Addressing Ordinance
Town of Paris, Maine

Section 1. Purpose

The purpose of this ordinance is to permit the easy identification of buildings for location, emergency services, and postal purposes. Each residence and business location shall have a road name and a number indicating its position on that highway, street, road, lane or private way on which it is located.

Section 2. Authority

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

Section 3. Administration

The map entitled “Building Numbering Map of the Town of Paris, Maine” dated January 1, 1992 is hereby adopted as the official map by which building numbers and road names are designated. The map shall be held in the custody of the Town Clerk. Assignment of number to buildings shall be the responsibility of the E-911 Addressing Officer. The Board of Selectmen is authorized to, and shall assign road names to new roads or the renaming of existing roads. See section 7 of the Sub-Division Ordinance.

Section 4. Numbering System

In general one whole number shall be assigned for every fifty (50) feet of street/road frontage, whether the property is improved or vacant on every street/road within the Town, excluding Market Square, where the ancient number sequence will be preserved. In general, numbering shall begin with the end of the street/road closest to Market Square, with even numbers appearing on the left side of the street/road and odd numbers appearing on the right side of the street/road.

Section 5. Compliance

All owners of structures shall 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 the front of the residence or structure in the vicinity of the front door or entry.

b. Number at the Road Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-away, the assigned number shall be displayed on a post, fence, wall or on some structure at the property line adjacent to the walk or access drive to the residence or structure. The numbers shall be posted so that they are visible from both directions of travel. Posting the number on mail boxes shall not constitute compliance with this section.

c. Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to
be visible from the road at all times of the year.

d. Proper number. Every person whose duty is to display an assigned number shall remove any
different number which might be mistaken for, or confused with, the number assigned in
conformance with this ordinance.

e. Interior location. All residents and other occupants are requested to post their assigned number
and road name adjacent to their telephone for emergency reference.

Section 6. Unlawful to Deface Number/Road Name

It shall be unlawful for any person to alter, deface, or take down any number placed on any property in
accordance with this ordinance, except for repair or replacement of such number. Moreover, it shall be
unlawful for any person to alter, deface or remove any road sign placed in right-of-ways in accordance
with this ordinance.

Section 7. Road Name System

All roads that serve two or more properties shall be named regardless of whether the ownership is
public or private. “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 Paris
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., Pine Road and Pine Lane)*

   b. No two roads should have similar-sounding names (e.g., Beech, Beach)

   c. Each road shall have the same name throughout its entire length.*

       * Historic significance of roads will be maintained when at all possible.

Section 8. New Streets in Subdivisions

New streets in subdivisions shall be named in accordance with the provisions of Section 7 of this
ordinance.

On the Final Plan as described Article 7, Section 7.2.H of the “Planning Board Standards for
Reviewing Land Sub-Division”, the sub divider shall place a line or dots in the middle of each street at
fifty (50) foot intervals, so as to aid the Town in assigning numbers to buildings subsequently
constructed.

Section 9. Separability

If any portion of this ordinance shall be declared invalid, it shall not affect any other portions of the
ordinance.
Section 10. Effective Date

This ordinance shall become effective September 24, 2007 and will be the duty of each property owner to comply with this ordinance.

Section 11. Enforcement/Penalty

a. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this ordinance.

b. Any violation of the provisions of this ordinance shall be subject to a civil penalty, payable to the Town of Paris, of not less than $25.00 and not more than $250.00, for each violation, together with payment of attorney’s fees as provided by law.

It was voted to accept the Addressing Ordinance at a Special Town Meeting on September 24, 2007.

A TRUE COPY ATTESTED BY: _______________________________

Elizabeth M. Larson, Town Clerk, Paris, Maine

Date: _____________________
DOG CONTROL ORDINANCE

FOR THE

TOWN OF PARIS, MAINE

ENACTED: June 9, 2009
Date

EFFECTIVE: June 9, 2009
Date

CERTIFIED BY: [Signature]

CERTIFIED BY: Anne D. Pastore
Print Name

Town clerk
Title
Section 1. TITLE

This ordinance shall be known and may be cited as the “Dog Control Ordinance of the Town of Paris, Maine.”

Section 2. PURPOSE

The purpose of this ordinance is to provide regulations in addition to those contained in Title 7, M.R.S.A., with respect to controlling dogs throughout the Town of Paris (“the Town”) in the interest of the health, safety and general welfare of all its residents.

Section 3. DEFINITIONS

As used in this ordinance, unless the context indicates otherwise:

A. “Owner” – shall mean any person, firm, association or corporation, owning or keeping, harboring or in possession of, or having control of a dog.

B. “At large” – shall mean a dog that is off the premises of its owner, and is not under the control of its owner by means of a leash, cord or chain, or by means of auditory or visual command signals.

C. “Nuisance” – shall mean a dog that disturbs the peace by loud, frequent, habitual barking, howling or yelping, or engages in the destruction of property not belonging to its owner.

D. “Dangerous dog” – shall mean a dog that, for no apparent reason, or by training, will attempt to or actually inflict bodily injury upon a domesticated animal, or upon a person who is neither trespassing on the owner’s premises, nor has acted in an unreasonable, aggressive or hostile manner toward the dog or its owner.

Section 4. REGULATIONS

A. An owner shall not permit a nuisance.
B. An owner of a dangerous dog:

1. Shall maintain continuous control over said dog, either by means of keeping the dog in a secure enclosure, or on a chain or leash.
2. Shall post conspicuous warning signs concerning the dog.
C. It shall be unlawful for the owner of a dog (other than a service dog accompanying a person whose disability precludes compliance) to fail to promptly remove and properly dispose of any feces left by the dog on any sidewalk, street, or publicly or privately owned property (other than that belonging to the owner).

D. It shall be unlawful for any dog, whether licensed or unlicensed, to run at large, except when used for hunting.

Section 5. ENFORCEMENT

A. Impoundment:

1. A police officer or animal control officer, acting with or without complaint, will impound a licensed or unlicensed dog found running at large.

2. A police officer or animal control officer, acting with or without complaint, and at that officer’s discretion, may impound a licensed or unlicensed dog when the dog’s welfare is in question.

3. An impounded dog will be placed in a shelter designated by the Town, and once there, will be confined in a humane manner for a period of not more than eight days.

4. Impoundment and boarding fees will be set by the impound facility, and will be payable, along with any incidental fees, before the dog is released to its owner. Said incidental fees may include, but may not be limited to, per diem and mileage costs of the officer who impounds the dog on each occasion.

5. An owner who does not claim an impounded dog within eight days will be considered to have abandoned the dog, at which point the shelter will either humanely destroy the dog or seek to have it adopted.

B. Interference forbidden:
No person shall interfere with, hinder or molest any police officer or animal control officers in the performance of any duty in furtherance of this ordinance, or seek release of any dog in the custody of a police officer or animal control officer.

Section 6. PENALTIES

A. If not previously convicted of a violation under this ordinance, an owner may elect, within seven business days from the date of the citation, to pay the above-specified, minimum penalty of $50.00 directly to the Town of Paris at the Town office. Upon receipt of such payment by the Town clerk, the animal control officer or police officer that issued the citation shall cause the citation to be dismissed.
B. Any owner convicted of violating any provisions of this ordinance shall be subject to a fine of not less than $50.00, nor more than $100.00, plus costs, which shall include the Town's attorney's fees, for the first violation. For subsequent violations, the fine shall be no less than $100.00, or more than $500.00. In addition, if it deems it appropriate, a court may issue a further order regarding such things as restraint, destruction or disposition of the offending dog.

C. All fines and costs recovered by the Town of Paris shall be put to the use and benefit of the inhabitants of the Town of Paris in furtherance of animal control.

Section 7. VALIDITY

It is the intention of the Town that each section of this ordinance shall be deemed independent of all other sections herein. Further, it is the intention of the Town that, if any provision within this ordinance is declared invalid, all other sections shall remain valid and enforceable.

Section 8. EFFECTIVE DATE

The effective date of this ordinance is: ____________________________
FIRE DEPARTMENT ORDINANCE OF TOWN OF PARIS

Section 1. Title.

This ordinance shall be known as the Fire Department Ordinance of Town of Paris.

Section 2. Purpose.

The purpose of this ordinance is to establish a Municipal Fire Department, and to define the powers and duties of the chief and members of the Department. An additional purpose of this ordinance is to provide the maximum legal protection available to the Fire Chief and municipal firefighters, and to best protect the health, safety and welfare of the residents of Paris.

Section 3. Establishment.

Pursuant to Art. VIII, pt. 2, § 1 of the Maine Constitution, 30-A M.R.S.A. § 3001 and § 3153 et seq., the municipality of Paris hereby establishes a Municipal Fire Department.

Section 4. Definitions.

Municipal Fire Department: The organized fire fighting unit established pursuant to this ordinance.

Municipal Firefighter: An active member, whether full-time, part-time, on call, or a per-diem of the municipal fire department, who aids in the extinguishment of fires or an individual that receives compensation from the municipality for aiding in the extinguishment of fires, and is at least 18 years of age.

Section 5. Duties.

The Municipal Fire Department shall prevent and extinguish fires and provide firefighting protection within the municipality of Paris and elsewhere as provided by mutual aid or other contractual agreements approved by the municipal officers or municipal legislative body. The Municipal Fire Department shall also be authorized to provide emergency services by responding to and managing other public safety emergencies, including, but not limited to, medical emergencies, hazardous materials incidents or natural or man-made disasters.

Section 6. Fire Chief.

A. Appointment. The Fire Chief shall be appointed by the Town Manager for a term of year(s) to be determined the Town Manager and the Select Board.
B. Compensation. The Fire Chief’s compensation shall be established by the municipal officers.
C. Powers and duties. The Fire Chief shall have the powers and duties set forth in 30-A M.R.S.A. § 3153, except that administrative rules and regulations promulgated by the Fire Chief shall not be effective until approved by the municipal officers.
D. Reports. The Fire Chief shall submit a written monthly report on the activities of the Department and shall discharge such other duties as may be required by the municipal officers.
Section 7. Firefighters.

Municipal firefighters shall have the powers and duties set forth in 30-A MRSA § 3151 et seq., and as set forth in any administrative rules and regulations adopted pursuant to section 6(C) above.

Section 8. Deputy Fire Chief.

A Deputy Fire Chief(s) shall be appointed by the Fire Chief, to act with full authority in the absence of the Fire Chief, and shall have responsibilities as set forth in any administrative rules and regulations adopted pursuant to section 6(C) above.

Section 9. Other officers.

The Fire Chief may appoint other officers as deemed necessary.

Section 10. Severability.

The invalidity of any portion of this ordinance shall not invalidate any other part thereof.

Section 11. Effective Date.

This ordinance shall be effective upon its adoption by the municipal legislative body. This ordinance shall supersede any prior ordinance of the same nature.

