conditions, any complete application if it makes a positive finding that the proposed subdivision meets each of the standards of review. The applicant shall have burden of proof that the proposal meets each standard. The Board may attach such conditions, as it finds necessary, to make a positive finding that:

b. Standards of Review:

The proposed subdivision:

1. Will not result in degradation of land or water as evidenced by:

- a. Compliance with the Town of Wayne Floodplain Management Ordinance, adopted June 24, 1987, and any subsequent amendments;
- b. The nature of the soils and subsoils are able to absorb water preventing runoff into and/or phosphorus loading of ponds, lakes, streams, or rivers; and has incorporated all natural and constructed drainways and their easements so that no flooding occurs, and storm water can be adequately disposed of;
- c. The degree of slope of the land will not prevent adequate erosion control measures and no part of the proposed use will cause soil erosion or sedimentation of surface waters;
- d. Will not have an adverse effect on existing potable water supplies serving the subdivision or abutting properties;
- e. Will not adversely affect significant ground water aquifers as defined in Section 482 of the Site Location of Development Act of the State of Maine as amended;
- f. Will not adversely affect, and will not incorporate in any lot to meet minimum lot size or calculate residential density, land areas designated as resource protection areas by Article VI (Page 16) of the Wayne Zoning Ordinance; and will designate such areas as open space with no structural development allowed; and further designate as open space, a buffer strip of 100 feet in width, around the perimeter of such areas;
- g. Will not incorporate in any lot, land which must be filled or drained because of the water table being at or within six inches of the surface at any time in order to meet minimum lot size;
- h. Will provide for adequate waste water disposal according to the State Plumbing Code;
- i. Will preserve and maintain natural features such as trees, watercourses, and scenic assets in the layout of lots, roads, open space and common areas;

2. Has adequate water supply for fire protection within comparative community standards for the location of the subdivision. Dry hydrants shall be installed, where water sources permit, according to specification of the Wayne Fire Department. Adequate easements shall be granted to the Town for their access by fire equipment and for maintenance.

3. Will not cause or aggravate highway, access road, street, or public road congestion or unsafe conditions with regard to their use;

4. Will provide for the year round maintenance of streets and access roads until such time as said streets and access roads may be accepted by the Town for such maintenance;
5. Will adequately provide for the cleanliness and maintenance of all common areas; and if such areas are permitted and within the Shoreland Zone, comply with the common shoreland access provisions of Article V, Section G, ss.6 (Page 15), of the Wayne Zoning Ordinance;
6. Is in conformance with all duly adopted local subdivision regulations, zoning ordinances, road ordinances, building ordinances, or other applicable ordinance or code, and applicable State laws and regulations;
7. Will construct all streets and roads according to the provisions of the Town of Wayne Road Ordinance, adopted May 25, 1982 and any subsequent amendments, or to standards permitted in these regulations;
8. Is in conformance with the Multiple Dwelling Unit Development provisions of the Wayne Zoning Ordinance, Article IX, Section K. (Page 24).

SECTION J - STREETS & ACCESS ROADS

1. All streets in any subdivision shall be constructed in accordance with the Town of Wayne Road Ordinance, adopted May 25, 1982 and any subsequent amendments, and meet all the minimum specifications of that ordinance, except:

a. The applicant may apply to the Board in writing, as a part of the application, for a waiver of provisions of the Road Ordinance. Said request for waiver shall include:

1. Reasons for the request.
2. Specifications of street construction proposed.

b. The Board may approve such a request with respect to width of travel ways, width of rights-of-way, and type of surface only. It may approve a request based on special circumstances relating to existing conditions in the location of the subdivision and not the action of the applicant. Any approval of such a request shall not diminish safe access to the subdivision as measured by other criteria.

2. Access Roads: The Board may require the applicant to reconstruct and/or improve access roads, as necessary, for adequate access to the subdivision, and participate until all lots are sold, along with owners of subdivision lots, in maintenance of said access roads. It shall be the responsibility of the applicant to make such agreements as necessary, which are fair and equitable, with the abutters of an access road, which abutters are not included in the subdivision, and which abutters are part of a shared maintenance agreement of any form of the access road. Proposed details of road maintenance agreements shall be submitted as a part of the application.

3. Town Acceptance of Streets and Access Roads: Acceptance by the Town of subdivision streets and roads, as town roads, is dependent upon a majority vote of the voters present at a legally called town meeting. Recommendation for acceptance or non-acceptance shall be made by the Planning Board at such meeting based on the provisions of the Town of Wayne Road Ordinance.

SECTION K - FINAL PLAN

1. A request for final approval of a subdivision shall be accompanied by a Final Plan of such subdivision legibly and clearly drawn in ink at a scale of one hundred (100) feet to the inch (100'=1") or at some other scale required by the Board; three (3) on stable base translucent material suitable for reproduction and two dark line copies. Size of sheets shall not measure more than two feet by three feet (2' X 3'), or as required by the Board.

The Final Plan shall show:

- a. All changes required by the Board for preliminary approval.
- b. The name of the subdivision, location and boundaries of the land to be subdivided, scale, north arrow, name and address of the owner of record, subdivider, and designer.
- c. Street lines, lot lines, rights-of-way, reservations for public purposes, and drainage easements.
- d. Dimensions in feet and decimals of feet. Acreage of each lot.
- e. Lot numbers and lot letters in accordance with the prevailing policy on existing tax maps.
- f. Prominent reference monuments on all street corners and angles and street lines where, in the opinion of the Board, such monuments are necessary to properly determine the location on the ground.
- g. Designation of the location, size and dimension, landscaping and planting of all parks, esplanades, common areas, buffer strips, and/or open spaces as required by the Board for preliminary approval.
- h. The seal and certification by a registered land surveyor in the State of Maine, attesting that such Final Plan is substantially correct per the standards of the State Board of Registration for Land Surveyors, Title 32, Chapter 24, M.R.S.A., as amended.
- i. An area for signatures of the Wayne Planning Board indicating approval of the Plan and the date.
- j. An area to indicate the presence of and reference to any conditions of approval.

2. A request for Final Approval shall be accompanied by typewritten document(s) in four (4) copies, referencing the plan and detailing any conditions of approval of the plan, the restrictive covenants to be included in deeds, copies of articles of incorporation or formation of lot owners associations, road maintenance and common area agreements, or any other document relating to conditions of approval of the plan. Space shall be provided for signatures of the members of the Planning Board. One copy shall be delivered by the subdivider to the Registry of Deeds and shall be recorded along with the Final Plan. Two (2) copies shall be retained by the Board, and one (1) returned to the applicant.

3. A request for Final Approval shall be accompanied by three (3) copies of the preliminarily approved road plan for streets and access roads, which plan shall show the information and be in the form required by the Town of Wayne Road Ordinance, Section 2, ss. B and C.

4. Performance Bonds: The subdivider shall file with the Board at the time of submission of the Final Plan, a bond in the amount sufficient to cover the cost of the construction of streets and access roads, and other required improvements. The Bond shall be approved as to form and surety by the Town's attorney, and conditioned upon the completion of such streets and access roads, and other improvements within two years of the date of such bond.

a. Waiver: The Board may waive the requirements to post a performance bond upon presentation by the Applicant of financial statements and supporting documents which clearly, in the judgement of the Board, indicate financial capability and may grant conditional final approval, providing that no lots be sold until specified streets and access roads and required improvements are satisfactorily constructed according to the approved plan. A release of these conditions shall be executed and delivered to the subdivider following satisfactory completion of the specified streets and access roads and other required improvements. An inspection by the Planning Board or its agent is required before releasing the conditions. Any fees required for such inspection shall be paid by the applicant before release of the conditions.

5. Time Limit of Approval of the Final Plan:

a. Upon submission of a request for approval of the Final Plan, which request shall be made at a regular meeting of the Board, and which request shall include the required documents and plans as above, the Board may have thirty (30) days, or some other mutually agreed upon time, in which to grant, conditionally grant, or deny approval. The Board shall not withhold final or conditional approval if all the conditions of the preliminary approval have been met, and the request for final approval or conditional final approval meets the requirements herein.

b. The approval of the Final Plan shall be attested on three copies suitable for reproduction. One shall be retained by the Board, one shall be delivered by the subdivider to the County Registry of Deeds, and one shall be returned to the subdivider.

c. The Board may approve upon request final approval of a section of an entire subdivision, which entire subdivision has been previously granted preliminary approval, which section contains the improved streets and access roads. The Board may approve only that portion so improved as shown on the Final Plan.

SECTION M - AMENDMENT

1. This ordinance may be amended by a majority of the legal voters present and voting at a Town Meeting. The Planning Board shall have at least two (2) months to review any proposed amendment prior to the calling of a Town Meeting to amend the Ordinance and shall make its recommendations at such Town Meeting. Amendments submitted by petition or voted on by referendum shall proceed under the requirements of law for such petitions or referendums.

Landscaping of Town Properties Policy

- (1) The Select Board will first approve any landscaping or planting of town properties. The Select Board will review all proposed plantings (trees, shrubs, flowers, vines and ground covers) and a plan of any proposed structures such as benches, flag poles, walkways, etc. The Select Board will consult with the Conservation Commission to determine whether any of the proposed plants are considered currently invasive, potentially or probably invasive, or highly likely to be invasive according to the Maine Department of Conservation Natural Areas Program List of Invasive Plants Species of Maine, and other sources that the Commission considers authoritative. Any plant not approved by the Conservation Commission will not be planted on town property.
- (2) The Conservation Commission will assess the presence of invasive plants on town properties and to propose plans for management and control of such plants. The Conservation Commission will produce an interim report not later than the end of summer 2008 and annually thereafter.

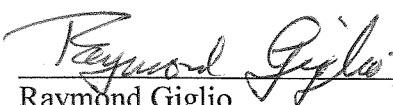
Given under our hands this 15th day of April, 2008.



Gary Kenny




Carroll Paradis



Raymond Giglio



Stephanie Haines



David Criss

Wayne Select Board

Policy Regarding Use of the Town Attorney

I. Purpose

- a. The purpose of this policy is to clarify the proper procedure to engage and authorize the services of the Wayne Town Attorney, and to establish budgetary controls for such use.
- b. This policy applies to all officials (elected or appointed) of the Town of Wayne appointed by the Board of Selectmen as well as the elected Board of Assessors and the Selectmen collectively and/or individually.

II. Authority

- a. The Selectmen are the duly authorized, elected and sworn municipal officers of the Town of Wayne and hereby are responsible for making policy regarding day to day operations of the town. The Selectmen are also responsible for appointing and supervising numerous individuals to various boards, Committees and municipal jobs within the Town of Wayne.

III. Standards

- a. The Board of Selectmen, appointees, and other officials seeking legal advice relating to business of the town shall utilize Maine Municipal Association's legal services prior to consulting the Town attorney. Should there be a significant time delay (more than 24 hours) in a MMA resource the Chairman of the Board or the Town Manager may consult the Town Attorney, after appropriate consultation.
- b. The use of the Town Attorney is only for issues that arise during the conduct of municipal business where a legal opinion is required in order to proceed, decide, or adjudicate matters. The following boards or their designee have permission for initial consultation with the Town Attorney only after Maine Municipal Association's legal services has been contacted and consulting the Town Manager:
 - i. Planning Board
 - ii. Board of Appeals
 - iii. Board of Assessors
- c. The following personnel have permission to initially consult with the Town Attorney prior to approval by the Board of Selectmen:
 - i. Town Manager
 - ii. Code Enforcement Officer
- d. Following initial consultation with the Town Attorney pursuant to paragraphs b. and c. above, the person contacting the Town Attorney shall notify (in writing) the Board of Selectmen through the Town Manager indicating the date and the nature of the matter for

which the consultation was made. The Selectmen shall decide at their next regular meeting whether further consultation shall be authorized for the affected board/position. Should the situation warrant emergency action in which waiting for a regular Selectmen's meeting to occur is impossible, the Chair of the Board of Selectmen shall be notified immediately, and the Selectmen shall hold a special meeting at their earliest practical convenience. The Chair of the Board of Selectmen shall have the right to grant emergency further consultation privileges, and so inform the Town Manager.

- e. Other boards, committees, and staff appointees shall not consult the Town Attorney without an express vote of the Board of Selectmen.
- f. When contacting the Town Attorney, the appointed/elected official shall identify their capacity with the town, the issue upon which they seek advice, and clarify what party the Town Attorney is expected to represent in the matter. Ideally, initial consultations shall be in written as well as oral form.
- g. The Town Treasurer will supply a written report of attorney's fees paid during the current fiscal year every six months.

IV. **Validity & Severability**

- a. Should any section of this policy be declared illegal or unenforceable, it shall not invalidate any other section of this policy.