ENACTED: January 12, 2015

EFFECTIVE: January 12, 2015

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
MEDICAL MARIJUANA DISPENSARY ORDINANCE

OF THE

TOWN OF PARIS, MAINE

ENACTED: June 14, 2011

EFFECTIVE: June 14, 2011

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
ARTICLE 1 - PURPOSE

ARTICLE 2 - AUTHORITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING ORDINANCE

2.1 Authority
2.2 Administration
2.3 Amendments
2.4 Repeal of Existing Medical Marijuana Dispensary Ordinance
2.5 Conflict with Other Ordinances
2.6 Validity and Severability

ARTICLE 3 - ADMINISTRATIVE PROCEDURE

3.1 Medical Marijuana Dispensary Limitation
3.2 Agenda
3.3 Notice of Decisions

ARTICLE 4 - PREAPPLICATION MEETING

4.1 Purpose - Preapplication Meeting
4.2 Rights not Vested
4.3 Establishment of File

ARTICLE 5 - PREAPPLICATION MEETING

5.1 Purpose - Application Meeting
5.2 Procedure
5.3 Submissions to the Planning Board
5.4 On-Site Inspection
5.5 Substantial Construction

ARTICLE 6 - PERFORMANCE STANDARDS

6.1 Annual Registration
6.2 Outdoor Cultivation
6.3 Alarm systems
6.4 Exterior security lighting
6.5 Video surveillance
6.6 Convicted substance employee or volunteer

ARTICLE 7 - VIOLATIONS AND PENALTIES

ARTICLE 8 - MARIJUANA DISPENSARY FUND ESTABLISHED

GLOSSARY OF TERMS
MEDICAL MARIJUANA DISPENSARY ORDINANCE
OF THE TOWN OF PARIS, MAINE

ARTICLE 1 – PURPOSE

1.1 The purposes of this Ordinance are:

A. To provide clear and measurable standards for consideration of a Medical Marijuana Dispensary proposal;

B. To clarify the approval criteria and process under this ordinance consistent with MRSA Title 22: Health and Welfare; Subtitle 2: Health; Part 5: Foods and Drugs; Chapter 558-C: Maine Medical use of Marijuana Act; or any other applicable Statute or Ordinance as is currently in force or as hereinafter amended.

C. To assure that development of Medical Marijuana Dispensing facilities meets the goals and objectives of the policies of the Town of Paris and Maine State Law;

D. To assure the comfort, convenience, safety, health and welfare of the people of the Town of Paris;

E. To assure that an appropriate level of services and facilities are available to the residents of Paris.

ARTICLE 2 - AUTHORITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING ORDINANCE

2.1 Authority

A. These standards have been prepared in accordance with the provisions of Article V, Part 2, Section 1 of the Maine Constitution, Title 30-A M.R.S.A. § 3001.

B. These standards shall be known and cited as the "Medical Marijuana Dispensary Ordinance of the Town of Paris, Maine".

C. The Marijuana Dispensary Ordinance will be in full force with immediate effect upon an affirmative vote by the Town.

2.2 Administration

A. The Planning Board of the Town of Paris, hereinafter called the Board, shall administer this Ordinance.
B. The Code Enforcement Officer shall be responsible for enforcing this Ordinance and advising the Planning Board from time to time on the effectiveness of the provisions of the ordinance. 

C. The provisions of this Ordinance shall pertain to medical marijuana dispensaries within the boundaries of the Town of Paris. 

2.3 Amendments

A. This Ordinance may be amended by the legislative body of the Town of Paris. Amendments may be initiated as follows.

1. Recommended by a majority vote of the Planning Board to the Board of Selectmen;

2. By a majority vote of the Board of Selectmen; or

3. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.

B. A public hearing shall be held prior to the adoption of any amendment. Notice of the hearing shall be provided as established by Tide 30-A, MRS A, § 4352.9.A &B.

2.4 Repeal of Existing Medical Marijuana Dispensary Ordinance

Adoption of this Ordinance shall repeal any previously adopted medical marijuana dispensary ordinances and regulations.

2.5 Conflict with Other Ordinances

This Ordinance shall not be construed to repeal any existing bylaws or ordinances, other than those specifically identified, or to impair the provisions of private restrictions placed upon property, provided that where this Ordinance imposes greater restrictions, its provisions shall control.

2.6 Validity and Severability

Should any section or provision of this Ordinance be declared to be invalid, such decision shall not invalidate any other article, section or provision.

ARTICLE 3 - ADMINISTRATIVE PROCEDURE

3.1 Medical Marijuana Dispensary Limitation

The number of Medical Marijuana dispensaries in the Town Of Paris is limited to one.
3.2 Application Process

Application(s) for a marijuana dispensing facility shall be in accordance with established procedures as set forth by the Planning Board”.

3.3 Notice of Decisions

Final disposition of the application by the Board shall be in writing and issued to the applicant within 30 days of the date of the decision.

ARTICLE 4 – PRE-APPLICATION MEETING

4.1 Purpose – Pre-application Meeting

A. The purpose of the pre-application meeting is to afford the applicant an opportunity to meet with the Code Enforcement Officer to become familiar with the requirements of this ordinance and any applicable statutes; however, the meeting is for guidance purposes only. The Town is not bound by any statement or representations made at this meeting.

B. The Town and its agents and representatives will make every reasonable effort to provide current and accurate information; however, the applicant is entirely responsible for the accuracy, correctness, completeness, and suitability of information contained in the application and supporting documentation.

4.2 Rights Not Vested

The review process will only commence when the Planning Board has deemed the application to be complete. This means that no formal consideration of the application, or any on-site inspection, review of the sketch plan, or any other action relating to the presumed process of an application will be undertaken prior to acknowledgement of a completed application by the Board.

4.3 Establishment of File

Following the pre-application meeting, and the submission of a written request to be added to a Planning Board’s agenda, the Board's Secretary shall establish a file for the proposed marijuana dispensary. All correspondence and submissions regarding the pre-application meeting and application shall be maintained in that file in the Town Office.

ARTICLE 5 - APPLICATION MEETING

5.1 Purpose - Application Meeting

Prior to initiating the formal review process, the Board will schedule an application meeting with the applicant. The purpose of the application meeting is to provide the applicant an informal opportunity to meet with the Planning Board, present the proposal and address questions from the Board. The Board may, at this meeting, make a
determination of whether the application is sufficiently complete in order to move forward with the formal review process.

5.2 Procedure

A. A request to consider a Medical Marijuana Dispensary proposal on the Planning Board’s regular meeting shall be made in accordance with paragraph 3.2

B. The applicant shall submit 8 copies of the completed application no later than 12 days prior to the application meeting

C. In the event that multiple applications for a Medical Marijuana Dispensary permit are received, the Board will first consider and render a decision first on the application with the earliest recorded date and time. No additional proposals, applications or requests for a Medical Marijuana Dispensary permit will be considered until the current application has been approved or denied or withdrawn by the applicant. This restriction shall apply to applications for a site plan reviews, building permits, plumbing permits and certificates of occupancy.

D. The applicant or their designated representative shall be present at all Planning Board meetings at which the application is scheduled for consideration. Absences of the applicant or their designated representative may require the application to be tabled to a later date.

E. The Planning Board, at its discretion, may require a verbal presentation by the applicant or their designated representative at any time during the Planning Board’s discussions or deliberations.

F. Following an applicant's presentation the Planning Board may require additional information to be submitted. The Board will also make a determination whether the additional information being requested is critical to the application process and, if necessary, delay the application review process until such information is received.

5.3 Submissions to the Planning Board

A. A sketch plan that shows, in simple form, the proposed layout of the streets, lots, existing buildings and their dimensions and other features in relation to existing conditions within 500 feet of the proposed location,

B. A sketch plan that shows, in simple form, the proposed layout each structure’s interior. This is to include interior room dimensions, interior and exterior door locations, and the locations of water, sewer and power utilities.

D. The Sketch Plan may be a free-hand penciled sketch and does not have to be engineered. It should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development.
E. The applicant shall furnish the Board with written evidence of interest in the property where the dispensary is to be located. Evidence of interest in the property would include deeded ownership of the property, an option to purchase or lease the property or a letter of intent from the property owner to sell or lease the property to the applicant.

F. A non-refundable $5,000 application fee shall be presented with the submissions.

1. The application fee shall be in the form of a certified made out to the Town of Paris, Medical Marijuana Dispensary Fund.

5.4 On-Site Inspection

At any time during the formal review process the Board may hold, at its discretion, an on-site inspection of the proposed site or sites. No inspections, site walks or field trips will take place unless the applicant has been notified in writing.

5.5 Substantial Construction

Failure to complete substantial construction within one year of the date of approval, the Planning Board may make a determination that conditions set forth in the approval have not been met and, therefore, may decline to issue a renewal permit.

ARTICLE 6 - PERFORMANCE STANDARDS

In reviewing a proposed marijuana dispensary, the Planning Board shall review the application for conformance with the following performance standards and make findings that each has been met prior to the approval. In all instances the burden of proof shall be upon the applicant to present adequate information to indicate all performance standards and statutory criteria for approval have been or will be met.

6.1 Annual Registration

A. A non-refundable annual registration fee is to be paid to the Town of Paris,

1. The fee shall be $5,000 or any other amount as may be amended from time to time and made payable to the town of Paris, Medical Marijuana Dispensary Fund.

3. The check is to be made out to “Town Of Paris, Medical Marijuana Dispensary Fund.

B. The annual registration fee is due on the anniversary date of the license or permit. However, should the permittee no longer possess a valid State of Maine license to operate the dispensary, or has discontinued operating a dispensary, no further registration fee is required by the town and the permit lapses at the end of the last day of the permit year.
C. Annual Registration shall be accompanied by a document, signed by the Dispensary’s Chief Executive Officer, containing all of the following:

1. The legal name of the dispensary;

2. Evidence of incorporation under Title 13 §B and evidence that the corporation is in good standing with the Secretary of State;

3. The physical address of the dispensary and the physical address of a maximum of one additional location, if any, where marijuana will be cultivated;

4. The name, address and date of birth of each principal officer and board member of the dispensary; and

5. The name, address and date of birth of any person who is employed by the dispensary.

6.2 Outdoor Cultivation

A facility permitted under the provisions of this ordinance may not cultivate medical marijuana in any space, area, property or location other than the specific site approved by the Board. Outside cultivation of marijuana is not permitted.

6.3 Alarm Systems

A. All Registered Dispensaries and Registered Cultivation Facilities shall have appropriate fire and intrusion alarms as determined by the Code enforcement Officer. Alarm systems shall be capable of being monitored electronically by a qualified agency that is in the business and has experience of monitoring alarms.

6.4 Exterior Security Lighting

The perimeter of a facility permitted under the provisions of this ordinance shall be adequately illuminated from dusk to dawn as approved by the Code Enforcement Officer.