V. **Definitions**

- a. **Town Attorney** – The Attorney so designated in the personnel list by the Board of Selectmen. At the time of initial adoption of this policy, the Town Attorney is Lee Bragg of the firm of Bernstein Shur of Augusta. The designation of the Town Attorney may change from time to time, but the designation of town attorney shall continue until the Board of Selectmen decides otherwise.
- b. **Consultation** – A consultation includes, but is not limited to, contact by telephone, facsimile, or e-mail between an appointed/elected official and the Town Attorney. Initial consultation shall be limited to identification of the issue, identification of the appointed/elected official, clarification of what entity the Town Attorney is representing, and, if practical, an initial response to the query posed by the appointed/elected official by the town attorney.
- c. **Municipal Matters**- A municipal matter is one that an elected/appointed official has the authority to deal with. For example, the Code Enforcement Officer could consult with the town attorney for a matter related to a zoning violator. That same CEO could not consult with the Town Attorney on a dispute with his neighbor on a potential code enforcement violation.
- d. **Emergency** – An emergency matter is one which, through inaction, could result in a threat to public safety, public or private property, or could jeopardize the legal standing of the Town of Wayne. Such emergencies include, but are not limited to: dangerous health situations, filings of lawsuits against the town, execution of

administrative search warrants, matters dealing with dangerous animals, and matters dealing with unsafe building or road conditions.

VI. Signature

Adopted on this day 22 November, 2011



Gary Kenny, Chairman


David Criss, Vice Chairman



Carroll Paradis, Member



Ray Giglio, Member



Lawrence Stewart, Member

Attested by 

Cathy A Cook

Town of Wayne
Consumer Fireworks Ordinance

ARTICLE I **Purpose.**

The purpose of this Ordinance is to prohibit the sale and use of consumer fireworks to ensure the safety of the residents and property owners of the Town of Wayne and of the general public.

ARTICLE II **Title and Authority.**

This Ordinance shall be known as the "Town of Wayne Consumer Fireworks Ordinance." This Ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and 30-A M.R.S. § 3001, and the provisions of P.L. 2011, ch. 416, § 5 (effective Jan. 1, 2012), *codified at* 8 M.R.S. § 223-A.

ARTICLE III **Definitions.**

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Consumer Fireworks – "Consumer fireworks" has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products:

- (1) Missile-type rockets, as defined by the State Fire Marshal by rule;
- (2) Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and
- (3) Sky rockets and bottle rockets. For purposes of this definition, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

ARTICLE IV **Sale of Consumer Fireworks Prohibited.**

No person or group of persons shall sell, or offer for sale, consumer fireworks within the Town of Wayne.

ARTICLE V Use of Consumer Fireworks Prohibited.

No person or group of persons shall use, display, fire or cause to be exploded consumer fireworks within the Town of Wayne.

ARTICLE VI Violation and Enforcement.

- A. PENALTY FOR VIOLATION:** Any person who violates the provisions of this Ordinance shall commit a civil violation punishable by a penalty of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Five Hundred Dollars (\$2,500.00) for each offense, plus attorneys fees and costs, to be recovered by the Town of Wayne for its use. Each day such violation occurs or continues to occur shall constitute a separate violation.
- B. ENFORCEMENT:** This Ordinance shall be enforced by any duly appointed agent of the Town.
- C. INJUNCTION:** In addition to any other remedies available at law or equity, the Town of Wayne, acting through its Town Manager, may apply to any court of competent jurisdiction to enjoin any planned, anticipated, or threatened violation of the Ordinance and to prohibit further and continued violation thereof.
- D. SEIZURE & DISPOSAL OF CONSUMER FIREWORKS:** The Town may seize consumer fireworks that the Town has probable cause to believe are used or sold in violation of this Ordinance and shall forfeit seized consumer fireworks to the State for disposal.
- E. EXCEPTIONS.** This section does not apply to a person issued a fireworks display permit by the Town of Wayne and/or by the State of Maine pursuant to 8 M.R.S. §§ 227-A to 237.

ARTICLE VII Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

ARTICLE VIII Effective Date.

This Ordinance shall take effect and be in force from the time of its adoption by the voters of the Town of Wayne at Town Meeting.

Request for Vitals Policy

Background:

MMA has strongly suggested that a policy be in effect for requests for vital records and a search fee of \$3.00 be implemented if the record requires research. The fee would apply for records not readily available in the town office. A written request form should be filled out for every request received, be date stamped, and initialed by the clerk or deputy clerk waiting on the customer.

Most records are public information. There are exceptions, however.

Town of Wayne Vital Records Policy

A request form must be completed for each request for a vital record, whether a certified copy or photocopy. A **\$3.00 search fee** will be charged for records requiring research, whether a copy is found or not. This fee includes a photocopy labeled “not for legal purposes” if a record is found.

The first hour of research is **FREE** by State Law. Additional hours will be billed at **\$10.00/hr.**

Certified copies **\$15.00**

Additional copies of the same record are **\$6.00 per copy.**

**TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY**

Be it hereby ordained that the Town of Wayne adopts the following Financial Management and Investment policies as described herein:

SECTION I	FINANCIAL MANAGEMENT	Page 2
SECTION II	TAX COLLECTIONS, LIENS, & FORECLOSURES	Page 6
SECTION III	INVESTMENT POLICY	Page 7
SECTION IV	FIXED ASSET POLICY	Page 11
SECTION V	FUND BALANCE	Page 13
SECTION VI	COMPUTER SYSTEM CONTROL.	Page 15

**TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY**

SECTION 1. FINANCIAL MANAGEMENT

I. Accounting System

- A. The Town of Wayne has adopted the double-entry bookkeeping system. Every payment (debit) will have a second entry as a credit item, and records are maintained on TRIO governmental accounting and payroll software.
- B. Each department head will be required to review any invoices they incurred and to sign off on them that the work or item was satisfactorily received before any payment, or portion thereof, is made.
- C. The Town Manager will review and approved all invoices for payment prior to their processing by the Treasurer or Bookkeeper.
- D. All payroll checks shall be void if not cashed within 60 days of the date of issue.
- E. Each employee accessing the Town's accounting system (TRIO) shall be assigned a password and must access accounting system using password. This password must be kept secure and shall not be shared with anyone.

II. Transactions at the Counter

- A. All transactions are entered into the Town computer system. The purpose of this is to track the revenues and to provide a receipt to the person conducting the transaction.
- B. Unless approved by the Town Manager, two-party checks will not be accepted for any transaction.
- C. Post-dated checks will not be accepted.
- D. Funds (checks only) may be left by a customer in advance of the transaction. If payments are left in advance of a transaction, such as in a night deposit box, the transaction is recorded by the Deputy or Assistant as soon as the check is retrieved. A receipt is printed and mailed to all customers who leave payments in advance of a transaction.
- E. There shall be a \$25 charge for all checks returned to the Town for non-sufficient funds. (See Protested Check Policy).

TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY

- F. Staff will attempt to limit the amount of cash in the drawer to no more than \$500 throughout the work day. Cash in excess of \$500 will be placed in a bank bag and taken to the vault and locked.
- G. Credit and debit cards will only be accepted for online payments.

III. Daily Cash-up Procedures

- A. At the end of each day, the appropriate balance shall be left for the cash drawer. The amount in the drawer shall be \$75. Each teller "Clerk/ Collector" will have a separate cash drawer; at no time should a "Clerk/ Collector" commingle cash drawers. Each cash drawer should be lock-up every night in the vault.
- B. The Treasurer and/or Bookkeeper shall maintain in an appropriate location all receipts for deposits. The Clerk/ Collector shall post and maintain the daily audit paperwork/reports.

IV. Proofing of Previous Day's Work

- A. When adequate staff are available at work, staff not involved with the previous day's cash-up will review the previous day's work to ensure that all work was done properly and that the correct funds were collected. The staff performing the proofing shall initial each category of work checked.
- B. A total of receipts shall be compared to the daily audit reports to determine if the day's work is in balance. If the work does not match the reports, activities will be examined to identify the discrepancy.
- C. Any work found to be deficient should be forwarded to the clerk responsible for the transaction for corrective action.

V. Deposits

- A. It shall be the normal procedure to make a deposit of receipts at least twice per week.
- B. All deposits for a day's activity shall be accounted for on an individual deposit slip.
- C. If there is a discrepancy identified in the deposit while at the bank, the entire deposit shall be returned to the Town Office for reconciliation.
- D. At least once a year, a Selectman shall review a week of bank deposit activity by

TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY

comparing daily cash-up sheets to deposit slips and then to bank statements to insure timely deposits and that deposits are intact. This will determine that the Town's policy is being followed.

VI. Front Counter Procedures

- A. The Town Clerk and/ or Tax Collector shall alternate waiting on customers at the front counter.
- B. Customers will be attended to as soon as they enter the building to avoid customer line-ups.
- C. Town employees shall represent the Town of Wayne in a professional manner.
- D. If a customer is irate and cannot be calmed or satisfied by front office personnel, he/she shall be referred to the Town Manager.

VIII. Cash Reconciliation

- A. The Bookkeeper is required to make a monthly reconciliation of all accounts with the bank statement. Each month's reconciliation will be reviewed and signed off by the Treasurer and Town Manager to ensure proper accounting and bank balance.
- B. Each month, the Treasurer shall prepare a monthly Cash Reconciliation statement and a monthly Financial Report of all financial activity for the previous month. The reports shall be presented to the Town Manager and Board of Selectmen no later than the 15th of each month.

**TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY**

SECTION 2. TAX COLLECTION, LIENS AND FORECLOSURES

I. Tax Payment

- A. Taxes shall be posted against the oldest year owed on any account unless otherwise approved by the Town Manager.
- B. Multiple distribution payments will be verified in advance of data entry to ensure that the payments reflect the amount owed.
- C. Partial payments are accepted.
- D. Payments in advance of commitment are accepted.
- E. Payments by credit card or other electronic manner are not accepted.
- F. Request for information from mortgage holders or real estate agents shall be handled by the Assessors' Agent or Tax Collector.

II. Liens

- A. Approximately 12 months after tax bills are mailed, a 30-day notice will be sent to property owners who have a balance on their taxes.
- B. Only cash or bank checks will be acceptable payment the seven (7) days before liens are mailed.
- C. The seven (7) days prior to foreclosures coming due, only cash or bank checks will be accepted.

**III. Tax Foreclosure – Tax-Acquired Property
(See Ordinance Regarding Tax Acquired Property)**

**TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY**

SECTION 3. INVESTMENT POLICY

I. Policy

It is the policy of the Town of Wayne to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Town and conforming to all state and local statutes governing investment of public funds.

II. Scope

This investment policy applies to all financial assets of the Town of Wayne. These funds are accounted for in the Town of Wayne Annual Financial Report and include:

General Fund
Ladd Recreation Operations Fund
Special Revenue Fund
Capital Reserve Fund
Trust Fund

III. Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

IV. Objective

The primary objectives of the Town of Wayne’s investment activities shall be:

- A. Safety. Safety of principal is the foremost objective of the investment program. Investments of the Town of Wayne shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

TOWN OF WAYNE FINANCIAL MANAGEMENT & INVESTMENT POLICY

To attain this objective, *diversification* is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

- B. Liquidity. The Town of Wayne's investment portfolio will remain sufficiently liquid to enable the Town to meet all operating requirements, which might be reasonably anticipated.
- C. Return on Investments. The Town of Wayne's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the Town's investment risk constraints and the cash flow characteristics of the portfolio.

V. Delegation of Authority

Authority to manage the Town of Wayne's investment program is derived from State Statute. Management responsibility for the investment program is hereby delegated to the Town Manager in conjunction with the Town Treasurer who shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

VI. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions and investment officials shall disclose to the Board of Selectmen any material financial interests in financial institutions that conduct business within their jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Town of Wayne.

VII. Authorized Financial Institutions

The Town Manager shall deal with well-established financial institutions (banks, credit unions) or other recognized investment services. If the Town Manager desires, she should request a certified audit from any financial institution the Town of Wayne invests in.

VIII. Authorized & Suitable Investments

The Wayne Board of Selectmen desires that special care be taken to ensure that instruments of investment include only those allowed by law and that they approve of the Town Manager's investments. Items such as, but not limited to the following, are acceptable instruments of investment: CDs, repurchase agreements, bank savings accounts, U.S. Treasury securities, or investment accounts.

TOWN OF WAYNE FINANCIAL MANAGEMENT & INVESTMENT POLICY

All of the funds in the custody of the Town of Wayne must be fully insured in Category 1 investments, either through FDIC insurance, perfected sureties or collateralization. When using collateralization as a method for securing Town monies, the Town of Wayne will not engage in any measure less than perfected securities (bank securities and bonds to be held by a third party, in the Town's name, to be turned over to the Town in the event of a bank failure.)

IX. Investment Program Management

The Town of Wayne hereby adopts a policy using Cash Flow Analysis as a basis for measuring the term of investments. The Town seeks to allow maximum flexibility and liquidity while still obtaining favorable yields.

The Town Manager shall prepare an annual Cash Flow Analysis on or before July 1 or each year for the fiscal year of the Town which commences on July 1 and ends on June 30. The annual Cash Flow Analysis shall be presented to the members of the Board of Selectmen for their information, comments, and approval. The Town Manager shall, unless the requirement is waived by a majority of the members of the Board of Selectmen, update the Cash flow Analysis no less frequently than on a calendar quarterly basis. The quarterly update of the Cash Flow Analysis shall be updated and presented to the members of the Board of Selectmen for their information within thirty (30) days of the close of each calendar quarter.

X. Safekeeping and Custody

All investment transactions entered into by the Town Manager for the Town of Wayne shall be held in safe keeping and in certain instances based on the type of investment held by a third party designated by the Town Manager. The Town of Wayne will diversify its investments by security type and institution. With the exception of U.S. Treasury securities and authorized pools, no more than 50% of the Town's total investment portfolio will be invested in a single security type or with a single financial institution.

XI. Maximum Maturities

To the extent possible, the Town of Wayne will attempt to match its investments with anticipated cash flow requirements. Reserve funds or capital project funds may be invested in various securities for deferring time frames such that investments are made to coincide as nearly as practicable with the expected use of funds.

TOWN OF WAYNE FINANCIAL MANAGEMENT & INVESTMENT POLICY

XII. Redemption

Upon maturity of investment instruments, or as required by the town to meet its cash flow requirements, the Town Manager, or in her/his absence, the Treasurer, shall redeem the investment securities so the proceeds of such investments shall be applied to the purpose for which the monies were originally designated or shall be placed in the Town Treasury. All monies from the redemption of investment instruments shall be transferred directly to an account of the Town.

XIII. Internal Control

The Town Manager shall annually have an independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures and lawful investment of funds.

XIV. Performance Standards

The investment portfolio shall be designated with the objective of obtaining a rate of return throughout the budgetary process and economic cycles, commensurate with the investment risk constraints and the cash flow needs. The Town Manager shall randomly review market yields and determine appropriate investment strategy on current yields and considering future market trends.

XV. Reporting

The Bookkeeper shall provide the Wayne Board of Selectmen monthly investment reports, which provide a clear picture of the status of the current investment portfolio. The Bookkeeper may randomly include other pertinent information in reference to investment strategies, economic conditions, or possible changes in the portfolio.

XVI. Investment Policy Adoption

The Town of Wayne Board of Selectmen shall adopt the investment policy. The Town Manager/Treasurer and/or the Board of Selectmen may review the adopted policy annually and any modification thereto by majority vote of the Board of Selectmen. The investment policy once adopted shall remain in effect unless action shall be taken by the Board of Selectmen to amend the document, create a new policy, or cancel the existing investment policy.

TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY

SECTION 4. FIXED ASSET POLICY

I. Policy

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets that are to be recorded in the Town of Wayne, Maine's annual financial statements in order to comply with the requirements of GASB Statement Number 34. This policy also addresses other considerations for recording and depreciating fixed assets in order to comply with the provisions of GASB Statement number 34.

II. Capital Asset Definition

Capital Asset will be defined as tangible and intangible assets that have initial useful lives that extend beyond a single reporting period.

III. Capitalization Method

All Capital Assets will be recorded at historical costs as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.

IV. Capitalization Thresholds

Fixed Asset Limits:

- A. Land. All land and permanent rights to land (i.e., easements) shall be recorded without regard to significant value.
- B. Buildings. All buildings shall be recorded at acquisition cost without regard to significant value. Additions to buildings less than \$5,000 per building shall not be recorded.
- C. Equipment. Equipment costing \$5,000 and more shall be recorded as Fixed Assets. Additions to equipment costing \$5,000 or more shall be recorded as Fixed Assets.
- D. Additional Fixed Assets. Additional fixed assets shall be recorded and maintained when required by other terms or agreements, if different from what is stated above.
- E. Items not Classified as Fixed Assets. As described above may be included in an inventory listing for internal control purposes.

TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY

V. Infrastructure Assets

In accordance with GASB Statement number 34, the Town will record, at a minimum, "major" infrastructure assets as defined in Statement 34 that were acquired, constructed or significantly reconstructed, or that received significant improvements after June 30, 1980. Other infrastructure assets may be capitalized as deemed appropriate. The Town does not intend to use the "modified approach" to record infrastructure.

VI. Other Assets

Detailed records shall be maintained for all items below the capitalization thresholds that should be safeguarded from loss. These items will be part of the annual physical inventory discussed below. These items include computer equipment that falls below the established thresholds and any other asset specified by the Town Manager.

VII. Depreciation and Useful Life

Each appropriate Department Head will assign an estimated useful life to all assets for the purpose of recording depreciation. The attached "Suggested Useful Lives" schedule will be used to establish lives for most assets. Asset lives will be adjusted as necessary depending on the present condition and use of the asset and based on how long the asset is expected to meet current service demands. Adjustments should be properly documented. Depreciation will be recorded based on the straight-line method using the half-year convention and depreciation down to the assets salvage value.

VIII. Safeguarding and Controlling Fixed Assets

All machinery and equipment, vehicles and furniture will be assigned an asset number and identified with a fixed asset tag. As fixed assets are purchased or disposed of, the department head in custody of that asset will be responsible for preparing a fixed asset data sheet, which will then be forwarded to the Bookkeeper to ensure proper recording. A physical inventory will be taken annually on or about June 30 and compared to the physical inventory records. The results will be forwarded to the Bookkeeper where appropriate adjustments will be made to the fixed asset records.

TOWN OF WAYNE FINANCIAL MANAGEMENT & INVESTMENT POLICY

SECTION 5. FUND BALANCE

I. Purpose

Sufficient fund balance is required to maintain liquidity, assure positive cash flow, prevent borrowing through tax anticipation notes, and provide effective cash management. Fund balance is not completely represented by liquid assets, such as cash, but includes unrealized receivables and other assets as components which require a certain period of time to convert to cash. Because of these factors, the Town of Wayne adopts this policy to maintain a healthy fund balance that will provide adequate funds to carry the Town through times of relatively low cash flow periods and provide funds for emergency situations.

II. Determination of Recommended Fund Balance

Two general rules are commonly promulgated which define an appropriate municipal fund balance. The first is that undesignated fund balance should be, at a minimum, ten percent of the commitment plus one month's expenditures. Based upon a tax commitment figure of \$2,600,000, the Town would require fund balance of **\$509,000 at a minimum**. (*10% of \$2,600,000 = \$260,000, plus 8.3% of \$3,000,000 = \$249,000. \$260,000 + \$249,000 = \$509,000*). Another rule of thumb commonly used in practice requires fund balance to approximate three month's expenditures. This amount could be calculated using one-fourth of the total appropriations as an estimate, which, with an annual total appropriation of \$3,000,000, would be **\$750,000 at a minimum**.

These figures reflect minimum requirements only. Additional factors must be evaluated by management of each individual town in light of current economic conditions and specific facts relative to its own financial environment. Large expected cash outlays in the near future, capital planning and budgeting as well as economic stability of the Town's largest taxpayers must be considered in the formula.

III. Policy

The Town of Wayne hereby establishes a policy that recommends the Town to maintain a minimum undesignated fund balance approximately equal to three month's expenditures (25% of total appropriations.) *[For example, if total appropriations are \$3,000,000 in fiscal year 2013-2014, 25% (3 months) would equal \$750,000. Therefore, a minimum of \$750,000 should be in the undesignated fund balance at the end of the year.]*

TOWN OF WAYNE FINANCIAL MANAGEMENT & INVESTMENT POLICY

The policy further establishes that, in no case, shall the undesignated fund balance be allowed to fall to less than 10% of the tax commitment plus one-month's expenditures.

This "minimum range fund balance policy" provides a minimum range for the undesignated fund balance in FY14 from \$509,000 to \$750,000 based on the proposed FY14 budget.

IV. Procedures & Oversight

The Town Manager's monthly Cash Flow Analyses, bank statements, and financial reports will be used by the Bookkeeper, the Town Manager, and the Board of Selectmen to monitor the undesignated fund balance each month, noting that the fund balance will ebb and flow according to cash flow (tax payments, other revenue collection, and expenditures.) An approximate idea of the fund balance will be known through the use of the aforementioned tools, but the actual year-end fund balance will finally be known upon the completion of the year-end audit. Financial planners must keep this policy in mind when determining the budget and its funding sources for each upcoming year.

TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY

SECTION 6. COMPUTER SYSTEM CONTROLS

I. Computer Back-ups

- A. Policy. To ensure the proper safeguarding of Town records and data stored on the Town's computer system, it is the Town's policy to perform daily computer back-ups.
- B. Procedure. Along with backing up data on the computer system itself, the Town's computer system data will be backed up daily. Each day's work will be backed up on a flash drive daily and stored in a safe location (vault). The Town Clerk will keep a log of daily back-ups to document implementation of this policy.
- C. Oversight. The Town Manager shall review the Town Clerk's procedures and back-up log to ensure adherence to the policy.

II. Computer Access and Passwords

- A. Policy. To ensure the security, confidentiality, and privacy of individual employees' work products, it is the Town of Wayne's policy to issue passwords to individual employees that will allow them to access only their own computer work venue.
- B. Procedure. Each employee shall have her/his own restricted work area on the computer system, entitled with her/his name, which may be accessed only by that particular employee's password. Computer technicians under contract to and supervision by the Town of Wayne provide administration services to the Town of Wayne's computer system. All employee passwords shall be issued and installed by those contracted computer technicians. In addition, only Town of Wayne contracted computer technicians shall be allowed to install and maintain Town of Wayne hardware and software.
- C. Document Sharing. The Town of Wayne computer system provides a shared work area called, "MyFiles" at which any employee may create, share, and work on documents that are available to anyone with access to the Town of Wayne computer system.

**TOWN OF WAYNE
FINANCIAL MANAGEMENT & INVESTMENT POLICY**

- D. Oversight. Systems Engineering, Inc. computer technicians, or other computer technicians contracted by the Town of Wayne, shall oversee the implementation of this policy, with the advice and consent of the Town Manager.

III. Internet Use

- A. Policy. To ensure appropriate use of the Internet and employees' time at work, it is the Town of Wayne's policy to restrict Internet use at work for Town of Wayne work-related purposes only. The Town has adopted a policy regulating Internet and Email use by employees.
- B. Procedure. Employees shall limit their use of the Internet on the Town's computer system for purposes related only to Town of Wayne work and research.
- C. Oversight. This policy will be overseen by the Town Manager.

SECTION 7. ADOPTION/ AMENDMENTS

This policy may be amended by the Municipal Officers of Wayne, Maine at a duly warned regularly scheduled Board of Selectmen meeting at any time.

Gary Kenny

Carroll Paradis

Stephanie Haines

Stephen Saunders

Peter Ault

Adopted this _____ day of _____, 20_____.

Attest: _____
Aaron Chrostowsky, Town Manager

Town of Wayne
Ordinance Regarding Tax Acquired Property

This Ordinance is adopted under authority of 30-A M.R.S.A. Sections 3001 et seq., and shall govern the maintenance, administration, and disposition of Tax Acquired Property in the Town of Wayne.

ARTICLE 1. General

1.1 Purpose: The purpose of the Ordinance is to establish and direct the procedures for the management and disposition of real estate acquired under the real estate tax lien procedures set forth in 36 M.R.S.A. Sections 942 and 943, as amended.

1.2 Definitions. For the purposes of this Ordinance, the following definitions shall apply:

1.2.1 "Foreclosed Tax Lien" means a tax lien mortgage that has automatically foreclosed pursuant to 36 M.R.S.A Sections 942 and 943.

1.2.2 "Just Value for the Current Year and Past Year Taxes not Assessed" means the amount of real estate taxes that would have been assessed to a property if not owned by the Town of Wayne on April 1st of the year in which it is sold or transferred by the Town. The intent of this definition and its application herein is to establish the amount of taxes which would have been assessed to the property if it had been subject to tax on each April 1st of the years in which the property is or has been owned by the Town as tax acquired property so when the property is sold or transferred, the Town will be reimbursed for taxes that would otherwise have accrued but for the Town's ownership at the time of a sale or transfer.

1.2.3 "Land or Lands" mean real property interests in land as also included as part of the definition and term "Real Estate" below.

1.2.4 "Mail" means the use of the regular, first class and certified mail return receipt requested mail services through any U.S. Post Office.

1.2.5 "Manufactured Real Estate Property" means any structure, building or dwelling, constructed or fabricated elsewhere and then transported, in whole or in part, to and placed, set or installed permanently or temporarily upon land within the Town. For the purpose of the Ordinance, Manufactured Real Estate Property is also included as part of the definition and term "Real Estate" below.

1.2.6 "Minimum Bid Price" means the sum total of all outstanding taxes, interest and related charges assessed and taxed against a parcel of Real Estate, together with the sum representing the Just Value for the Current Year and Past Year Taxes not Assessed, and the sum of all lien related filing and recording fees, registry filing fees, property casualty and liability insurance costs, costs of public sale, including a set administrative fee established to cover costs of overseeing the Town's costs in transferring the property, notice and advertisement charges, and all other costs including the Town's personnel costs incurred in maintaining, securing or selling a property.

1.2.7 "Municipality" means the Town of Wayne, Maine.

1.2.8 "Municipal Officers" means the Board of Selectmen of the Town of Wayne, Maine.

1.2.9 "Former Owner" means the person or persons, entity or entities, heirs or assigns to whom property taxes were most recently assessed for a tax acquired property.