6.5 Video Surveillance.

Registered Dispensaries and Registered Cultivation Facilities shall have recorded video surveillance monitoring the entire interior and immediate exterior of the building(s) where the dispensary and growing operations are located. Plans for providing video surveillance shall be approved by the Code Enforcement Officer. Recordings shall be maintained at least 30.
6.6 Employee or volunteer in violation of Federal or State controlled substance laws.

A facility permitted under the provisions of this ordinance may not employ any individual or volunteer who has been convicted of any state or federal substance abuse violation. Prior to employment, potential employees shall be subject to a criminal history background check as determined by the Chief of Police. The results of each criminal history check shall be forwarded to the Code Enforcement Officer as evidence of compliance with this section.

In addition, principal officers, board members or any other individuals associated with ownership or operation of the facility, and all current employees and/or volunteers of the operation shall annually undergo a criminal history background check as evidence of continued compliance with this section.

ARTICLE 7 - VIOLATIONS AND PENALTIES.

7.1 Upon any violation of any section or subsection of Article 5 the marijuana dispensary permit holder shall be punished by a fine of not less than $50 or more than $500 for each offense. Each day a violation exists shall constitute a separate offense.

7.2 Upon a second violation of any section or subsection of the Ordinance the Planning Board may conduct a hearing to determine if the permit or license to operate a marijuana dispensary and growing operation shall be suspended.

ARTICLE 8 – MEDICAL MARIJUANA DISPENSARY FUND ESTABLISHED

8.1 Fund Established. The Medical Marijuana Dispensary Fund, as referred to in this section as “The Fund” is established as a special reserve account of the Town. The Treasurer of the Town is directed to deposit to the fund all revenues received as a result of licensing, relicensing or enforcement of this Ordinance, or from other sources such as donations that are specifically designated for the Fund.

8.2 Selectmen authorized to distribute. The Board of Selectmen are authorized to distribute proceeds from the Fund in accordance with the following formula: 50% of the Fund for law enforcement purposes; 25% of the Fund for drug or alcohol abuse prevention programs; and 25% of the Fund for any use determined by the Board to be an appropriate use that benefits the citizens of Paris.
GLOSSARY OF TERMS

SUBSTANTIAL CONSTRUCTION: The completion within 2 (two) years of a portion of the improvements that represents no less than thirty percent of the costs of the proposed marijuana dispensary.

REGISTERED CULTIVATION FACILITY - A location at which marijuana is cultivated pursuant to 22 M.R.S.A. 5 2428. The location is considered to be, and must abide by all ordinance provisions regarding, a Registered Cultivation Facility whether it is at the same location as its associated Registered Dispensary or at a different location pursuant to 22 M.R.S.A. 5 2428(2yAX3).

REGISTERED DISPENSARY - A registered dispensary as defined by 22 M.R.S.A. 6 2422. No Application for Certificate of Occupancy shall be approved for a nonprofit dispensary unless it has been issued a valid registration certificate by the State pursuant to 22 M.R.S.A. S 2428(21 and meets all other State and local laws and regulations.
TOWN OF PARIS
MINIMUM ROAD STANDARDS

All streets and roads to be accepted by the Town of Paris shall meet the following minimum criteria:

(A) PAVED ROADS

<table>
<thead>
<tr>
<th>ITEM</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td></td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>46 feet</td>
</tr>
<tr>
<td>Traveled Way</td>
<td>20 feet</td>
</tr>
<tr>
<td>Shoulders</td>
<td>2 feet</td>
</tr>
<tr>
<td>Base</td>
<td></td>
</tr>
<tr>
<td>Sub-Base Gravel</td>
<td>18 inches, placed in two - 9 inch lifts and compacted MDOT Specification 703.06(b) Type D</td>
</tr>
<tr>
<td>&quot;Base&quot; Gravel</td>
<td>as needed</td>
</tr>
<tr>
<td>Surface</td>
<td></td>
</tr>
<tr>
<td>Surface Type</td>
<td>2 inches bituminous concrete pavement</td>
</tr>
<tr>
<td>Geometry</td>
<td></td>
</tr>
<tr>
<td>Crown</td>
<td>Using &quot;cross-slope&quot; of 1/4 inch per foot of paved lane width (2%)</td>
</tr>
<tr>
<td>Shoulder Drop</td>
<td>1 inch to 1-1/2 inches for 2 foot shoulder; 2 to 3 inches for 4 foot shoulder</td>
</tr>
<tr>
<td>Super Elevation (maximum)</td>
<td>1 inch per foot of road width</td>
</tr>
<tr>
<td>Maximum Grade</td>
<td>10%</td>
</tr>
<tr>
<td>Minimum center line radii on curve</td>
<td>200 feet</td>
</tr>
</tbody>
</table>
Drainage

The street or road shall have an engineered drainage plan such that the street or road is provided with adequate drainage facilities to prevent flooding of the road surface and adjacent surfaces.

ITEM
Culvert Size
(if used)

STANDARD
Driveways - 15 inches
Roadway - 18 inches
(minimums)

Ditches
(if used)
12 inches below subbase

The burden of construction standards proof shall be borne by the applicant.
B) UNPAVED ROADS

<table>
<thead>
<tr>
<th>ITEM</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>46 feet</td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>20 feet</td>
</tr>
<tr>
<td>Traveled way</td>
<td>2 feet</td>
</tr>
<tr>
<td>Shoulders</td>
<td></td>
</tr>
<tr>
<td>Base</td>
<td>18 inches, placed in two - 9 inch lifts and compacted</td>
</tr>
<tr>
<td>Sub-Base Gravel</td>
<td>MDOT Specification 703.06(b) Type D</td>
</tr>
<tr>
<td>&quot;Base&quot; Gravel</td>
<td>see Surface Type</td>
</tr>
<tr>
<td>Surface Type</td>
<td>3 to 4 inches of crushed surface gravel - compacted</td>
</tr>
<tr>
<td>Geometry</td>
<td>MDOT Specification 703.06(a) Type A</td>
</tr>
<tr>
<td>Crown</td>
<td>Using &quot;cross-slope&quot; of 1/2 inch per foot of width (4%)</td>
</tr>
<tr>
<td></td>
<td>Using &quot;cross-slope&quot; of 3/4 inches per foot of width (6%)</td>
</tr>
<tr>
<td>Shoulder Drop</td>
<td>1-1/2 to 2 inches for 2 foot shoulder; 3 to 4 inches for 4 foot shoulder</td>
</tr>
<tr>
<td>Super Elevation (maximum)</td>
<td>1 inch per foot of road width</td>
</tr>
<tr>
<td>Maximum Grade</td>
<td>10%</td>
</tr>
<tr>
<td>Minimum center line radii on curve</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

Drainage
The street or road shall have an engineered drainage plan such that the street or road is provided with adequate drainage facilities to provide for the removal of storm water to prevent flooding of the road surface and adjacent surfaces.

**ITEM**

**STANDARD**

Culvert Size  
(if used)  
Driveways - 15 inches  
Roadway - 18 inches  
(minimums)

Ditches  
(if used)  
12 inches below subbase

The burden of construction standards proof shall be borne by the applicant.
Art. 38. Shall the town vote to accept the categories of funds listed below as provided by the Maine State Legislature?

<table>
<thead>
<tr>
<th>Category</th>
<th>1992</th>
<th>1993</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Revenue Sharing</td>
<td>$164,390</td>
<td>$190,000</td>
</tr>
<tr>
<td>Snowmobile Excise</td>
<td>$1,350</td>
<td>$1,350</td>
</tr>
<tr>
<td>Local Road Assistance</td>
<td>$118,632</td>
<td>$78,192</td>
</tr>
<tr>
<td>State Aid to Education</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Library Per Capita Aid/Stipend</td>
<td>$400</td>
<td>$400</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Tree Growth Reimbursement</td>
<td>$10,081</td>
<td>$10,081</td>
</tr>
<tr>
<td>General Assistance Reimbursement</td>
<td>$39,690</td>
<td>$44,200</td>
</tr>
<tr>
<td>Veterans Exemption Reimbursement</td>
<td>$1,622</td>
<td>$1,622</td>
</tr>
<tr>
<td>Court Fees</td>
<td>$1,067</td>
<td>$1,067</td>
</tr>
<tr>
<td>Gas Tax Refund</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>State Grants or Other Funds</td>
<td>$69,742</td>
<td>$175,000</td>
</tr>
</tbody>
</table>

It was voted to accept the categories of funds listed.

Art. 39. Shall an ordinance entitled “Town of Paris Minimum Road Standards” be enacted?

It was voted to accept the ordinance entitled “Town of Paris Minimum Road Standards”.

Art. 40. Shall the town vote to change the name of the Inman Road, so-called, to Stage Coach Road?

It was voted not to change the name of Inman Road.

Art. 41. To see if the town will vote to approve the municipal officers’ Order of Discontinuance of the Old County Road, dated February 22, 1993 and filed by the municipal officers with the town clerk.

It was voted to accept the “Order of Discontinuance of the Old County Road”.

Art. 42. To see if the town will vote to authorize the municipal officers to spend an amount not to exceed 3/12 of the budgeted amount in each budget category of the 1993 annual budget during the period from January 1, 1994 to the 1994 town meeting.

It was voted to accept the above authorization.

Art. 43. To see if the town will vote to set the interest rate to be paid by the town on abated taxes at eight (8) percent for the fiscal year 1993.

It was voted to accept the set interest rate of 8 percent on abated taxes for the fiscal year 1993.

Art. 44. To see if the town will vote to authorize the municipal officers to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to Title 23 M.R.S.A. section 2953.

It was voted to authorize the municipal officers to make final determinations regarding closing or opening roads to winter maintenance.

Art. 45. To see if the town will authorize the selectmen to dispose of town owned personal property with a value of $5,000 or less under such terms and conditions as they deem necessary.

It was voted to accept the amended article to read as follows: To authorize the selectmen to dispose of town owned personal property, with a value of $5,000 or less, under such terms and conditions as they deem necessary.
SIGN ORDINANCE
OF THE
TOWN OF PARIS, MAINE

ENACTED: June 14, 2016

EFFECTIVE: June 14, 2016

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
SIGN ORDINANCE
OF THE
TOWN OF PARIS, MAINE

ARTICLE 1 – PURPOSE

1.1 THE PURPOSES OF THIS ORDINANCE ARE:

A. To provide for an expeditious and efficient process for the review of proposals for new signs or the alterations of existing signs;

B. To clarify the Sign Ordinance approval process and criteria within applicable statutes and ordinances;

C. To assure that development in the Town of Paris meets the goals and conforms to the policies of the Town of Paris and Maine State Law;

D. To assure the comfort, convenience, safety, health and welfare of the people of the Town of Paris; and

E. To minimize potential negative impacts of signs on properties and on the municipality.

ARTICLE 2 – AUTHORITY, EFFECTIVE DATE, ADMINISTRATION, AND REPEAL OF EXISTING ORDINANCE

2.1 AUTHORITY

A. This Ordinance has been prepared in accordance with the provisions of MRSA Title 30-A, §3001.

B. This Ordinance shall be known and cited as “Sign Ordinance” of the Town of Paris, Maine

C. The effective date of this Ordinance shall be the day of adoption by the town (June 14, 2016).

2.2 ADMINISTRATION

A. The Code Enforcement Officer of the Town of Paris, shall administer this Ordinance.

B. The Code Enforcement Officer shall be responsible for enforcing this Ordinance.

C. The provisions of this Ordinance shall pertain to all proposed work within the scope of this Ordinance in the Town of Paris.