1.2.10 "Municipal Tax Release Deed" means the form of release and quitclaim deed and instrument releasing the Town's tax acquired rights, title and interests in tax acquire real property acquired under foreclosed tax liens.

1.2.11 "Real Estate" means all land or interests in land, structures, buildings, tenements and hereditaments and Manufactured Real Estate Property as may be located in or on any tax acquired property.

1.2.12 "Tax-Acquired Property" means Real Estate acquired by the Town through the real estate tax lien procedures under 36 M.R.S.A Sections 942 and 943, as amended.

1.2.13 "Tax Lien" shall mean the Town or Wayne's statutory lien rights securing the rights to collect property taxes assessed against real property under 36 M.R.S.A Section 552.

ARTICLE 2. MANAGEMENT OF TAX ACQUIRED PROPERTY

2.1 Management. Following statutory foreclosure of a tax lien mortgage on a property, management of the property shall become the sole responsibility and under the sole direction of the Municipal Officers, subject to the provisions of state law and Town Ordinances.

2.1.1 Insurance. The Municipal Officers may purchase fire loss insurance for tax-acquired properties with structures or buildings thereon with coverage amounts at least adequate to cover then outstanding taxes, liens, costs and other Town incurred expenses.

2.1.2 Occupants or Tenants. The Municipal Officers shall determine when and if any occupants or tenants of tax-acquired property shall be required to vacate a tax acquired property and are authorized to proceed with all required legal actions to enforce occupants or tenants to peacefully quit the premises.

2.1.3 Disposition of Tax Acquired Properties. The Municipal Officers, after review, shall be authorized to decide to retain the ownership for public use or dispose of any tax acquired properties in accordance with the terms in this Ordinance.

2.1.4 Retained Ownership. If the Municipal Officers determine that tax-acquired property is to be retained for Town or for other public use, the Municipal Officers may pursue an action for equitable relief to clear title to the property in accordance with the provisions of 36 M.R.S.A. Section 946, as amended.

2.1.5 Option to Allow Tenancies and Insurance during such Occupancy. The Municipal Officers may, at their discretion, allow persons occupying tax acquired properties to remain as tenants on a month to month basis. For such privilege the Municipal Officers shall charge a monthly fee to the occupants. The fee shall be set according the circumstances and shall be in an amount that the Municipal Officers deem to be in the best interest of the Town. While person are occupying tax acquired property during the period when a monthly fee

is charged, the Municipal Officers shall have in place and maintain a comprehensive general liability insurance policy covering the property with coverage amounts equal or exceeding the limits on liability under the Maine Tort Claims Act, codified at 14 M.R.S.A Section 8101 et seq.

2.1.6 Insurance on Vacant Tax Acquired Property. The Municipal Officers shall, in the event that a tax acquired property is or becomes vacant, secure and maintain insurance coverage for the property with a comprehensive general liability insurance policy for the property with coverage amounts equal or exceeding the limits on liability under the Maine Tort Claims Act, codified at 14 M.R.S.A Sections 8101 et seq.

ARTICLE 3. SALE OR TRANSFER OF TAX ACQUIRED PROPERTY

3.1 Sale or Transfer. In the event that the Municipal Officers determine that the best interests of the Town will be served to offer for sale or for the transfer tax-acquired property, the following procedures shall be followed:

3.1.1 Sale or Transfer for Other Public Related Uses. The Municipal officers may determine that it is in the best interests of the Town to sell or transfer interests in a tax acquired property to another entity for a public related uses such as uses by a quasi-municipal entity (water, sewer districts, etc.), a land conservation organization (land trust, etc.) or a civic, charitable or educational organization. Sales and transfers under this provision shall be according to terms and conditions the Municipal Officers determine fair and reasonable and which serve the public interest, and subject also to approval by the legislative body of the Town of Wayne at a Town Meeting.

3.1.2 Public Bid Sale. The Municipal Officers shall offer properties they deem are best disposed by sale through a public sale under the following sale terms. Properties will be cataloged and summarized in a Notice of Sale which includes the tax map and lot number, street address, property description, most recent assessed value, the Minimum Bid Price and the schedule and summary of other terms of the public sale. The Notice of Sale shall be posted and advertised for ten or more days using newspapers, other media or real estate listings so as to provide sufficient notice and advertising of the sale. The advertisement shall be at a minimum for two successive weekends in the Kennebec Journal and the Lewiston Sun Journal, and the last notice published at least seven days prior to the advertised sale date. The sale shall be by a sealed bid process open to the public in which the Municipal Officers will receive within a specified time frame and certain additional terms, all bids, bids to be accompanied by a required bid deposit, and bids opened and read publicly, with the Municipal Officers thereafter authorized to accept or reject any bid.

3.1.3 Redemption by Former Owners. The Municipal Officers shall also send notice of a sale of tax acquired property to the Former Owners of each tax acquired property to be sold and all abutting property owners. The notice to former owners shall be sent by first class mail at least 45 days before bids are due in the sale. Former Owners shall have the option to repurchase their former property within the period of 30 days immediately following the Town's issuance of the notice of sale by tendering full payment in certified funds or by bank check in the amount totaling the same sum as the Minimum Bid Price.

3.1.4 Bid Responses. The Municipal Officers shall follow and require persons submitting bid responses in the public bid sale process described herein to submit and comply with the following additional terms and conditions:

a. Bidders must at the time they submit a bid must include a completed bid sheet for each parcel bid upon. Bid sheets shall including the description (by Map and Lot #) of the property being bid upon, and clearly state a firm bid amount in United States Dollars. Conditionals bids are not allowed and will not be accepted.

b. Bidders must at the time they submit a bid must include a separate bid deposit for each parcel bid upon in the form of a certified check, bank check or money order drawn to the Town of Wayne as payee in an amount equal to or exceeding 10% of the bid price for each parcel bid upon. Failure to submit bid deposits in the proper amount or form of payment in the bid package will cause the bid to be automatically rejected.

c. Bidders must deliver completed bid sheets and bid deposits to the Town for each property bid upon in a single and sealed plain envelope marked only on the outside of the envelope "Tax-Acquired Property Bid" and with the identification of the specific parcel or parcels parcel identification on the exterior of the envelope.

d. All bid responses must either hand delivered to the municipality, or mailed. If mailed, the bid response envelope shall be enclosed within a second envelope addressed to the Board of Selectmen, Town of Wayne, Maine.

e. As bids are received, the Town Office will note the time and date of receipt on the bid envelope. To qualify all bids must be received on or before the deadline and date stated in the Notice of Sale.

3.1.5 Acceptance of Bids-Limitations. The Municipal Officers may in their sole discretion accept or reject any bids that they determine are or are not in the best interests of the Town but in any case may not accept any bid for an amount less than the Minimum Bid Price. Acceptance of a bid for a lesser amount, except in the case of unbuildable lots offered for sale for more than one year, must be approved by the voters at a duly called Town Meeting.

3.1.6 Right to Accept or Reject Bids. The Municipal Officers retain the right to accept or reject any and all bids as they determine to be in the best interests of the Town, and shall cause the same terms and disclaimer to be included in all Notices of Sale and in materials soliciting bids under this Ordinance. The Municipal Officers shall notify, via mail, any successful bidder. Should the Municipal Officers reject all bids in a public bid sale, they may then cause the subject property to be scheduled for sale again through a sealed bid public sale without notice to any former owner or owners.

3.1.7 Rejection of All Bids or No Bids. Should there be no successful bidder in a public bid sale, the Municipal Officers may thereafter retain or dispose of the tax acquired properties on such terms and conditions as they determine to be in the best interests of the Town, including through another sealed bid sale, open auction, listing the property through a realtor or through a closed sale.

3.1.8 Credit and Return of Bid Deposits. The Municipal Officers shall credit successful bidders bid deposits to the purchase price of the related property and after completion of a sale, return bid deposits to the unsuccessful bidders.

3.1.9 Payment and Completion of Sales. Successful bidders must complete the sale and transfer by paying the balance due and completing the transfer within 30 calendar days following date when a bid is accepted. In the event that a successful bidder fails to complete a sale within 30 days after a bid is accepted, the Town will retain

the bid deposit and the Municipal Officers may thereafter offer the property to other bidders or pursue the process set forth in Section 3.1.7. In the event other bidders become successful bidders due to the default of abider, the other bidders must complete the sale within 30 days or similarly will forfeit their bid deposits.

3.1.10 One Time Extension. The Municipal Officers may, subject to a show of good faith and circumstances reasonably beyond the control of a bidder, extend the time limit to complete a sale for a one-time-only additional 20 days during which extended period the bidder must complete the sales.

3.1.11 Transfer Documents and Purchaser's Release. The Municipal Officers will convey the Town's tax acquired interests in a property under a Municipal Tax Release Deed and as conditions of such transfer, successful bidders shall agree to be responsible for the proper removal and disposition of any and all personal property at a property and for the peaceful and proper removal of any occupants remaining at a purchased tax-acquired property and in furtherance thereof, in writing, indemnify and hold harmless the Town from any and all claims arising out of the sale and transfer of the tax-acquired property.

ARTICLE 4. WAIVER OF FORECLOSURE OF TAX LIEN.

The Municipal Officers, upon request of the Treasurer, may without need of further approval of the legislative body of the Town of Wayne, if they determine such course to be in the best interests of the Town, proceed to file notices in the registry of deeds to waive the foreclosure of a then pending real property tax lien.

ARTICLE 5. SEVERABILITY


Any provision in this Ordinance or the application thereof to any person or circumstances determined by a court of law to be unenforceable or invalid shall not affect the application or validity of any other provision of this Ordinance.

ARTICLE 6. ADOPTION

This ordinance shall be amended by vote of the Town of Wayne's legislative body at Town Meeting or Special Town Meeting.

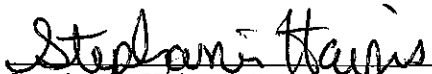
Wayne Board of Selectmen


Gary Kenny, Chair


Carroll Paradis, Vice-Chairman


Peter Ault, Selectmen


Stephen Saunders, Selectmen


Stephanie Haines, Selectmen

TOWN OF WAYNE, MAINE

POLICY FOR DONATIONS TO NOT-FOR-PROFIT AGENCIES

Purpose: The purpose of this policy is to set forth a written procedure for managing not-for-profit agencies' requests to be included in the Town's budget or to be placed on the Annual Town Meeting Warrant.

Exclusions: Dues to municipal-related organizations such as MMA or KVCOG are excluded from this policy. Organizations providing what are generally regarded as municipal services or services complementing Town of Wayne services or activities are excluded from this policy. Also, excluded are requests for small donations associated with a not-for-profits' fund raiser. (This exclusion for small donations does not imply the Board of Selectmen will approve any such requests for donations.)

Definition: *Not-for-profit agency* (agencies) shall mean an organization legally incorporated as a not-for-profit agency pursuant to Federal Internal Revenue Service regulations.

Policy:

A. The Town Manager will mail out a notice to remind all not-for-profit agencies (who received funding from the prior year) of the procedure to apply for financial assistance by the Town of Wayne at the end of November.

B. Any not-for-profit agency (agencies) wishing to apply for financial assistance must submit their letter requesting financial assistance by the first of January. Each application for financial assistance must include the following:

- Description of services provided to Wayne residents;
- Number of Wayne residents served by the not-for-profit agency (agencies) the previous year;
- Cost of these services provided to Wayne residents;
- Latest financial statement (Profit/ Loss Statement and/ or Balance Sheet);
- IRS letter of determination providing evidence that the not-for-profit agency (agencies) is recognized by the IRS as tax-exempt under IRS Code;

C. The Board of Selectmen will afford an opportunity to any not-for-profit agency (agencies) who submitted a complete and timely application to attend a meeting of the Selectmen to address questions or concerns of the Board and/ or residents in February and/ or March.

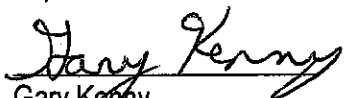
D. Both the Budget Committee and the Board of Selectmen will evaluate each not-for-profit agency's request for financial assistance for completeness, timeliness, able to demonstrate financial need, and service to Wayne residents.

E. Any agency wishing to make a presentation at Annual Town Meeting should contact the Town Manager's Office prior to Annual Town Meeting in June. After Annual Town Meeting the Town Manager shall notify all not-for-profit agency (agencies).


F. Any not-for-profit agency (agencies) receiving funding through this policy must submit a written report for the Town of Wayne Annual Town Report. This report must be for the fiscal year (July 1 - June 30) in which the donation was made. The report must be submitted to the Town Manager's Office with application for financial assistance by then October after the fiscal year ends.

F. The Town of Wayne will make payment to all Town Meeting approved financial requests by the end of December.

POLICY FOR DONATIONS TO NOT-FOR-PROFIT AGENCIES ADOPTED BY THE BOARD OF SELECTMEN ON JULY 30, 2013 BY:


Gary Kenny


Carroll Paradis


Stephen Saunders


Stephanie Haines


Peter Ault

Attest:
Aaron Chrostowsky, Town Manager

Last Updated: 7/2013

**Town of Wayne
Maine**

Purchasing Policy

**Effective date:
November 23, 2010**

**Amended on:
January 28, 2014**

**Town of Wayne, Me
Purchasing Policy
(for all Town Departments except for the Fire Department)**

Section 1. Purpose

Municipalities expend substantial sums of money each year carrying out the many functions and services that they provide. They also must dispose of surplus property from time to time. Taxpayers have a right to expect that the municipality's operations be carried out efficiently and expeditiously with adequate financial control and accountability. At the same time vendors should have a reasonable right to equal opportunity to provide the goods and services that are used by the government if they can provide an equivalent product or service and a competitive price.

The objective of this policy is to attempt to strike a balance between the need for department operating efficiency and flexibility, the need for financial control and accountability and the need to provide reasonable opportunity for all qualified vendors and citizens to compete for the Town's business and/or purchase its surplus materials or property. It is also the purpose of this policy to encourage joint and bulk purchasing among departments, agencies and other municipalities wherever such purchasing practices achieve better pricing without significantly degrading quality or operational efficiency.

This policy shall be known as the "Town of Wayne, Me Purchasing Policy" and may be cited as such.

Section 2. Definitions

For the purposes of this Policy, the following terms, phrases, words and their derivations shall have meanings ascribed to them in this section:

2.1 PURCHASE – is a good or service provided from a vendor of supplies or services needed for day –to-day operation.

2.2 BID MOST ADVANTAGEOUS TO THE TOWN – Not necessarily the low bid; in addition to price, the quality of the commodity's warrantee, speed of delivery, and the demonstrated service record of the vendor must be considered in determining the "bid most advantageous to the town."

2.3 COMPETITIVE BIDDING – The documented process of achieving the lowest bid or the bid most advantageous to the town for the good and services desired by the town as described in Section 7.

2.4 EMERGENCY PURCHASE - A purchase necessitated by a threat to public health, safety or to property.

2.5 FIELD PURCHASES - The direct purchase by a department head from a vendor of supplies or services needed in small quantities for day-to-day operation.

2.6 GOODS AND SERVICES - The complete array of purchases of the town, including but not limited to; supplies, commodities, equipment, construction materials and labor, consulting services, and training.

2.7 INFORMAL PRICE QUOTES - Quotations, written and oral, received from a vendor by means other than a formal Request for Proposal (RFP) or Request for Quotation (RFQ) process.

2.8 LIST OF APPROVED VENDORS - The list of vendors who have qualified to bid on town purchases on the basis of responsibility, quality, delivery and performance.

2.9 PURCHASE AMOUNT- The total cost of goods or service including all determinable associated costs, e.g. construction, engineering, delivery, setup and training. Where the purchase consists of small frequent charges, the aggregate twelve-month cost of goods or services shall be used to determine the amount of a purchase and the applicability of the specific sections of the Purchasing Policy. For multi-year lease agreements, the total cost shall determine the applicability of the specific sections of the Purchasing Policy.

2.10 Qualified Vendor- A Road Construction vendor list has been drafted and those on the list have been reviewed and approved by the Select Board of the Town of Wayne, Me and demonstrate quality, timely delivery, and quality performance.

2.11 SEALED FORMAL BIDS - Quotations from all vendors that are submitted in sealed envelopes, properly labeled and received by the Town prior to any specified deadline.

2.12 SPECIFICATIONS - The qualitative standards set by the Town Manager or his/her designated entity as a guide to the Board of Selectman and as a measure of quality and quantity that successful vendors must achieve to be considered for award. Specifications shall not restrict purchases as to trade name or eliminate bids being submitted on items that have the same specifications but not as to a specific trade name.

SECTION 3. Appropriations

3.1 No purchases shall be made until such time as the Town of Wayne has approved the necessary appropriation at town meeting or in the case of federal or state grants to the Town, the grant award has been received, and Select Board so informed.

3.2 Field Purchases for up to five hundred dollars (\$500) may be executed by informal, direct purchasing as directed by the Town Manager.

3.3 Field Purchases up to One Thousand dollars (\$1,000) may be made by the Department Head or his/her designee, except for the Road Commissioner (\$5,000) because of the size and nature of many of their purchases

3.4 All requests for goods and services in an amount greater than One Thousand dollars (\$1,000), except for the Road Commissioner (\$5,000) shall be submitted by the Department Head or his/her designee to the Town Manager either by email, verbally or in writing for approval prior to the purchase. The Town Manager must respond by email, verbally or in writing to the Department Head or his/ her designee within 48 hours of the purchase of his/ her decision. In the case of the Road Commissioner, any expense over \$5,000 must be approved by the Board of Selectmen.

3.5 In addition, Purchase Orders may be executed for emergency purchases up to, but not exceeding five thousand dollars (\$5,000) by the Department Head. A report of such emergency purchases must be sent to the Town Manager within seventy-two (72) business hours of the emergency. Emergency is defined as those issues that will likely impact public health and/or safety.

3.6 With the exception of "field purchases" described in section 3.3 all purchases must be made or requested on approved Purchase Order forms.

3.7 The Town Office copy of the Purchase Order shall always be turned into the Accounts Payable folder within seventy-two (72) hours of the time the purchase is made.

3.8 Purchase Orders should not be used for small frequent purchases of the same commodity if it is known or estimated that the aggregate twelve-month cost of such purchases would exceed one thousand dollars (\$1,000). Re: Purchase Amount definition.

3.9 Department Heads shall take the appropriate steps to attain the best pricing practical when using Purchase Order.

4.0 Department Heads will not divide or separate purchases, into smaller increments in order to avoid sections of this policy.

Section 4. Bidding Requirements

4.1 INFORMAL PRICE QUOTE REQUIREMENTS.

The Department Head shall conduct and document informal, competitive price quotes for purchases over five thousand dollars (\$5,000). These price quotes will be documented in a brief memo attached to the PO. A minimum of three informal quotes with contact information by e-mail or otherwise if practicable will be solicited in all cases where the expenditure is anticipated to exceed \$5,000.00. A formal written quote from at least three vendors shall be required for purchases from five thousand dollars (\$5,000) and under fifteen thousand dollars (\$15,000) if practicable. The informal price quotations will be submitted by the Department Head when required by the Town Manager for review and approval. Formal bidding will be employed by the Department Head or Board of Selectmen where the purchase price is less than fifteen thousand dollars (\$15,000), if the process can be used effectively and to ensure the Town of Wayne is securing the best price possible.

4.2 FORMAL BIDDING REQUIREMENTS

Each Department Head in conjunction with the Town Manager shall advertise and conduct competitive, formal, sealed bidding pursuant to specifications on file in their office for purchases of goods and services of fifteen thousand dollars (\$15,000) or more in accordance with section 7 of the Purchasing Policy.

4.3 OPTIONAL PURCHASING METHODS

Notwithstanding any other provision of this policy, the following methods may be employed for the purpose of purchasing goods and services.

4.3.1 EMERGENCY WAIVER OF BIDDING REQUIREMENTS- The bidding procedures may be waived by the Board of Selectman when there exists an emergency as determined by the Town Manager and/or Board of Selectmen. All attempts shall be made to obtain the most competitive price within the time available.

4.3.2 PURCHASES MADE THROUGH STATE; STATE BID PRICES -The Department Head may, with approval by the Town Manager, waive bidding procedures when purchasing through the State of Maine or at State bid prices but not superseding Section 6.1. The bid requirements may apply, at the discretion of the Town Manager and/or Board of Selectmen.

4.3.3 BLANKET PURCHASES – The Town Manager is empowered to bid and award blanket purchase orders for goods and services at an agreed price and/or quantities, but in quantities delivered and paid for as needed, subject to other provisions of the Purchasing Policy.

4.3.4 CHANGE PURCHASE ORDERS – The Town Manager is empowered to issue change purchase orders for changes in scope or quantity of an existing purchase. The change purchase amount is subject to other provisions of the Purchasing Policy.

4.3.5 REQUESTS FOR PROPOSALS (RFP) – The Town Manager may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous and when the solicitation and award of RFPs is subject to other provisions of the Purchasing Policy.

4.3.6 REGIONAL PURCHASING – The Town Manager and Department Heads may participate in solicitations to bid conducted by the Town or another town or Town Manager where the goal is to bid for goods and services for one or more towns, or town subject to other provisions of the Purchasing Policy and approval of the Board of Selectmen.

Section 5. Exceptions

5.1 EXCEPTION REPORTING – The Department Head shall report apparent exceptions to the bidding and award requirements to the Town Manager who will inform the Select Board of the exception.

5.2 EXEMPTIONS TO BIDDING AND APPROVAL REQUIREMENTS - Payments exempt from the bidding and Town Manager approval requirements due to their nature or other statutory provisions include:

5.2.1 Utility consumption costs including electrical, natural gas, fuel, heating oil, water and sewer.

5.2.2 Telephone and cell phone call charges.

5.2.3 Advertising.

5.2.4 Postage.

5.2.5 Federal, state and local taxes.

5.2.6 Court judgments.

5.2.7 Workers Compensation claims.

5.2.8 Debt service payments.

5.2.9 Legal and professional services.

5.2.10 Tipping fees and other disposal fees.

Section 6 Review of Purchases by the Board of Selectmen

6.1 The Department Head's recommendations for all bid purchases of goods and services of fifteen thousand dollars (\$15,000) or more shall be reviewed by a majority of the Board of Selectman at a public meeting, prior to the awarding of such bids by the Town Manager. The Board may, by a majority vote, direct the Manager to reject all bids, rebid, or award the bid as directed by the Board.

Section 7 Competitive Bidding Procedure

7.1 Competitive bidding will open with notice from the Town Manager by notice of solicitations for bids, which shall be sent to vendors, and/or by advertising. The notice shall contain specifications as to the quantity and quality, date and time at which bidding shall be closed and the date and time at which bids shall be opened and read and the purchase awards made. All solicitations shall note that all purchases are subject to the conditions set forth in the Town Purchasing Policy. A pre-bid meeting should be held by the Town Manager and prospective bidders whenever possible, to discuss the bid specifications, as appropriate.

7.2 The Town Manager or his/her designee shall solicit at least three (3) vendors on every purchase requiring bidding; provided, however, that in all cases a bid most advantageous to the town be awarded. In the event that less than three (3) bids shall be received, the Town Manager may either award the purchase on the basis of the best bid of those submitted or shall order a re-bid on that prospective purchase.

7.3 Technical specifications for bids shall state information as broadly as practicable, yet shall be specific enough to describe the requirements of the department. Non-technical specifications for bids shall state the quality required in general terms.

7.4 Formal, sealed bids shall be submitted by qualified vendors before the stated deadline, and may be withdrawn by any bidder before the deadline. After the deadline, the Town Manager shall receive no further bids, and no bidder shall withdraw a bid. The town shall have custody of all bids submitted pursuant to this policy.

7.5 Town Manager shall require security from vendors for construction projects estimated to be in excess of \$50,000. The elements of a purchase to be secured include, but not limited to, the following:

7.5.1 BID PRICE – To insure a margin above the bid price, from the time of bid opening until signing of the contract, in case of default by the bidder. The amount is used to offset the cost of accepting the next lowest qualified bidder. Minimum of 10% of bid price.

7.5.2 PERFORMANCE – To insure compliance with and completion of the contract.
100% of contract.

7.5.3 LABOR AND MATERIAL PAYMENT – To insure payment to suppliers and subcontractors by the contractor.
100% of contract.

7.6 The form of the security will be prescribed by the Town Manager and acceptable by the Town Attorney and Board of Selectman and can consist, but is not limited to, bonds issued by surety Companies licensed within the United States, certified checks and irrevocable letters of credit at banks acceptable to the Town.

7.7 The Town Manager may include security requirements for projects less than \$50,000 and in Other types of purchases where doing so is determined to be in the best interests of the Town.

7.8 In the event of a tie for low bid by equally qualified bidders where one bid is not considered a bid most advantageous, the following rules shall apply to the tied bidders:

7.8.1 Preference for award shall be given first to any bidder who is located within Wayne. If none of the bidders are located in Wayne, preference shall then be given to any bidder located within the State of Maine.

7.9 All bids should be open in public and read aloud for the public record. In determining the low bid or the bid most advantageous, the Town Manager shall be given a reasonable time, whenever possible, to analyze the bids so that the bids are compared on an equal basis and award the bid most advantageous to the Town as described in section 2.1. In cases of bids in excess of fifteen thousand dollars (\$15,000), the Town Manager shall submit his /her recommendation to the Board for comment as described in section 6.1 of this policy.

7.10 The competitive bid procedure may be waived by a majority vote of the Board of Selectmen upon the request of the Town Manager.

Section 8. Re-bidding

8.1 The Town Manager is authorized to solicit the re-bid for any or all items that have been noticed for bidding where less than three bids have been received, notwithstanding solicitations seeking the same the same, or where no bid most advantageous to the town has been received.

Section 9. Contract Processing

9.1 The Town Manager is designated as the contracting officer of the town as authorized by town ordinance or by vote of the Board of Selectmen. Execution of a contract or contract change order accompanying a purchase order or purchase change order greater than five thousand dollars (\$5,000) shall occur only after the contract has been reviewed as to form by the Town Attorney and funding confirmed by the Town Manager. Purchases involving contrast are subject to all other provisions of the Purchasing Policy.