D. No permit shall be issued by the Code Enforcement Officer for any sign within the scope of this Ordinance until a Sign Application has been reviewed and approved.

E. All sign permit approvals shall expire one (1) year after the date of approval and a new application must be made and approved. There will be no additional fees.
2.3 AMENDMENTS

A. This Ordinance may be amended by the legislative body of the Town of Paris. Amendments may be initiated as follows

1. Recommended by a majority vote of Planning Board to the Board of Select Board; or
2. By a majority vote of the Board of Select Board; or
3. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.

B. A public hearing shall be held by the Board of Select Board prior to the adoption of any amendment. Notice of the hearing shall be provided as established by MRSA, Title 30-A, §4352.9.

2.4 REPEAL OF EXISTING ORDINANCE

Adoption of this Ordinance shall repeal any and all previously adopted sign ordinances Changeable Sign Ordinances and applicable sections of the Site Plan Ordinance. This shall not prevent the enforcement of repealed ordinances or regulations with respect to time periods in which they were in effect.

2.5 CONFLICT WITH OTHER ORDINANCES

This ordinance shall not be construed to repeal any existing bylaws or ordinances, other than those specifically identified, or to impair the provisions of private restrictions placed upon property, provided that where this Ordinance imposes greater restrictions, its provisions shall control.

2.6 VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other article, section or provision.

ARTICLE 3 – APPLICABILITY

Except as provided in Article 3.A.1-20, no sign may be erected, replaced, enlarged, illuminated or substantially altered without a Sign Permit issued by the Code Enforcement Officer after he/she finds that the sign is in accordance with the provisions of this Ordinance.

A. The following types of signs are permitted, except where otherwise prohibited by Article 7 or by other law and shall not require a Sign Permit issued by the Code Enforcement Officer.

1. All permanent on premise signs erected prior to the effective date of this Ordinance, (ordinary maintenance and upkeep shall be allowed).

2. Any sign approved by the Planning Board, as an element of Site Plan Review, prior to the effective date of this Ordinance or as proposed in a pending application.
3. One sign not exceeding two (2) square feet used to display the street number and/or name of the occupants of the premises.

4. One non-illuminated non-internally lit sign not exceeding six (6) square feet used to describe a home occupation.

5. One sign not exceeding thirty-two (32) square feet on the premises of public or semi-public buildings, and charitable or religious institutions. These signs may incorporate a bulletin board.

6. Temporary signs displayed for thirty (30) days or less to advertise school, non-profit, civic, church and like events and garage sales, auctions and like events.

7. Temporary movable signs are allowed without permit for the following uses.
   a. To call attention to and/or to advertise the name of a new business and the products sold or activities to be carried on in connection with a new business. In such cases, no sign shall remain at a premises for more than 90 days in any calendar year.
   b. To advertise a special sale or sales. In such cases, a sign shall be allowed for a period not to exceed 90 days in any calendar year.
   c. To promote community or civic activities. In such cases, no sign shall remain in place for more than ninety (90) days in any calendar year.

8. One real estate sign not exceeding sixteen (16) square feet relating to the sale, rental or lease of the premises. Such sign shall be removed within one (1) week after the property transaction.

9. One sign each for a building contractor, architect or engineer; each sign shall not exceed sixteen (16) square feet relating to construction projects. Such sign shall be removed within one (1) week after construction is complete.

10. One sign not exceeding thirty-two (32) square feet identifying the name of a farm.

11. Sign(s) not exceeding thirty-two (32) square feet in total describing farm products for sale on the premise.

12. Signs erected by growers of fresh fruit and vegetable crops advertising those fresh fruits and vegetable crops when crops are offered for sale on premises where those crops are grown. Signs may advertise only those fruits and vegetables that are available for immediate purchase. A grower may not erect more than 4 signs. A sign may not exceed 8 square feet in size and must be located within 5 miles of the farm stand. The signs must be erected on private property with the landowner’s written consent except that the signs may be erected within but at the edge of the right-of-ways of highways that receive no federal aid.

13. Political signs, not exceeding thirty-two (32) square feet in total area for single faced signs, or sixteen (16) square feet on each side of double-faced signs, provided that:
   a. Such signs shall not be erected more than six (6) weeks prior to the election to which they pertain; and
b. Such signs are removed within seven (7) days after the election to which they refer.

14. Subdivisions may have one non-internally lit sign at each public entrance to the development not to exceed thirty-two (32) square feet per sign.

15. Any sign(s) placed by the State or Federal Governments or Town of Paris that comply with the Department of Transportation standards.

16. Outdoor signs identifying restrooms, parking, entrance and similar information.

17. Four (4) or less Flags or insignia per commercial lot or business. Flags or insignia in excess of four per commercial lot or use shall comply with the provisions of this Ordinance.

18. Memorial signs or tablets, names of buildings and date of construction, or historic markers when cut into masonry, bronze or other permanent material affixed to the structure or placed on the property.

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

20. Signs not exceeding eight (8) square feet per sign which identify entrances and exit to parking and service areas.

ARTICLE 4 SIGN PERMIT APPLICATION PROCEDURE

4.1 PROCEDURE FOR ADMINISTERING PERMITS

A. Permit Application

1. Every applicant for a Sign Permit shall submit a written application, on a form provided by the municipality, to the Code Enforcement Officer.

2. All applications shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant, or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.

3. All applications shall be dated, and the Code Enforcement Officer, shall note upon each application the date and time of its receipt.

B. Procedure for Administering Permits

1. Within ten (10) days of the date of receiving a written application, the Code Enforcement Officer, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete. The Code Enforcement Officer shall approve, approve with conditions, or deny all permit applications in writing within ten (10) days of receiving a completed application.
2. All fees and payments required by this Ordinance shall be made payable to the “Town of Paris”. The Code Enforcement Officer shall not consider an application complete until the fees have been received by the Town.

3. The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this Ordinance.

4. If a permit is either denied or approved with conditions, the reasons as well as conditions shall be stated in writing.

4.2 SUBMISSION REQUIREMENTS

The Sign Permit Application shall contain the following.

A. The name, address and phone number of the applicant or authorized agent.

B. Sign location (street address) if different than applicant address.

C. Evidence of right, title or interest in the property where the sign is to be located.

D. Tax Map and Lot number of property on which sign is to be located.

E. A colored rendering of the proposed sign(s) that includes the following.
   1. Dimensions;
   2. Sign(s) and supporting structure materials; and
   3. Height of sign(s) above ground.

F. A sketch plan drawn to scale depicting the following:
   1. Lot size and shape.
   2. Location of building(s) on the lot.
   3. The footprint and proposed location of sign(s).
   4. Distance of proposed sign(s) from road travel way and side lot lines.

G. If the sign(s) will be lit the type of fixtures and bulb output.

ARTICLE 5 – PERFORMANCE STANDARDS

The Code Enforcement Officer shall review the applications for conformance with the following performance standards and make findings that each has been met prior to the approval of a Sign Permit. In all instances the burden of proof shall be upon the applicant to present adequate information to indicate all performance standards and statutory criteria for approval have been or will be met.
5.1 ERECTING A SIGN

A. A person may not erect, display or maintain a sign, upon or above, any road right-of-way or so situated with respect to a road as to obstruct clear vision of an intersecting road or roads or otherwise so situated as to prevent safe use or obstruct the maintenance of the road except that non-freestanding signs may be placed in the right of way but may not interfere with vehicular or pedestrian traffic.

B. A person, firm or corporation, while working on, under, over, or immediately adjacent to a highway, may erect temporary warning or directional signs or signals for the purpose of safeguarding or protecting its workers and facilitating and protecting travel along the highway by the traveling public.

5.2 SIGNAGE - FIRST TIME SIGNS AND SIGNS THAT REPLACE EXISTING SIGNS

A. In the case of multi-tenant development it shall be the responsibility of the owner or property manager of such premise to allocate sign space upon the premise, under the terms of this section.

B. On each premise, there shall be permitted a maximum of two (2) wall or roof signs affixed to the exterior of the structure for each tenant under common ownership, operation or control therein. Such signs shall not occupy more than twenty (20) percent of the wall to which it is attached or is above. For the purpose of this section, wall is defined as the façade of the building up to the roof line excluding windows, doors and major architectural features.

C. Window and door signs are allowed without regard to the percentage of the door or window in which they are displayed.

D. One projecting sign is permitted per structure. Projecting signs shall extend no lower than ten (10) feet above ground level projecting from the wall at an angle of ninety (90) degrees. No sign shall exceed thirty-two (32) square feet.

E. One free standing sign is permitted per lot. No free standing sign shall be greater than one hundred (100) square feet.

F. Awning and canopy signs are permitted. Canopies over fuel islands shall only advertise fuel and the store or corporate name.

G. Signs shall be illuminated only by the following means:

1. A steady, stationery light(s) of single color shielded and directed solely at the sign and not casting light off the premises.

2. Interior, non-exposed, white lights of reasonable intensity.

H. Sign with two sides, designed to be seen from two different directions, shall be permitted to double the permissible sign area.
5.3 CHANGEABLE SIGNS

A. The display on each side of a changeable sign:

1. May be changed no more frequently than once every five (5) seconds.

2. May change as rapidly as technologically practicable, provided that the display changes by scrolling.

B. In no event shall a Changeable Sign flash

C. Except as provided herein, changeable signs within the Town of Paris shall comply with all requirements of State Law, in particular, but not limited to, Title 23 MRSA §1914 (11-A)

5.4 EXTERIOR LIGHTING

All exterior lighting shall be designed to minimize adverse impact on neighboring properties and the safe flow of pedestrian and vehicular traffic.

ARTICLE 6 – REMOVAL AND PENALTIES

6.1 REMOVAL

A. If upon inspection, the Code Enforcement Officer, Town Manager or other qualified individual authorized by the Select Board or Town Manager, finds that the sign or signs have not been constructed or placed in accordance with the requirements of this or other applicable ordinances, he or she shall notify the owner and require the items removal; or

B. Upon notification, A person who unlawfully maintains this sign must remove it within 24 hours.

C. Signs placed in protected areas identified in Article 7, excluding public ways may be removed by the police or other individuals authorized by the Select Board or Town Manager.