9.2 Contracts requiring monthly installment payment plans should be negotiated whenever possible, to be paid on the second warrant of each month.

Section 10. Conditions of Purchase

10.1 All purchases made by the town shall be subject to the following condition:

- 10.1.1** All purchases shall be awarded on the basis of the lowest bid meeting specifications or the bid most advantageous to the town and meeting specifications. As determined by the Town Manager and subject to the Select Boards review.
- 10.1.2** All purchases shall be subject to the reservation of the right by the town to accept or reject any or all bids.
- 10.1.3** When an award of purchase shall be recommended to other than the lowest qualified bidder as the bid most advantageous to the town, the Town Manager shall submit such recommendation to the Board of Selectman for approval or disapproval. Should the Board of Selectman reject such recommendation, the award shall be made to the bid deemed to be the next most advantageous to the Town, unless all bids are rejected.

Section 11 Duties of Department Heads

11.1 All Department Heads shall:

- 11.1.1** Determine acceptable quality and quantity of commodities and supplies to be purchased.
- 11.1.2** Assist the Town Manager in establishing lists of approved specifications and vendors.
- 11.1.3** Share knowledge of special factors that will implement a policy designed to enable the town to minimize cost and maximize quality.
- 11.1.4** Supply the Town Manager with a list of estimated annual requirements of frequently used supplies, thereby fostering group purchasing.
- 11.1.5** Prepare requisitions with a view toward group purchasing and keep Corresponding records to facilitate debiting on town financial records.
- 11.1.6** Be empowered to reject any unacceptable supply or commodity on Grounds including high cost or low quality, and provide the Town Manager with a Detailed written report explaining the reasons for such rejection.
- 11.1.7** Ensure that the policy is followed and that they are not dividing up Purchases or separating them with the intent of avoiding the conditions of this Policy.

Section 12 Obsolete Fixed Assets

12.1 All department heads shall report, annually (or other such deadlines as determined By the Town Manager) to the Town Manager obsolete and excess fixed assets, including:

12.1.1 Items beyond use.

12.1.2 Items being replaced or to be replaced and are not traded.

12.1.3 Obsolete items.

12.2 The Town Manager will determine if the item has value and usefulness to another department within the town.

12.3 In the event the item cannot be used by another department, the Town Manager will, upon approval of the Board, advertise a list of items that will be available for public auction by sealed bid.

12.4 The Notice shall include

12.4.1 A description of each item

12.4.2 Location and time available for inspection of items to be auctioned

12.4.3 Minimum bid required (if appropriate)

12.4.4 Bid requirements

12.4.5 Date of bid opening

12.4.6 Payment, pick up and purchase requirements

Section 13 Exchange for Goods and services

13.1 Any transfer of town assets, waiving or abatement of fees, or performance of town services in exchange for goods and services to be received by the town shall be deemed a purchase and shall be subject to the provisions of the Purchasing Policy as determined by the fair market value of the town assets, and /or services being exchanged.

Section 14 Conflicts of Interest

14.1 No employee of the town shall solicit the favorable treatment of himself or others with Vendors customarily bidding for town purchase awards, nor shall any employee accept any gift from any vendor interested in obtaining town purchases, except for an advertising token of insignificant value.

Section 15 Implementation

15.1 To facilitate conduct in accordance with this policy, a copy of this policy shall be made available to town officials, employees, volunteers, board and commissions upon hiring, appointment or election to office, the outside auditors and at such other times as may be necessary.

Adopted by vote of the Board on this date,

Received and Recorded: _____, 2014

Town Clerk

Town of Wayne Parking Ordinance

SECTION I. PURPOSE

The purpose of this Ordinance is to regulate the parking of vehicles on roads and publicly owned property to ensure public safety and prevent damage to property caused by damage by obstruction or use by vehicles.

SECTION II. NO PARKING AREAS

1. The following areas shall be designated "No Parking/ Tow Away Areas".
 - a. On both sides of the entire distance of Memorial Park Street.
 - b. On both sides of the entire distance of Lake Street.
 - c. On the westerly side of the Old Winthrop Road from the southerly lot line of the Cary Memorial Library (Map 012, Lot 059) located at 17 Old Winthrop Road to Gott Road.
 - d. Within 30 feet of either entrance to the footbridge spanning the Mill Stream located on Bridge Street.
 - e. On the north side of Main Street (Rte. 133) from the southerly lot line of Mike & Carol Ladd's property (Map 012, Lot 053) located at 509 Main Street to Pond Road.
 - f. On the north side of Main Street (Rte. 133) from Pond Road to the southeast lot line of the Androscoggin House (Map 009, Lot 059) located at 655 Main Street.
 - g. On the south side of Main Street (Rte. 133) from Pond Road to Coolidge Road.
 - h. On the westerly side of the Gott Road opposite the Ladd Recreation Center (Map 013, Lot 25) located at 26 Gott Road to Davis Point Road (Pvt.).
 - i. Beside the old Town Office (Map 017, Lot 005) located at 3 Lovejoy Pond Road.
 - j. Within 25 feet on either side of any dry hydrants maintained by the Fire Department.
2. No vehicle shall be parked on a Town way so as to obstruct traffic flow, passage of emergency vehicles, or to create a safety hazard.
3. No vehicle shall be parked on a Town way so as to obstruct removal of snow.
4. No vehicle shall be parked on any grassed areas of the Town Parks or Lands and shall be limited to only designated areas on Town lands.

SECTION III. EXCEPTIONS

Activities or functions sponsored by or approved by the Municipal Officers may be exempted from one or more of the above regulations by vote of the Municipal Officers.

SECTION IV. ENFORCEMENT

The Wayne Board of Selectmen may appoint a representative to be responsible for enforcing this ordinance, through the administration of a parking ticket system. Violations of this Ordinance shall incur a fine of \$25 of 25. Appearances in Court may be waived by payment within 10 days to the Wayne Treasurer. Any vehicle which has accumulated 3 or more violation notices may, at the option of the municipal officers authorized to enforce this ordinance, be immobilized in place until all outstanding notices of violation have been paid.

SECTION V. AMENDMENTS.

This Ordinance may be amended by the Municipal Officers (Board of Selectmen) at any properly noticed meeting.

SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect upon its passage.

Adopted by the Municipal Officers (Board of Selectmen) of the Town of Wayne, Maine on this 27th day of August in the Year 2013 by:

Gary Kenny, Chair

Carroll Paradis

Stephanie Haines

Steve Saunders

Peter Ault

**TOWN OF WAYNE
ANIMAL CONTROL ORDINANCE**

Part I. - PURPOSE. The purpose of this ordinance is to require that all domesticated animals in the Town of Wayne be kept under the control of their owners at all times so that they will not injure persons, damage property, cause unreasonable noise or otherwise create a nuisance.

Part II. – DEFINITIONS.

- A. Domesticated Animal** – shall be intended to mean every living, sentient creature not a human being including but not limited to dogs, cats, ferrets, reptiles, fowl (i.e.: chicken, geese, ducks & swans), wildlife hybrids or livestock (i.e.: horse, cow, ox, swine, goat, pig or other grazing animal).
- B. Animal Control Officer** - shall be any person or persons, constable or law enforcement officer duly appointed/ authorized to issue compliance orders and court summons as required by this Ordinance.
- C. Running At Large** – shall be intended to mean off the premise of the owner and not under the control and restraint of any person by means of either by a leash, cord, chain, rope or cord of sufficient strength to control the action of such domesticated animal or such other personal presence and attention as will reasonably control the conduct of such domesticated animal.
- D. Dangerous Domesticated Animal** – means a domesticated animal which has bitten a person or has caused abrasion of the skin; or a domesticated animal which has caused a reasonable fear of bodily injury to any person acting in a peaceable manner by attacking or threatening to attack the person; or a domesticated animal which has attacked another person's domesticated animal shall be deemed a dangerous domesticated animal.
- E. Kennel** – shall be intended to mean one pack or collection of dogs kept under one ownership in a single premise for breeding, hunting show, training, field trials and exhibition purposes.
- F. General Nuisance** – means the causing of litter or property damage and the chasing of other animals, people, or vehicles (automobiles, motorcycles, & bicycles)
- G. Nuisance by Noise** – means any domesticated animal unnecessarily annoying or disturbing any person by continued or repeated barking, howling or making other loud sounds or unusual noises continuously for twenty (20) minutes or intermittently for one (1) hour or more. Domesticated animals barking/ alerting of trespassers on private property on which the domesticated animal is situated, dogs barking as part of an organized hunt, or dogs barking as a result of

provocation shall not be deemed a nuisance.

- H. Owner** – shall be intended to mean person or persons, firm, association, or corporation, owning, keeping, harboring, or in possession of or having control of, a domesticated animal.

Part III. – PROVISIONS.

- A. Vaccination** - It shall be unlawful for the owner of any dog older than six months to keep and maintain such dog unless it has been vaccinated with anti-rabies vaccine as required by State Statute.
- B. Licensing of Dogs** - No dog shall be kept within the limits of the Town of Wayne unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Maine. A town issued tag must be worn at all times by the dog for which the license was issued.
- C. Running At Large** - It shall be unlawful for the owner of any domesticated animal, licensed or unlicensed, to permit such domesticated animal to "run at large". Any domesticated animal found running at large may be picked up and taken to a humane shelter.

No domesticated animal, licensed or unlicensed, shall be permitted on Town property (highways, sidewalks, Ladd Recreation Center, parks, footbridge, Wayne Town House, North Wayne School House, Town Boat Launch, Fire Stations, or old Town Office) without a leash.

No domesticated animal, licensed or unlicensed, shall be permitted on School property unless part of school curriculum.

- D. Sick or Injured Animals** - Any person finding a sick or injured domesticated animal within the Town of Wayne may take such animal to the Animal Control Officer, who shall take said animal to any veterinarian or humane society shelter. The owner of such domesticated animal may be required to pay any veterinarian or shelter fees.
- E. Rabid animals** – The Town's health officer, duly authorized animal control officer or law enforcement officer shall direct the disposition of any animal determined to be infect with rabies.

During the period of time when a rabies quarantine invoked pursuant to this ordinance is in effect, every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed or, at the owner's expense and option, shall be treated for rabies infection by licensed veterinarian, or held under quarantine pursuant to quarantine provisions of state law.

No person shall fail or refuse to surrender animal for quarantine or destruction as required by this ordinance when demand is made therefore by the Town's health officer, duly authorized animal control officer, or law enforcement officer.

- F. General Nuisance** – No owner or person having custody of any domesticated animal kept within the legal limits of the Town shall allow such domesticated animal to cause a general nuisance.
- G. Nuisance by Noise** - No owner or person having custody of any domesticated animal within the legal limits of the Town shall allow such domesticated animal to cause a nuisance by noise.
- H. Dangerous Domesticated Animal** – After written notice from the Animal Control Officer, an owner or keeper of a dangerous domesticated animal, as defined in this ordinance shall be required, at all times to keep the domesticated animal confined in a secure enclosure or building, or on a chain when outside the enclosure or building. The owner or keeper shall also, within 48 hours of receipt of that notice, purchase a muzzle which the domesticated animal is required to wear when on a chain outside a secure enclosure or building, when on a leash and at all other times the domesticated animal is taken outside the owner's premises.

Part III - ENFORCEMENT

- A. Animal Control Officer.** The Town Manager shall appoint an Animal Control Officer for the purpose of enforcement of the provisions of this Ordinance and State Law relating to animals.
- B. Impoundment.** Unlicensed dogs, whether or not at large, dangerous domesticated animals and dogs found running at large, whether or not licensed, may be seized, impounded or restrained by any law enforcement officer, animal control officer or other duly authorized person within the Town of Wayne and delivered to the person who is duly authorized to have control of impounding.

Before seizure, impounding, or restraint of any dog in violation of this ordinance, a written notice must be given to the owner of said dog, unless it is determined that the dog is a threat to themselves or others (sick or injured, running at large in traffic, dangerous dog). If the owner of such dog is known or can be located with reasonable diligence, then the person who has control of impounding shall personally notify the owner within three days of the receipt of such dog. If the owner of such dog is not known and cannot be located with reasonable diligence, then the person who has control of impounding shall post, within forty-eight hours of the time such person shall have taken such dog into his possession, written notices in three public places in the municipality, giving a description of the dog, stating where it is impounded and the conditions for its release.

If the owner within seven days after receiving notice, or within seven days after notice has been posted, does not claim such dog, then the person having control of impounding shall dispose of the dog by sale or otherwise, in a proper and humane manner. The person having control of impounding shall keep a record of every dog disposed of by sale or otherwise.

- C. Conditions of release.** Before any impounded dog may be transferred or released (a) such dog shall be vaccinated with anti-rabies vaccine, or shall show proof of vaccination within the previous year, (b) such dog must be licensed in accordance with the statutes of the State of Maine, (c) pay all fines, (d) if dog is deemed dangerous, owner must demonstrate compliance with ordinance and (e) pay any fees incurred at the impounding facility.
- D. Penalties.** The penalty for violation of this ordinance shall be a fine of fifty dollars (\$50.00) for the first offense, and for a period of two years after the first offense, one hundred dollars (\$100.00) for any second offense, and two hundred and fifty dollars (\$250.00) for the third or any subsequent offense.

Any fees collected under this ordinance shall be designated to a special revenue account for animal control use in accordance with the provisions and requirements of State Statute.

Any person found guilty of violating this ordinance shall be required to reimburse the Town for the attorney's fees and costs incurred in the prosecution of the action.

- E. Authority to kill dangerous, fierce, vicious domesticated animal**
If any dangerous, fierce or vicious domesticated animal cannot be safely taken up and impounded; such domesticated animal may be slain by any duly authorized animal control officer or law enforcement officer.

PART IV – SEVERABILITY - VALIDITY – EFFECTIVE DATE

- A. Severability of provisions.** It is the intention of the municipality that each provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the municipality that if any provision of this ordinance be declared invalid all other provisions thereof shall remain valid and enforceable.
- B.** This Ordinance shall take effect upon its passage at an Annual/ Special Town Meeting and will replace all previously adopted Barking Dog and Animal Control Ordinances.
- C.** In keeping with State law, Municipal Officers, with the assistance of the Animal Control Officer, will develop ordinance changes as needed, present them for

review at a duly warned public hearing, and present them for adoption by voters at an appropriately warned Annual/ Special Town Meeting

- D. Effective date.** This Ordinance shall be in full force and effect immediately upon adoption at Annual/ Special Town Meeting.

TOWN OF WAYNE, MAINE BYLAWS OF THE BOARD OF SELECTMEN

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board of Selectmen (Board) meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

Section 3. Officers and their Duties

Officers of the Board shall consist of a Chair and a Vice-Chair to be chosen annually at the first Board meeting in July by and from among Board members. The Chair shall preside at all Board meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board to perform its duties and conduct its affairs. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority.

Notwithstanding the presence of the Chair, the Selectman may, by unanimous consent, authorize the Vice-Chair to preside at that Board meeting. In that instance the Vice-Chair is to have and exercise any and all authority conferred upon the Chair. In a situation where the Chair and the Vice-Chair of the Board are absent, the Board shall appoint by affirmative majority vote of its present members present, a temporary Chair of the Board to serve until such a time as the Chair or Vice-Chair returns to the Chair. The temporary Chair is to have and exercise any and all authority conferred upon the permanent Chair. The Town Clerk shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be a public record except as otherwise provided by law.

Section 4. Meetings

Regular meetings of the Board should be held every other Tuesday at 6:30 PM or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the Board, provided, however, that notice thereof shall be given to each member at least twenty-four hours in advance, whenever possible, and that no business may be conducted other than as specified in said notice.

Notice of all Board meetings shall be given as required by law. The town Manager or designee will post all meeting notices at the following locations:

1. Wayne Post Office;
2. Wayne General Store;
3. Town Office;
4. North Wayne Building; and
5. Town of Wayne Website

All such meetings shall be open to the public except otherwise provided by law.

No business may be conducted by the Board except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board being present. The regular order of business at meetings shall be as follows:

1. Call meeting to Order:
2. Pledge of Allegiance.
3. Selectman Present / Quorum.
4. Meeting Minutes.
5. Warrants.
6. Business Agenda.
7. Supplements / Abatements
8. Town Manager Report.
9. Board Member Reports.
10. Public Comments.
11. Adjourn.

Board members are allowed to go into an executive session to deliberate on the matters authorized by 1 MRSA 405 and no others. The executive session can only be entered after a motion has been made in public session to go into executive session. The motion to go into executive session must indicate the precise subject matter although the wording of the motion, obviously, may not substantially reveal the sensitive information which the law intends to protect by the executive session process. The motion also must "include a citation of one or more sources of statutory or other authority that permits an executive session for that business". The motion must carry by at least 3/5 of the members present. No topic other than that referred to in the motion shall be discussed during executive session. All matters discussed during the executive session shall be held in strictest confidence by the Board and shall not be discussed with or divulged to any person other than a fellow Board member or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending Board member to sanction by the Board.

Section 5. Public to Address Board

The Select Board encourages citizens of the Town of Wayne to attend Board meetings, conducted at the Town office at 6:30 Tuesday evenings, which are open to both the press and the public except during executive sessions. Executive sessions, which usually occur at the end of a meeting, deal with topics that the open discussion of which may potentially harm the Town, affected individuals or both, or are authorized / mandated by state law. The Select Board follows state law with regard to executive sessions. The Board encourages residents to bring issues of concern or interest of an individual or of the community to the attention of the Select Board. Citizen involvement in Town governance enhances the sense of community that makes Wayne a great place to live, work and visit. Select Board meetings follow an agenda, which lists the issues the Board will address. The Board wants to hear from citizens and recognizes one way for residents to participate is to speak out in the "Public Communications" sections of each Select Board Meeting. The Select Board also recognizes that efficient, productive and orderly meetings are essential to ensure full and fair consideration of agenda subjects at each meeting. To balance these two interests, the Select Board adopts this Policy to govern the "Public Comments" agenda item of the meetings.

Citizens will be allowed to comment on each agenda, with comments pertaining only to the item being discussed before final action is taken. Comments will be limited to three to five minutes.

There will be one "Public Comments" segment at each regularly scheduled Select Board Meeting at the end of the meeting. Each "Public Comments" segment is limited to fifteen minutes, allowing three (3) minutes per person. Repeat speakers shall be allowed to speak again after anyone wishing to speak has done so and we are still in the fifteen minute allotted time frame. The full fifteen minute time interval will not be reserved for potential discussion. A citizen who is present at the meeting may request the Select Board to extend the Public Comments time, with the Select Board voting on the amount of time and either accepting or rejecting the additional time allocation requested.

All Public comments or questions shall be directed to the Chairperson, who will recognize each speaker in turn. Remarks may not exceed three minutes per speaker. Each speaker must identify him/herself and the group he/she represents, if applicable. Speakers may not "read into the record" remarks prepared for or directed to another person or entity. This segment of the agenda is intended for brief, usually informal, discussions.

A speaker requesting to present a more formal or comprehensive discussion may request in advance to be on the agenda for that evening. To request to be on the agenda, one should contact the Town Manager by Tuesday noon prior to the following scheduled Select Board Meeting. The "Public Comments" segment is not an appropriate time to request an interpretation and/or decision of the Select Board. All reasonable requests will be considered, but will be at the Select Board Chairperson's discretion.

whether to allow an agenda item, depending on the nature of the request and the time available at a specific meeting. Any request to be on the agenda denied by the Chairperson of the Board, may be brought forth before the entire Select Board during Public Comments time for the entire Select Board to review. If a motion is made and passes to add the item to a future agenda, the Chairperson will add it to the agenda within the next two scheduled Select Board meetings.

The Select Board will not accept written materials distributed at a Select Board meeting, other than petitions submitted in accordance with state law. Individuals or groups must submit written materials for the Board's attention to the Chairperson of the Select Board, no later than noon on the Monday before the next scheduled Select Board meeting. The Chairperson shall provide to the Town Manager any written materials received from the public for distribution to all Board members.

Individuals or groups who desire a response from the Select Board are advised to contact the Town Manager and all Select Board Members to request placing an item on the Board's agenda for discussion or submit a letter rather than relying on a "Public Comments" session. The Select Board shall note any concerns, questions, comments and communications from the public and possibly address at a following meeting. The Chairperson also could direct the individual or group to an appropriate resource for further information. The Select Board will not enter into debate with the public on a topic but may provide factual information regarding the substance of a comment or ask clarifying questions. Following the meeting, the Chairperson, on behalf of the Select Board will submit contact information (if provided) for the member of the public who asked a question or provided a comment to the appropriate resource for further information, if needed.

Questions about Town affairs and criticisms or concerns about Town policies, actions, or programs are welcome, provided they do not become personal.

No personal attacks on any individual or firm, including Town employees, Town officials, or members of the public, will be tolerated during any meetings. Please direct concerns about Town officials to the Chairperson of the Select Board outside the public meeting. Complaints concerning any employee of the Town, other than the Town Manager, shall be directed only to the Town Manager and are not permitted to be publicly discussed, pursuant to Maine Labor Laws. Complaints involving the Town Manager shall be directed to the Select Board for consideration, but are not permitted to be discussed pursuant to Maine Labor Laws.

The Select Board vests in its Chairperson the discretion to terminate any remarks if the speaker does not adhere to this policy. At any time, remaining Select Board may call a point of order and ask the Chairperson to address any individual(s) that are not abiding by this policy. This pertains to the public, Select Board Members, and all Town employees.

Section 6. Workshop Sessions

Workshop sessions may be scheduled by the Chair for the purpose of disseminating information for Board enlightenment and evaluation or for the discussion or refinement of future agenda items.

Members of the public are invited to attend any workshop session but will not be allowed to participate in the workshop. Prior to adjourning any workshop session, the Board will provide time for members of the public to address the session to provide information relevant to the subject being explored or to ask questions, through the Chair, relating to the subject of the workshop session.

Section 7. Agenda Items

All agenda items shall be, under normal circumstances, submitted by the Board members to the Town Manager three working days prior to any regular or special meeting. The Town Manager will draft the agenda and obtain the Chair's approval before distribution. In the event that a matter shall arise which was not submitted to the Town Manager within the proper time frame, then that item shall be presented to the Chair as soon as possible. The Chair may present the matter to be considered by the Board, with a majority vote of Board members present required for it to be included on the agenda.

Section 8. Hearings

Public hearings of the Board shall be called as required by law or on such other occasions as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however that formal rule of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided, however, that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 9. Meeting Length

Any action of the Board shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other Disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown. Those present, in such circumstances, who refuse to vote are regarded as having voted affirmatively, i.e. for the proposition, or to have voted with the majority.

Section 10. Meeting Length

All Board meetings, workshops or executive sessions should, except in extraordinary circumstances, adjourn at or before 9:30 p.m.

Section 11. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 12. Waivers; Amendments

These bylaws, or any provisions thereof, may be waived on any occasion by majority vote of the Board unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Board.

RULES OF PROCEDURES ADOPTED BY THE BOARD OF SELECTMEN ON JULY 15, 2014 BY:

Gary Kenny

Stephanie Haines

Stephen Saunders

Peter Ault

Donald Welsh

Attest:

Aaron Chrostowsky, Town Manager

Last Updated: 7/2014

May 5/1993

TOWN OF WAYNE
MOBILE HOME PARK, RECREATIONAL VEHICLE (RV) PARK, AND CAMPGROUND
ORDINANCE

Adopted 6/26/91

SECTION I - ADMINISTRATION, PERMITS, AND DEFINITIONS

A. Purpose:

This Ordinance has been drafted with the purpose of defining and regulating Mobile Home Parks, RV Parks, and Campgrounds; to establish minimum standards governing the site requirements, construction, and maintenance of said uses; to establish minimum standards governing utilities and required facilities; to establish the duties of owners and operators of said uses; and to establish penalties for violations.

B. Jurisdiction:

This Ordinance shall have jurisdiction over all property within the boundaries of the Town of Wayne.

C. Definitions:

Person: As used in this Ordinance, persons, partnerships, firms, corporations, owners, lessees or licensees or their agents.

Recreational Vehicle (RV): A vehicle primarily designed as temporary living quarters for recreation, camping, or travel; either with its own motive power, or mounted on or towed by another vehicle. An RV is used as a temporary shelter, not placed on a foundation, or permanently hooked to utilities.

Mobilehome: A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site.

Mobilehome Park: A parcel of land under unified ownership approved by the municipality for the placement of mobilehomes which can be transported to the park in one or two sections.

RV Park or Campground: Land upon which two or more RVs are parked and occupied temporarily for recreational or camping purposes, or land upon which two or more camping spaces are installed. A camping site or space incidental to residential use is excluded.

Park or Campground Space: The minimum prescribed dimension and area for each mobile home, RV, or campground space in this Ordinance, which area is reserved for use by the occupants of that area.

Interior Road or Street: A road which provides connection(s) from spaces within a RV, Mobile Home Park or Campground to an access road or to service locations within the Park or Campground.

Access Road: A road connecting a town way to a RV or Mobile Home Park, or Campground.

D. Permits Required:

1. Initial Permit: It shall be unlawful for any person to construct, maintain, operate, or alter a Mobilehome Park, RV Park, or Campground, without first obtaining a permit from the Wayne Planning Board. The application for an initial permit shall be made under the procedural requirements of, shall be subject to, and shall be reviewed under the Town of Wayne Subdivision Regulations, Sections H through K. Review standards for roads and streets shall be governed by this Ordinance. Article IX, Section K, of the Wayne Zoning Ordinance does not apply to the review under these regulations.

2. Fees, Initial Permit Applications: A fee of \$150.00 shall be deposited with the application to the Town of Wayne for parks or campgrounds of twenty spaces or less. For each space over 20, an additional \$5.00 per space shall be added.

3. Renewal Permits: Applications for renewal shall be made no later than May 1 of each year to the Code Enforcement Officer. A renewal permit shall be issued contingent with compliance with all regulations in this Ordinance. The applicant shall provide a written statement that no changes have been made to the most recently reviewed permit application or apply to the Planning Board for review of any changes proposed before a renewal permit is due or issued. Changes are reviewed in the same manner as an initial permit.