1. The items removed may be disposed of immediately.

D. The Select Board shall take any steps necessary to preserve the municipality's rights.

6.2 PENALTIES

A. The following penalties apply to violations of this section.

1. The Select Board may impose a fine of not less than $5 and not more than $500 to a person who violates this ordinance.

2. A person who unlawfully maintains any sign for 5 days after written notification for the violation has been sent is subject to an additional fine of not more than $50 for each day (plus Attorney fees), for each sign, upon which such sign is maintained.
ARTICLE 7 – PROTECTED AREAS

Signage is not allowed in certain protected areas of the Town including the Town’s public parks, roadways and other public lands.

7.1 PROTECTED AREAS IN WHICH SIGNS ARE PROHIBITED INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING

A. Moore Park

B. Billings Dam Park

C. The town’s traffic islands, including, but not limited to, the traffic islands located at Market Square and the intersection of Route 26 and Paris Hill Road.

d. Exceptions

1. Signs may be placed on public property (2 sign maximum) with the written permission of the Select Board.

ARTICLE 8– APPEALS

8.1 APPEALS – PLANNING BOARD

An aggrieved party may appeal any decision of the Code Enforcement Officer under this Ordinance to the Planning Board, within thirty days of the date of the decision by the Code Enforcement Officer.

8.2 APPEALS – APPEALS BOARD

An aggrieved party may appeal any decision of the Planning Board under this Ordinance to the Board of Appeals, within thirty days of the date of the decision by the Planning Board.

ARTICLE 9– DEFINITIONS

Except where specifically defined herein, all words used in this ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “lot” includes the word “plot”; the word “Building” includes the word “structure”; the word “may” shall be permissive; the word “shall” is always mandatory; “occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied”.

Aggrieved Party: An owner of land whose property is directly or indirectly affected by the granting or denial of a permit under this Ordinance; a person whose land abuts land for which a permit has been granted; or any person or group of persons who have suffered particularized injury as a result of granting or denial of such permit.

Appeal: An action by an aggrieved party challenging a decision of the Code Enforcement Officer in the administration or enforcement of this Ordinance.

Applicant: The person or entity submitting a Sign Permit Application.
Building: Any structure, having one or more floors and a roof which is used for the housing or enclosure of animals or property such as a garage, barn or workshop.

Changeable sign: Means an on-premises sign created designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on one or every side.

Code Enforcement Officer: A person appointed by the Select Board to perform the inspection, licensing, and enforcement duties required by a particular statute or ordinance.

Development: Means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to filling, grading, paving, signage, remodeling or excavation or the construction of buildings or other structures.

Display: Means that portion of the surface area of a changeable sign that is or is designed to be or is capable of being periodically altered for the purpose of conveying a Message.

Final Plan: The final drawings on which the applicant’s plan is presented to the Code Enforcement Officer for approval.

Finding of Fact and Conclusion of Law: A written statement prepared and signed by the Code Enforcement Officer that summarizes the basic facts of the application review and statements linking the specific facts to the list of criteria that the applicant must meet in order to receive approval.

Freestanding Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Home Occupation or Enterprise: means an occupation, enterprise or profession which is carried on in a dwelling unit or accessory structure by a person residing in the dwelling unit, incidental and secondary to the use of the dwelling unit for residential purposes, which conforms to the following performance standards:

A. Not more than 2 full-time employees or the equivalent thereof not living on the premises shall be employed in the home occupation or enterprise.

B. All exterior signs and displays shall comply with the performance standards of this Ordinance.

Lot: A parcel of land in single ownership, or one leasehold, with ascertainable boundaries established by deed or instrument of record, or a segment of land ownership defined by lot boundary lines on a land subdivision plan duly approved by the Planning Board and recorded in County registry of Deeds.

Message: A communication conveyed by means of a visual display.

Municipality: The Town of Paris

Proposal: The collection of all changes being proposed for new or renovated signs.

Projecting Sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.
Public Way: Public way means any road capable of carrying motor vehicles including, but not limited to, any state highway, municipal road, county road, unincorporated territory road or other road dedicated to the public.

Road: A way maintained by the State of Maine or the Town of Paris or Privately owned way meeting the standards of the Town of Paris Minimum Road Standards.

Roof Sign: Any sign erected and constructed wholly on and over the roof a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Scrolling: A mode of message transition on a changeable message sign where the message appears to move vertically across the display surface.

Sign: Any structure, display, logo, device or representation which is designed or used to advertise or call attention to anything, person, business, activity or place and is visible from any public way. It does not include the flag, pennant or insignia of any nation, state or town. Whenever dimensions of a sign are specified they shall include frames.

Signs include but are not limited to the following:

Billboard - A large panel designed to carry outdoor advertising.  
(Billboards are prohibited in Maine)

Panel - A thin flat piece of wood on which a picture or words are placed.

Placard - A notice posted in a public place; poster; a small card or metal plaque.

Poster - A billboard or placard for posting often in a public place; that is decorative or pictorial.

Street: See Road.

Structure: See Building.

Substantially Altered: Any increase in the area of the sign(s) and/or the method of affixing it to a structure or ground.

Temporary Movable Sign: Any sign not permanently attached to the ground, a building, or other permanent structure by direct attachment to a rigid well, frame or structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; and balloons used as signs.

Time and Temperature Sign: A changeable sign that electronically or mechanically displays the time and temperature by complete substitution or replacement of a display showing the time with a display showing the temperature.

Wall Sign: Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.
Town of Paris

Ordinance for a Recall Election

Adopted on November 3, 2009
Amended on June 8, 2010
Amended on June 12, 2018
ORDINANCE for a RECALL ELECTION

OF THE

TOWN OF PARIS, MAINE

ENACTED: April 24, 2018

EFFECTIVE: June 12, 2018

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
Ordinance for a Recall Election in the Town of Paris, Maine

Section 1. TITLE

This ordinance shall be known and may be cited as the "Ordinance for a Recall Election in the Town of Paris, Maine."

Section 2. AUTHORITY

This ordinance is enacted pursuant to Title 30-A, M.R.S.A., §2528, §2602, §3001 and §3002.

Section 3. PURPOSE

This ordinance provides the means and method by which citizens of the Town of Paris may seek the removal from office of a Town of Paris elected official.

Section 4. APPLICABILITY

All Town of Paris elected officials.

Section 5. PROCEDURE

A. Petitioning for Recall Election

The Petition for Recall Election:

(1) Shall be addressed to the Board of Selectmen.

(2) Shall state the name and office of the elected official whose removal is being sought, and incorporate the petitioners' statement of the reason(s) such removal is desired.

(3) Shall only seek the recall of one official, i.e., a separate petition is required for each official whose removal is sought.

(4) Shall only be signed by registered voters of the Town of Paris.

(5) Shall, on each page, provide spaces for each voter's signature, printed name and address.

(6) Shall require certification by the Town Clerk, within 10 days of the filing of the petition, that the petition bears the signatures of registered voters whose number equals or surpasses 10% of the number of voters registered in the Town of Paris on the date of said certification.

(7) Shall not be filed unless and until the name and contact information of at least one representative of the petitioners is provided to the Town Clerk.
(8) Shall, upon certification by the Town Clerk, and accompanied by documentation of said certification, be presented by the Town Clerk to the Board of Selectmen at their next duly-called meeting; and further, within 2 business days of said certification, the Town Clerk shall send written notice of the recall petition to the official whose removal is being sought.

B. Calling the Recall Election

On receipt of a certified recall petition, the Board of Selectmen shall within 7 day's time of receipt, cause a warrant to be issued ordering an election by secret ballot (pursuant to Title 30-A, M. R. S. A., §2528), to be held on the first Tuesday following the 45th day thereafter; although:

(1) If the first Tuesday following the 45th day after certification of the recall petition falls on a legal holiday, then a recall election shall be ordered to be held within 7 days following the first Tuesday.

(2) If a regular municipal election is to be held within 60 days of receipt of the certified petition, the Board of Selectmen may, at their discretion, schedule a recall election to coincide with the regular municipal election.

C. The Recall Election Ballot

(1) Shall be printed within 15 days of the Board of Selectmen's ordering of the recall election, providing that the official whose removal is sought has not resigned.

(2) Shall ask the question, "SHALL (name of official) BE RECALLED?" and provide adjacent boxes for "Yes" or "No" responses.

D. Hearing

If, between the time of ordering the recall election and the 21st day before said election, the official whose recall is being sought requests a public hearing, the Selectmen shall promptly schedule such a hearing to occur not fewer than 7 days before the election, and shall provide adequate posting at least 7 days before said hearing.

E. The Result of Election

1. In the event of an affirmative vote for removal, such vote shall take effect immediately upon the recording of the vote tabulation into the records.

2. A tie vote will defeat the recall.

F. Vacancies to be filled

A vacancy resulting from removal from office under this ordinance shall be filled in accordance Title 30-A, M.R.S.A., §§2528 and 2602.
Section 6. LIMITATIONS

A. No petition for recall shall be filed against an official with fewer than 4 months in office, or with fewer than 60 days of a multiyear term remaining.

B. If an official has been subjected to a recall election and not removed, no recall petition shall be filed against that official until at least six (6) months have passed since said recall election.

Section 7. VALIDITY

It is the intention of the municipality that each section of this ordinance shall be deemed independent of all other sections herein, and that, if any provision within this ordinance is declared invalid, all other sections shall remain valid and enforceable.

Section 8. AMENDMENTS

This ordinance may be amended by a majority vote of any legal town meeting when such amendment is published in the warrant calling for the meeting.

Section 9. EFFECTIVE DATE

This ordinance shall be in full force and effect as soon as the town votes to enact it, and shall repeal and replace all prior Town of Paris recall ordinances.

Approved, as amended, at Town Meeting, June 8, 2010.

Approved, as amended, at Town Meeting, June 12, 2018.
Town of Paris

Recreational Marijuana Ordinance

Adopted on June 12, 2018
RECREATIONAL MARIJUANA
ORDINANCE

OF THE

TOWN OF PARIS, MAINE

ENACTED: April 24, 2018

EFFECTIVE: June 12, 2018

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
TOWN OF PARIS
RECREATIONAL MARIJUANA ORDINANCE

I. PURPOSE AND AUTHORITY

A. To regulate the location, licensing and operation of retail marijuana establishments authorized by Title 7 M.R.S.A, Chapter 417, Marijuana Legalization Act, within the Town. The Town also reserves the right for additional siting and licensing requirements pursuant to Municipal Home Rule Authority and Title 30-A M.R.S.A. s. 3001

B. To regulate the location, licensing, and operation of laboratories designed for the purpose of processing marijuana extracts to assure compliance with federal and state ISO requirements.