4. Fees, Renewal Permits: Fees for renewal shall be \$25.00 for parks or campgrounds of 20 spaces or less plus \$1.00 for each space over 20.

E. Application and Review Process: Applications for initial permits and any subsequent changes shall be in writing on forms approved by the Planning Board and shall have attached:

1. A set of plans, drawn to a scale of not less than 100' to the inch, showing:
2. The area and dimensions of the tract of land. Map and Lot Number. Indicate abutting property owners on the plan.
3. The location, number, and size of all park or campground spaces within the tract.
4. Abutting roads and streets to the parcel, interior roads and streets, walkways, buildings, common areas, and access roads to the site.
5. Location and use of existing and/or proposed buildings and structures.
6. Setbacks of all park or camping spaces, buildings, structures, common areas, roads, streets, and walkways from property lines, normal high water mark, or water courses, as applicable.

7. Location of all test pits, copies of approved septic designs, location of wells and/or sources of potable water. The Planning Board may require more extensive soils information if such is deemed necessary to adequately review the proposal.

8. Location of common utility areas and structures prescribed by the Ordinance.

9. Overlay of USGS contour lines on the plan of the parcel.

10. Areas to be reserved as open space, common areas, recreation areas, etc.

11. The depth to water table at representative points throughout the mobile home park.

12. Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.

13. An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the mobile home park, at the mobile home park boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance.

14. A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.

F. Standards to Protect Ground Water Quality

1. Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

2. No mobile home park shall increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the Secondary Drinking Water Standards.

3. If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated to meet public water supply standards.

4. If ground water contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

G. Existing Use: All lawfully existing Mobilehome Parks, RV Parks, or

Campgrounds at the date of adoption of this Ordinance shall be permitted to continue in their existing configuration with regard to size of park spaces, number of spaces authorized, setbacks, and road locations and widths. Expansion shall comply with the requirements of this Ordinance. A Renewal Permit shall be required annually.

For existing use, the first permit applied for shall have attached a plan drawn to convenient scale of the entire parcel, the location of each space on the parcel, any structures or buildings and their use, and the setbacks from parcel property lines of all said spaces and buildings from all lot lines, and normal high water marks. Fees for renewal permits shall apply.

H. Inspection: The Code Enforcement Officer is authorized and directed to make periodic inspection of all Parks and Campgrounds in order to determine compliance with this Ordinance and the safeguarding of health, safety, and welfare of the occupants of said parks and campgrounds. He shall have the right to enter at reasonable hours any private or public property relating to uses governed by this Ordinance in the pursuit of his responsibilities herein.

SECTION II - SPECIFIC REGULATIONS FOR RV PARKS AND CAMPGROUNDS

A. Minimum RV or Campground Space: Each RV or campground space shall contain a minimum area of 5,000 square feet exclusive of access roads or driveways, and shall be no less than 75 feet wide measured at the line abutting interior access roads to the spaces.

B. Setbacks: Setbacks of any RV or campground space or structures in the Shoreland Zone as defined in the Wayne Zoning Ordinance shall be 100 feet from the normal high water mark of any lake, pond, stream, or upland edge of a wetland. With regard to the exterior perimeter of the parcel, setbacks of any RV or campground space or structure shall be 50 feet from side, rear, and front lot lines. Front lot lines are the lot lines separating the lot from the right-of-way line of a street or road, public or private.

C. Minimum Lot Size:

1. Minimum lot size for a parcel used as an RV Park or Campground shall be 10 acres.

2. That part of the lot fronting any pond, lake, stream, or upland edge of a wetland shall be no less than 500 feet in width measured at the normal high water mark, plus 50 feet for each additional 20 spaces or fraction thereof over 20.

3. Only one pier or dock shall emanate from the shoreline per 250 feet of shore frontage. Their installation and that of unattached swimming floats shall be in accordance with the provisions of Part I, Article V, Section F of the Wayne Zoning Ordinance, except the maximum dimensions of said piers, docks, or floats may be determined by the Planning Board based on projected use.

D. Use of Park Spaces:

1. Spaces in RV Parks or Campgrounds may be used by travel trailers,

camping trailers, truck campers, pick-up covers, motor homes, tents or equivalent facilities originally manufactured for camping purposes.

2. Mobile Homes are specifically excluded.

3. No building, structure, or shelter may be constructed on a RV or campground space except tent platforms.

4. No RV or campground space shall be conveyed, leased, or rented in a manner which grants or effects rights of ownership or title in said space.

5. No Recreational Vehicle shall be permanently connected to a water supply or septic system, nor any RV or campground space occupied for dwelling purposes except temporarily for camping as provided for herein.

E. Service Facilities: Facilities which meet the following specifications shall be provided and continuously maintained in sanitary and in good operating order at all times when the RV Park or Campground is open for business.

1. A source for a continuous, adequate (in volume for the number of spaces), safe, and potable supply of water.

2. Not less than one toilet for each sex, operated by running water, and meeting the State Subsurface Wastewater Disposal Rules, for the first five RV or campground spaces. Additionally, one toilet as above for each sex shall be provided for each additional ten RV or campground spaces.

3. For any RV or campground of more than five spaces, one service building containing one lavatory for each sex, one shower with hot and cold running water for each sex, and one additional lavatory and shower for each sex for every ten additional spaces or fraction thereof.

4. The storage, collection, and disposal of refuse shall be in closed containers which shall not harbor rodents, insects, or create health hazards or odor. One covered refuse container will be provided for each space, and the refuse deposited removed daily to a central collection point.

F. Interior Roads and Driveways:

1. Roads and driveways constructed to serve the interior of the parcel and spaces shall have a minimum travel way of 16 feet with three foot shoulders. Culverts will be placed at all points of water courses and collection points. Runoff shall be directed to areas where it can be absorbed by the ground and not discharged in any pond, lake, stream, or wetland. The design and plan for the construction of said roads shall be by a registered professional engineer. Said design, its profiles and crosssections, shall be submitted to the Planning Board as a part of the application.

2. Access Roads are subject to the provisions of the Town of Wayne Subdivision Regulations, Section J. It is the responsibility of the applicant to obtain all necessary easements and agreements from the abutters of an access road to construct and maintain said road according to the requirements of the Planning Board.

G. Excavation and Fill: All excavation and fill shall be conducted in accordance with provisions in the Wayne Zoning Ordinance for such activities and shall provide measures for adequate control of soil erosion and/or sedimentation.

SECTION III - SPECIFIC REGULATION FOR MOBILE HOME PARKS

A. Minimum Lot Size: The overall area of a mobile home park shall not be less than the combined area of its mobile home park lots plus the area required for roads, rights-of-way, and buffer strips.

B. Minimum Mobile Home Space:

1. Each mobile home space with on-site subsurface waste disposal shall consist of an area not less than 20,000 square feet with a width measured at the setback to the line abutting a road of not less than 100 feet.

2. Each mobile home space served by a central on-site subsurface waste water disposal system shall consist of an area of not less than 12,000 square feet, with a width measured at the setback to the line abutting a road of not less than 75 feet.

3. No more than 50% of each space shall be covered by the mobile home, accessory buildings, or structures of any kind.

C. Concrete Pads: Each mobile home space shall have a concrete slab, no less than 4 inches thick on a 12 inch gravel base, of sufficient dimensions to serve as a foundation to the mobile home installed thereon.

D. Setbacks: Setbacks of the mobile home or accessory structures from mobile home space lot lines shall be 35 feet from the front lot line, 30 feet from a side lot line, and 30 feet from a rear lot line.

E. Additions or Accessory Structures:

1. One enclosed tenant storage facility of at least 300 cubic feet shall be provided on each mobile home space for the storage of materials and equipment. No other accessory buildings shall be permitted.

2. No addition consisting of interior living space may be constructed to become attached to a mobile home, unless such addition was originally designed as a part of the mobile home by the manufacturer. Said additions, and open decks and stairways are permitted provided that they are not attached to an in-ground foundation and can be easily removed, and they meet the setbacks required as above.

F. Location of Park With Respect to Roads: Every mobile home park shall have access to a currently maintained Town road by abutting thereon, or by means of a privately constructed road built according to standards as follows:

Construction of access roads connecting a Town road to a mobile home park shall meet the requirements of the Town of Wayne Subdivision Regulations, Section J. It is the applicants's responsibility to obtain, as required by the Planning Board, the necessary easements from and execute the necessary agreements with abutters of an access road to improve and maintain any access road to the park. The applicant shall submit as a part of the application, the design, profiles, and cross sections of the access road prepared by a registered engineer.

G. Roads Within A Mobile Home Park: Roads within a park shall be continuous or terminate with a turn-around of not less than 100 feet in diameter, and;

1. Shall have a minimum gravel base of 12 inches, 16 foot travel ways for parks of up to 6 spaces, and 18 foot travel ways for parks over 6 spaces, 2 foot shoulders of not more than a 3:1 slope and be surfaced with a bituminous or chip-seal process to a depth of 2 inches. These provisions may not be waived by the Planning Board.

2. Shall be designed by a registered engineer and that design, profiles, and cross sections shall be submitted as part of the application.

H. Utilities:

1. Each mobile home shall be connected to an approved septic disposal system according to the State of Maine Subsurface Wastewater Disposal Rules with no more than four mobile homes being connected to a common subsurface system.

2. Electrical entrances shall be provided for each space, and installation and connections shall be in accordance with applicable State and local codes.

3. A potable, and safe water supply shall be piped underground to each space in sufficient volume to provide 300 gallons per day per space at an average pressure of 40 psi.

I. Fire Protection: Easements shall be provided to existing water sources on the parcel suitable for fire protection and the owner shall install, per Wayne Fire Department specifications, dry hydrants at all available sources. Such sources will be noted on the plan.

J. Refuse and Garbage Disposal: The storage, collection, and disposal of refuse shall not create a health hazard, rodent harborage, insect breeding area, accident hazards, or odor. All such wastes shall be stored in covered, watertight, and animal proof containers. Collection shall be sufficiently often to prevent overflowing of refuse. Central collection points shall have container racks, holders, or other means for containing the refuse until collection. Such central collection points shall be indicated on the plan. The provisions of this section

shall remain the responsibility of the park owner.

K. Parking Areas: Each mobile home space shall have a minimum of two parking spaces provided in a dimension of not less than 9 feet wide by 18 feet long.

These may be provided on each mobile home space or within 50 feet of a mobile home space in common parking areas. Parking on interior roads will not be permitted to satisfy this requirement.

L. Clearing of Vegetation and Buffer Strips:

1. A 50 foot buffer strip along park boundaries shall be required if the proposed density of the park is at least two times greater than the existing or proposed density of the land adjoining and across the street from the park. Natural screening within the first 25 feet of the buffer strip is required.

2. Clear cutting prior to submission of the plan to establish a mobile home park is prohibited. Natural vegetation and trees shall be retained wherever possible consistent with permitted construction of spaces, roads, and utilities. Buffer strips of trees and evergreen vegetation of not less than 10 feet in width shall be maintained and created where necessary between mobile home spaces.

3. All buffer strips shall be shown on the plan. The Planning Board as a part of its review may require landscaping to establish buffer strips between spaces and around the park perimeter.

SECTION IV - ENFORCEMENT & PENALTIES

A. It shall be the responsibility of the Code Enforcement Officer to investigate and document alleged violations of this Ordinance. He shall prescribe in writing to the persons owning or operating and Park of Campground under the purview of this Ordinance, their actions required to remedy the violation(s) and set the time limits for compliance. Failure to correct said violations in the time and manner prescribed shall require further action and remedies provided by law. The Board of Selectmen are authorized and shall bring such actions in equity or law as are proper, either upon request of the Code Enforcement Officer or of their own volition, to restrain, correct, or punish violations of this Ordinance.

B. Penalties: Any person who violates any provision of this Ordinance shall upon conviction be punished by a fine of not less than \$100 or more than \$2,500 per violation for each day that the violation continues.

C. Conflict in Ordinances: In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code of the Town of Wayne, State of Maine or Federal law or regulation, the provision which establishes the higher standard shall prevail.

D. Saving Clause: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any

reason, such decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

E. Amendment: This Ordinance may be amended by majority vote of a legally called Town Meeting. Such amendments shall be referred to the Planning Board for review and recommendations and the Board may have 120 days prior to presentation at Town Meeting to consider their review. Amendments submitted by petition of voters, or those to be voted by referendum shall follow the procedures required by law.

F. Effective Date: This Ordinance is effective on its date of passage and repeals and supersedes the Mobile Home Park and Recreational Vehicle Park Ordinance of the Town of Wayne, Maine, dated March 13, 1971, and subsequent amendments thereto.

Attest: A true copy of an ordinance entitled "Town of Wayne, Mobile Home Park, Recreational Vehicle (RV) Park, and Campground Ordinance", certified to me by the municipal officers of Wayne on the 19th day of June, 1991.

Signature: Mary Farnham

Mary Farnham
Town Clerk
Town of Wayne