C. The licensing of retail marijuana social clubs in the Town is prohibited.

II. DEFINITIONS

A. Retail Marijuana Establishment: For purposes of this ordinance, retail marijuana establishments, including retail marijuana store, retail marijuana cultivation facility, retail marijuana manufacturing facility, or retail marijuana testing facility and all other definitions relevant to this Ordinance are defined as set forth in Title 7, M.R.S.A., Section 2442 and as said section may be amended.

B. Laboratory: Means any facility designed for the purpose of manufacturing products of marijuana concentrate and constructed in accordance with federal, state, and local standards.

C. License: Means a document issued by the Town officially authorizing an applicant to operate a retail marijuana establishment.

D. Loitering: Means to stand or wait around idly or without apparent purpose.

E. Resident: Means an individual 21 years of age or older who has been domiciled in the State of Maine for a minimum of thirty(30) days and possesses or has made application for a motor vehicle operator’s license or identification card issued by the State of Maine.
F. **Town:** Means Town of Paris

III. **BUILDING PERMIT APPLICATION**

A. Any marijuana facility shall petition the Planning Board for site and business approval. A petition for approval shall be submitted for initial approval, annual renewal, change of use, and any change of ownership.

B. **Certificate of occupancy**

Each facility shall meet the minimum state standards. No Certificate of Occupancy shall be granted for any retail marijuana establishment within one thousand (1000) feet of the boundary of any public or private school.

C. **Municipal and State Codes**

No Certificate of Occupancy shall be granted for any retail marijuana establishment unless the premise concerned is in complete compliance with all Municipal and State Codes and Regulations.

D. **Signage**

All signage shall meet the requirements of the State of Maine, Sign Ordinance of the Town of Paris and shall not be excessively attractive to children. Projected signage shall be submitted with each application to the Planning Board.

E. **Security**

1. Security requirements for retail marijuana establishments, excluding outdoor growing facilities, shall include:
   a. Lockable doors and windows to include intrusion alarms with audible and police notification components sending notification directly to or through a second party to the Paris Police Department.
   b. Video surveillance capable of covering the exterior of the facility, interior and all plants cultivated within the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days a week and such records of
surveillance shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

c. Exterior spot lights with motion sensors covering the full perimeter of the facility

2. Security requirements for outdoor growing facilities, such as a greenhouse, that rely on natural light shall meet the State requirements for fencing and security.

F. Ventilation. Any indoor operation of a marijuana facility shall meet the minimum state requirements for ventilation.

G. Permanent Location

Each retail marijuana establishment shall be operated from a permanent location. No retail marijuana establishment shall be permitted to operate from a movable, mobile or transitory location.

IV. LICENSE APPLICATION

A person seeking a license or renewal of a license issued pursuant to this Ordinance shall submit an application to the Town Clerk on approved forms provided by the Town.

A. The applicant shall present one(1) of the following forms of identification upon submission of an application to operate a retail marijuana establishment:
   1. A valid State of Maine motor vehicle operator’s license
   2. A current State of Maine Identification Card
   3. A United States Military Identification Card
   4. A valid passport

B. The Applicant shall have a 10% financial interest or more in the retail marijuana establishment.

C. The applicant shall:
   1. Provide full name, address and date of birth
2. Acknowledge and consent that the Town will conduct a background investigation, including a criminal history check.

3. Furnish proof of lawful residence. Proof of lawful residence may be made by providing two of the following documents:
   a. A valid State of Maine motor vehicle operator’s license
   b. A valid State of Maine motor vehicle registration certificate
   c. A valid State of Maine fishing or hunting license
d. Voter registration
e. A current invoice from a utility company

4. The name and complete physical address of the proposed retail marijuana establishment

V. LICENSE REQUIREMENT

Any person operating a retail marijuana establishment within the Town must obtain a license which shall be granted on the same criteria and regulations as set forth in Title 7 M.R.S.A., Chapter 417, including all regulations or amendments thereto.

A. The Town license shall be granted contingent upon the applicant obtaining any required State license

B. License classification
   1. Retail marijuana cultivation facility
   2. Retail marijuana store
   3. Retail marijuana products manufacturing
   4. Retail marijuana testing facility

C. Licenses are valid for one(1) year

D. Licenses shall be kept current at all times

E. Applicant must be at least twenty-one(21) years of age

F. Applicant must be a resident of the State of Maine on the date of the application and for the four years immediately preceding the date of the application.

G. License shall be posted in a conspicuous location at a retail marijuana establishment

H. Licenses are not transferable

I. Upon receipt of an application for a new license or renewal, the Town shall schedule a public hearing on the application to be held
not less than forty-five (45) days after the receipt of the completed application

J. Incomplete, false or misleading applications will not be processed

VI. LICENSE FEES [THIS SECTION RESERVED PENDING IMPLEMENTATION OF STATE LEGISLATIVE GUIDELINES]

VII. SUSPENSION OR REVOCATION

A. The Select Board may, after notice and public hearing, suspend, revoke or refuse to renew a license for a retail marijuana establishment for failing to comply with this Ordinance and Title 7, M.R.S.A., Chapter 417

B. In suspending, revoking or refusing to renew a license for a retail marijuana establishment, the Select Board may take into consideration:
   1. Number and types of complaints law enforcement received and investigated.
   2. Failing to correct or abate any violation that the Code Enforcement Officer is authorized to enforce

VIII. REGULATIONS

A. Types of Facilities: Each facility must be approved individually and shall be separately sited. These facilities include those with the primary purposes of:

   1. Retail sales;
   2. Commercial growing facility;
   3. Commercial marijuana manufacturing plant (to include processing for marijuana extracts);
   4. Independent marijuana testing facility.

B. A principal officer of a retail marijuana establishment shall not have been convicted of any state or federal controlled substance law. The principal officer shall maintain an ongoing obligation and duty to
report any ensuring drug convictions to the Town within two (2) working days of the conviction.

C. Background history. Any applicant for a license to operate any retail marijuana facility, including laboratories and growing facilities, must meet the minimum standards established by state law, shall fully disclose accurate information as requested as part of the application process.

D. Required Notices

There shall be posted in a conspicuous location inside each retail marijuana store, at least one legible sign containing the following information:

1. Use of or allowing on-site consumption of marijuana is illegal.
2. Open and public consumption of marijuana in the State of Maine is illegal.
3. The use of marijuana or marijuana products may impair a person’s ability to drive a motor vehicle or operate machinery.
4. No one under the age of twenty-one (21) allowed.
5. Loitering prohibited.

IX. RIGHT OF ACCESS

Every retail marijuana establishment shall allow State or local enforcement officers with jurisdiction over the Town, including but not limited to law enforcement, code enforcement, and fire marshals, to enter the premises at reasonable times for the purpose of investigating compliance with this Ordinance and Title 7 M.S.R.A., Chapter 417.

X. INDEMNIFICATION

A. By accepting a license issued pursuant to this Ordinance, the licensee waives and releases the Town, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of any retail marijuana establishment
owners, operators, employees, clients or customers for a violation of local, state or federal law.

B. By accepting a license issued pursuant to this Ordinance, all licenses, jointly and severally if more than one (1), agree to indemnify, defend and hold harmless the Town, its officers, elected officials, employees, attorneys, agents and insurers against all liability claims and demands on account of any injury, loss or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a licensed retail marijuana establishment.

XI. STATE LAW

In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, distribution or testing of retail marijuana or retail marijuana products, the additional or stricter regulation shall control the establishment or operation of any retail marijuana store, retail marijuana products manufacturing or retail marijuana testing facility in the Town. Compliance with any applicable State law or regulation shall be deemed an additional requirement for issuance or denial of any license under this Ordinance, and non-compliance with any applicable State law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

XII. RETAIL SALES TAX OPTION

All retail marijuana establishments shall be subject to the maximum sales tax authorized by the State and/or Town.

XIII. AMENDMENTS

A. This Ordinance may be amended by the legislative body of the Town of Paris. Amendments may be initiated as follows:

1. Recommended by a majority vote of Planning Board to the Board of Selectmen or;
2. By a majority vote of the Board of Selectmen or;
3. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.
B. A public hearing shall be held by the Board of Selectmen prior to the adoption of any amendment. Notice of the hearing shall be provided as established by MRSA, Title 30-A, §4352.9.

XIV. PENALITIES
This Ordinance shall be enforced by the municipal officers or their designee. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of Title 30-A M.R.S.A Section 4452. Any violation shall be submitted to the Town Code Enforcement Officer for review and subsequent submission to the Town municipal board.

XV. SEVERABILITY
If any portion of this Ordinance is determined invalid by a court of competent jurisdiction, such determination shall not render invalid the remaining portions of the Ordinance.

XVI. APPEALS
An aggrieved party may appeal any decision of the Code Enforcement Officer under this Ordinance to the Planning Board, within thirty (30) days of the date of the decision by the Code Enforcement Officer.

An aggrieved party may appeal any decision of the Planning Board under this Ordinance to the Board of Appeals, within thirty (30) days of the date of the decision by the Planning Board.

XVII. EFFECTIVE DATE
The effective date of this Ordinance shall be June 12, 2018
SHORELAND ZONING ORDINANCE

FOR THE

TOWN OF PARIS, MAINE

ENACTED: June 9, 2009
Date

EFFECTIVE: June 9, 2009
Date

CERTIFIED BY: [Signature]

CERTIFIED BY: [Print Name] [Title]
# TOWN OF PARIS, MAINE
## SHORELAND ZONING ORDINANCE

## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Purposes</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Authority</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Applicability</td>
<td>1</td>
</tr>
<tr>
<td>4.</td>
<td>Effective Date</td>
<td>1</td>
</tr>
<tr>
<td>5.</td>
<td>Availability</td>
<td>2</td>
</tr>
<tr>
<td>6.</td>
<td>Severability</td>
<td>2</td>
</tr>
<tr>
<td>7.</td>
<td>Conflicts with Other Ordinances</td>
<td>2</td>
</tr>
<tr>
<td>8.</td>
<td>Amendments</td>
<td>2</td>
</tr>
<tr>
<td>9.</td>
<td>Districts and Zoning Map</td>
<td>2</td>
</tr>
<tr>
<td>10.</td>
<td>Interpretation of District Boundaries</td>
<td>3</td>
</tr>
<tr>
<td>11.</td>
<td>Land Use Requirements</td>
<td>3</td>
</tr>
<tr>
<td>12.</td>
<td>Non-conformance</td>
<td>3</td>
</tr>
<tr>
<td>13.</td>
<td>Establishment of Districts</td>
<td>7</td>
</tr>
<tr>
<td>14.</td>
<td>Table of Land Uses</td>
<td>9</td>
</tr>
<tr>
<td>15.</td>
<td>Land Use Standards</td>
<td>11</td>
</tr>
<tr>
<td>16.</td>
<td>Storm Water Runoff</td>
<td>18</td>
</tr>
<tr>
<td>17.</td>
<td>Roads and Driveways</td>
<td>16</td>
</tr>
<tr>
<td>18.</td>
<td>Signs</td>
<td>18</td>
</tr>
<tr>
<td>19.</td>
<td>Parking Areas</td>
<td>16</td>
</tr>
<tr>
<td>20.</td>
<td>Commercial and Industrial Uses</td>
<td>15</td>
</tr>
<tr>
<td>21.</td>
<td>Individual Private Campsites</td>
<td>14</td>
</tr>
<tr>
<td>22.</td>
<td>Campgrounds</td>
<td>14</td>
</tr>
<tr>
<td>23.</td>
<td>Piers, Docks, Wharves, Bridges and Other Structures and Uses</td>
<td>13</td>
</tr>
<tr>
<td>24.</td>
<td>Beyond the Normal High-Water Line of a Water body or Within a Wetland</td>
<td>13</td>
</tr>
<tr>
<td>25.</td>
<td>D. Non-conforming Uses</td>
<td>6</td>
</tr>
<tr>
<td>26.</td>
<td>E. Non-conforming Lots</td>
<td>6</td>
</tr>
<tr>
<td>27.</td>
<td>C. Non-conforming Structures</td>
<td>4</td>
</tr>
<tr>
<td>28.</td>
<td>B. General</td>
<td>3</td>
</tr>
<tr>
<td>29.</td>
<td>A. Purpose</td>
<td>3</td>
</tr>
<tr>
<td>30.</td>
<td>D. Changes to the Official Shoreland Zoning Map</td>
<td>3</td>
</tr>
<tr>
<td>31.</td>
<td>C. Certification of Official Shoreland Zoning Map</td>
<td>3</td>
</tr>
<tr>
<td>32.</td>
<td>B. Scale of Map</td>
<td>3</td>
</tr>
<tr>
<td>33.</td>
<td>A. Official Shoreland Zoning Map</td>
<td>2</td>
</tr>
<tr>
<td>34.</td>
<td>A. Effective Date of Ordinance and Ordinance Amendments</td>
<td>1</td>
</tr>
<tr>
<td>35.</td>
<td>B. Repeal of Municipal Timber Harvesting Regulation</td>
<td>1</td>
</tr>
<tr>
<td>36.</td>
<td>Availability of Ordinance and Ordinance Amendments</td>
<td>2</td>
</tr>
<tr>
<td>37.</td>
<td>Repeal of Municipal Timber Harvesting Regulation</td>
<td>1</td>
</tr>
<tr>
<td>38.</td>
<td>Effective Date of Ordinance and Ordinance Amendments</td>
<td>1</td>
</tr>
<tr>
<td>39.</td>
<td>A. Effective Date of Ordinance and Ordinance Amendments</td>
<td>1</td>
</tr>
<tr>
<td>40.</td>
<td>B. Repeal of Municipal Timber Harvesting Regulation</td>
<td>1</td>
</tr>
<tr>
<td>41.</td>
<td>A. Purpose</td>
<td>3</td>
</tr>
<tr>
<td>42.</td>
<td>B. General</td>
<td>3</td>
</tr>
<tr>
<td>43.</td>
<td>C. Non-conforming Structures</td>
<td>4</td>
</tr>
<tr>
<td>44.</td>
<td>D. Non-conforming Uses</td>
<td>6</td>
</tr>
<tr>
<td>45.</td>
<td>E. Non-conforming Lots</td>
<td>6</td>
</tr>
<tr>
<td>46.</td>
<td>A. Purpose</td>
<td>3</td>
</tr>
<tr>
<td>47.</td>
<td>B. General</td>
<td>3</td>
</tr>
<tr>
<td>48.</td>
<td>C. Non-conforming Structures</td>
<td>4</td>
</tr>
<tr>
<td>49.</td>
<td>D. Non-conforming Uses</td>
<td>6</td>
</tr>
<tr>
<td>50.</td>
<td>E. Non-conforming Lots</td>
<td>6</td>
</tr>
<tr>
<td>51.</td>
<td>A. Purpose</td>
<td>3</td>
</tr>
<tr>
<td>52.</td>
<td>B. General</td>
<td>3</td>
</tr>
<tr>
<td>53.</td>
<td>C. Non-conforming Structures</td>
<td>4</td>
</tr>
<tr>
<td>54.</td>
<td>D. Non-conforming Uses</td>
<td>6</td>
</tr>
<tr>
<td>55.</td>
<td>E. Non-conforming Lots</td>
<td>6</td>
</tr>
<tr>
<td>56.</td>
<td>A. Purpose</td>
<td>3</td>
</tr>
<tr>
<td>57.</td>
<td>B. General</td>
<td>3</td>
</tr>
<tr>
<td>58.</td>
<td>C. Non-conforming Structures</td>
<td>4</td>
</tr>
<tr>
<td>59.</td>
<td>D. Non-conforming Uses</td>
<td>6</td>
</tr>
<tr>
<td>60.</td>
<td>E. Non-conforming Lots</td>
<td>6</td>
</tr>
</tbody>
</table>

---

**SHORELAND ZONING ORDINANCE**
**TOWN OF PARIS, MAINE**
SHORELAND ZONING ORDINANCE

Shoreland Zoning Ordinance for the Municipality of

TOWN OF PARIS, MAINE

1. Purposes. The purposes of this Ordinance are to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

2. Authority. This Ordinance has been prepared in accordance with the provisions of Title 38 sections 435-449 of the Maine Revised Statutes Annotated (M.R.S.A.).

3. Applicability. This Ordinance applies to all land areas within 250 feet, horizontal distance, of the

- normal high-water line of any great pond or river, or
- upland edge of a freshwater wetland,

and all land areas within 75 feet, horizontal distance, of the normal high-water line of a stream.

This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.

4. Effective Date

A. Effective Date of Ordinance and Ordinance Amendments. This Ordinance, which was adopted by the municipal legislative body on ________________, shall not be effective unless approved by the Commissioner of the Department of Environmental Protection. A certified copy of the Ordinance, or Ordinance Amendment, attested and signed by the Municipal Clerk, shall be forwarded to the Commissioner for approval. If the Commissioner fails to act on this Ordinance or Ordinance Amendment, within forty-five (45) days of his/her receipt of the Ordinance, or Ordinance Amendment, it shall be automatically approved.

Any application for a permit submitted to the municipality within the forty-five (45) day period shall be governed by the terms of this Ordinance, or Ordinance Amendment, if the Ordinance, or Ordinance Amendment, is approved by the Commissioner.

B. Repeal of Municipal Timber Harvesting Regulation. The municipal regulation of timber harvesting activities is repealed on the statutory date established under 38 M.R.S.A. section 438-A(5), at which time the State of Maine Department of Conservation’s Bureau of Forestry shall administer timber harvesting standards in the shoreland zone. On the date established under 38 M.R.S.A section 438-A(5), the following provisions of this Ordinance are repealed:

- Section 14. Table of Land Uses, Column 3 (Forest management activities except for timber harvesting) and Column 4 (Timber harvesting);
9. Districts and Zoning Map

A. Official Shoreland Zoning Map. The areas to which this Ordinance is applicable are hereby divided into the following districts as shown on the Official Shoreland Zoning Map(s) which is (are) made a part of this Ordinance:

(1) Resource Protection
(2) Limited Residential
(3) Limited Commercial
(4) General Development I
(5) General Development II
(6) Stream Protection
B. Scale of Map. The Official Shoreland Zoning Map shall be drawn at a scale of not less than: 1 inch = 2000 feet. District boundaries shall be clearly delineated and a legend indicating the symbols for each district shall be placed on the map.

C. Certification of Official Shoreland Zoning Map. The Official Shoreland Zoning Map shall be certified by the attested signature of the Municipal Clerk and shall be located in the municipal office. In the event the municipality does not have a municipal office, the Municipal Clerk shall be the custodian of the map.

D. Changes to the Official Shoreland Zoning Map. If amendments, in accordance with Section 8, are made in the district boundaries or other matter portrayed on the Official Shoreland Zoning Map, such changes shall be made on the Official Shoreland Zoning Map within thirty (30) days after the amendment has been approved by the Commissioner of the Department of Environmental Protection.

10. Interpretation of District Boundaries. Unless otherwise set forth on the Official Shoreland Zoning Map, district boundary lines are property lines, the centerlines of streets, roads and rights of way, and the boundaries of the shoreland area as defined herein. Where uncertainty exists as to the exact location of district boundary lines, the Board of Appeals shall be the final authority as to location.

11. Land Use Requirements. Except as hereinafter specified, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located, unless a variance is granted.


A. Purpose. It is the intent of this Ordinance to promote land use conformities, except that non-conforming conditions that existed before the effective date of this Ordinance or amendments thereto shall be allowed to continue, subject to the requirements set forth in Section 12. Except as otherwise provided in this Ordinance, a non-conforming condition shall not be permitted to become more non-conforming.

B. General

(1) Transfer of Ownership. Non-conforming structures, lots, and uses may be transferred, and the new owner may continue the non-conforming use or continue to use the non-conforming structure or lot, subject to the provisions of this Ordinance.

(2) Repair and Maintenance. This Ordinance allows, without a permit, the normal upkeep and maintenance of non-conforming uses and structures including repairs or renovations that do not involve expansion of the non-conforming use or structure, and such other changes in a non-conforming use or structure as federal, state, or local building and safety codes may require.

NOTE: See Section 17 for the definitions of non-conforming structures, non-conforming uses and non-conforming lots.
C. Non-conforming Structures

(1) Expansions. A non-conforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the non-conformity of the structure and is in accordance with subparagraphs (a) and (b) below.

(a) After January 1, 1989 if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure shall not be expanded, as measured in floor area or volume, by 30% or more, during the lifetime of the structure. If a replacement structure conforms with the requirements of Section 12(C)(3), and is less than the required setback from a water body, tributary stream or wetland, the replacement structure may not be expanded if the original structure existing on January 1, 1989 had been expanded by 30% in floor area and volume since that date.

(b) Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Section 12(C)(2) Relocation, below. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 12(C)(1)(a) above, and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it shall not be considered to be an expansion of the structure.

(2) Relocation. A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board or its designee, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the structure to be more non-conforming.

In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board or its designee shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation. When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Planning Board shall require replanting of native vegetation to compensate for the destroyed vegetation. In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

(a) Trees removed in order to relocate a structure must be replanted with at least one native tree, three (3) feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted.
Replaced trees must be planted no further from the water or wetland than the trees that were removed.

Other woody and herbaceous vegetation, and ground cover, that are removed or destroyed in order to relocate a structure must be re-established. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

(b) Where feasible, when a structure is relocated on a parcel the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.

(3) Reconstruction or Replacement. Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within eighteen (18) months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board or its designee in accordance with the purposes of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity. If the reconstructed or replacement structure is less than the required setback it shall not be any larger than the original structure, except as allowed pursuant to Section 12(C)(1) above, as determined by the non-conforming floor area and volume of the reconstructed or replaced structure at its new location. If the total amount of floor area and volume of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with Section 12(C)(2) above.

Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed by 50% or less of the market value, or damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the Code Enforcement Officer within one year of such damage, destruction, or removal.

In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent the Planning Board or its designee shall consider, in addition to the criteria in Section 12(C)(2) above, the physical condition and type of foundation present, if any.

(4) Change of Use of a Non-conforming Structure. The use of a non-conforming structure may not be changed to another use unless the Planning Board, after receiving a written application, determines that the new use will have no greater adverse impact on the water body, tributary stream, or wetland, or on the subject or adjacent properties and resources than the existing use.
In determining that no greater adverse impact will occur, the Planning Board shall require written documentation from the applicant, regarding the probable effects on public health and safety, erosion and sedimentation, water quality, fish and wildlife habitat, vegetative cover, visual and actual points of public access to waters, natural beauty, floodplain management, archaeological and historic resources, and functionally water-dependent uses.

D. Non-conforming Uses

(1) Expansions. Expansions of non-conforming uses are prohibited, except that non-conforming residential uses may, after obtaining a permit from the Planning Board, be expanded within existing residential structures or within expansions of such structures as allowed in Section 12(C)(1)(a) above.

(2) Resumption Prohibited. A lot, building or structure in or on which a non-conforming use is discontinued for a period exceeding one year, or which is superseded by a conforming use, may not again be devoted to a non-conforming use except that the Planning Board may, for good cause shown by the applicant, grant up to a one year extension to that time period. This provision shall not apply to the resumption of a use of a residential structure provided that the structure has been used or maintained for residential purposes during the preceding five (5) year period.

(3) Change of Use. An existing non-conforming use may be changed to another non-conforming use provided that the proposed use has no greater adverse impact on the subject and adjacent properties and resources than the former use, as determined by the Planning Board. The determination of no greater adverse impact shall be made according to criteria listed in Section 12(C)(4) above.

E. Non-conforming Lots

(1) Non-conforming Lots: A non-conforming lot of record as of the effective date of this Ordinance or amendment thereto may be built upon, without the need for a variance, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership, and that all provisions of this Ordinance except lot area, lot width and shore frontage can be met. Variances relating to setback or other requirements not involving lot area, lot width or shore frontage shall be obtained by action of the Board of Appeals.

(2) Contiguous Built Lots: If two or more contiguous lots or parcels are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal use or structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that the State Minimum Lot Size Law (12 M.R.S.A. sections 4807-A through 4807-D) and the State of Maine Subsurface Wastewater Disposal Rules are complied with.

If two or more principal uses or structures existed on a single lot of record on the effective date of this ordinance, each may be sold on a separate lot provided that the above referenced law and rules are complied with. When such lots are divided each lot thus created must be as conforming as possible to the dimensional requirements of this Ordinance.

(3) Contiguous Lots - Vacant or Partially Built: If two or more contiguous lots or parcels are in single or joint ownership of record at the time of or since adoption or amendment of this
Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements.

This provision shall not apply to 2 or more contiguous lots, at least one of which is non-conforming, owned by the same person or persons on August 8, 1993 and recorded in the registry of deeds if the lot is served by a public sewer or can accommodate a subsurface sewage disposal system in conformance with the State of Maine Subsurface Wastewater Disposal Rules; and

(a) Each lot contains at least 100 feet of shore frontage and at least 20,000 square feet of lot area; or

(b) Any lots that do not meet the frontage and lot size requirements of Section 12(E)(3)(a) are reconfigured or combined so that each new lot contains at least 100 feet of shore frontage and 20,000 square feet of lot area.

13. Establishment of Districts

A. Resource Protection District. The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except that areas which are currently developed and areas which meet the criteria for the Limited Commercial or General Development I Districts need not be included within the Resource Protection District.

(1) Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of May 1, 2006. For the purposes of this paragraph "wetlands associated with great ponds and rivers" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. "Wetlands associated with great ponds or rivers" are considered to be part of that great pond or river.

(2) Floodplains along rivers and floodplains along artificially formed great ponds along rivers, defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils.

(3) Areas of two or more contiguous acres with sustained slopes of 20% or greater.

(4) Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.
NOTE: These areas usually consist of forested wetlands abutting water bodies and non-forested wetlands.

(5) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement.

B. **Limited Residential District.** The Limited Residential District includes those areas suitable for residential and recreational development. It includes areas other than those in the Resource Protection District, or Stream Protection District, and areas which are used less intensively than those in the Limited Commercial District or the General Development Districts.

C. **Limited Commercial District.** The Limited Commercial District includes areas of mixed, light commercial and residential uses, exclusive of the Stream Protection District, which should not be developed as intensively as the General Development Districts. This district includes areas of two or more contiguous acres in size devoted to a mix of residential and low intensity business and commercial uses. Industrial uses are prohibited.

D. **General Development I District.** The General Development I District includes the following types of existing, intensively developed areas:

(1) Areas of two or more contiguous acres devoted to commercial, industrial or intensive recreational activities, or a mix of such activities, including but not limited to the following:

   (a) Areas devoted to manufacturing, fabricating or other industrial activities;

   (b) Areas devoted to wholesaling, warehousing, retail trade and service activities, or other commercial activities; and

   (c) Areas devoted to intensive recreational development and activities, such as, but not limited to amusement parks, race tracks and fairgrounds.

(2) Areas otherwise discernible as having patterns of intensive commercial, industrial or recreational uses.

E. **General Development II District.** The General Development II District includes the same types of areas as those listed for the General Development I District. The General Development II District, however, shall be applied to newly established General Development Districts where the pattern of development at the time of adoption is undeveloped or not as intensively developed as that of the General Development I District.

Portions of the General Development District I or II may also include residential development. However, no area shall be designated as a General Development I or II District based solely on residential use.

In areas adjacent to great ponds classified GPA and adjacent to rivers flowing to great ponds classified GPA, the designation of an area as a General Development District shall be based upon uses existing at the time of adoption of this Ordinance. There shall be no newly established General Development Districts or expansions in area of existing General Development Districts...
adjacent to great ponds classified GPA, and adjacent to rivers that flow to great ponds classified GPA.

F. Stream Protection District. The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater wetland. Where a stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

14. Table of Land Uses. All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. The district designation for a particular site shall be determined from the Official Shoreland Zoning Map.

Key to Table 1:

Yes - Allowed (no permit required but the use must comply with all applicable land use standards.)

No - Prohibited

PB - Allowed with permit issued by the Planning Board.

CEO - Allowed with permit issued by the Code Enforcement Officer

LPI - Allowed with permit issued by the Local Plumbing Inspector

Abbreviations:

RP - Resource Protection

GD General Development I and General Development II

LR - Limited Residential

LC - Limited Commercial

SP - Stream Protection
<table>
<thead>
<tr>
<th>LAND USES</th>
<th>SP</th>
<th>RP</th>
<th>LR</th>
<th>LC</th>
<th>GD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Non-intensive recreational uses not requiring structures such as</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>hunting, fishing and hiking</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Motorized vehicular traffic on existing roads and trails</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>3. Forest management activities except for timber harvesting</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>4. Timber harvesting</td>
<td>CEO</td>
<td>CEO</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>5. Clearing or removal of vegetation for activities other than</td>
<td>CEO</td>
<td>CEO</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>timber harvesting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Fire prevention activities</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>7. Wildlife management practices</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>8. Soil and water conservation practices</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>9. Mineral exploration</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>10. Mineral extraction including sand and gravel extraction</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>11. Surveying and resource analysis</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>12. Emergency operations</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>13. Agriculture</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>14. Aquaculture</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>15. Principal structures and uses</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>A. One and two family residential, including driveways</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>B. Multi-unit residential</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>C. Commercial</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>D. Industrial</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>E. Governmental and institutional</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>F. Small non-residential facilities for educational, scientific, or</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>nature interpretation purposes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Structures accessory to allowed uses</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>A. Roadside distribution lines (34.5kV and lower)</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>B. Non-roadside or cross-country distribution lines involving ten</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>poles or less in the shoreland zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Non-roadside or cross-country distribution lines involving eleven</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>or more poles in the shoreland zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Other essential services</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>17. Service drops, as defined, to allowed uses</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>18. Conversions of seasonal residences to year-round residences</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>19. Home occupations</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>20. Private sewage disposal systems for allowed uses</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>21. Essential services</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>A. Roadside distribution lines (34.5kV and lower)</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>B. Non-roadside or cross-country distribution lines involving ten</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>poles or less in the shoreland zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Non-roadside or cross-country distribution lines involving eleven</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>or more poles in the shoreland zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Road construction</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>23. Parking facilities</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>24. Marinas</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>25. Filling and earth moving of &lt;10 cubic yards</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>26. Filling and earth moving of &gt;10 cubic yards</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>27. Signs</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>28. Uses similar to allowed uses</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>29. Uses similar to uses requiring a CEO permit</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
<tr>
<td>30. Uses similar to uses requiring a PB permit</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
<td>CEO</td>
</tr>
</tbody>
</table>

1. In RP not allowed within 75 feet horizontal distance, of the normal high-water line of great ponds, except to remove safety hazards.
2. ^Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
3. ^Provided that a variance from the setback requirement is obtained from the Board of Appeals.
4. Except when area is zoned for resource protection due to floodplain criteria in which case a permit is required from the PB.
5. Except as provided in Section 15(H)(3).
6. "Except as provided in Section 15(H)(3)."
7. "Except as provided in Section 15(H)(3)."
8. "Except as provided in Section 15(H)(3)."
9. "Except as provided in Section 15(H)(3)."
10. "Except as provided in Section 15(H)(3)."
11. "Except as provided in Section 15(H)(3)."
12. "Except as provided in Section 15(H)(3)."
13. "Except as provided in Section 15(H)(3)."
14. "Except as provided in Section 15(H)(3)."
15. "Except as provided in Section 15(H)(3)."
16. "Except as provided in Section 15(H)(3)."
17. "Except as provided in Section 15(H)(3)."
18. "Except as provided in Section 15(H)(3)."
19. "Except as provided in Section 15(H)(3)."
20. "Except as provided in Section 15(H)(3)."
21. "Except as provided in Section 15(H)(3)."
22. "Except as provided in Section 15(H)(3)."
23. "Except as provided in Section 15(H)(3)."
24. "Except as provided in Section 15(H)(3)."
25. "Except as provided in Section 15(H)(3)."
26. "Except as provided in Section 15(H)(3)."
27. "Except as provided in Section 15(H)(3)."
28. "Except as provided in Section 15(H)(3)."
29. "Except as provided in Section 15(H)(3)."
30. "Except as provided in Section 15(H)(3)."
31. "Except as provided in Section 15(H)(3)."
32. "Except as provided in Section 15(H)(3)."
33. "Except as provided in Section 15(H)(3)."
34. "Except as provided in Section 15(H)(3)."
NOTE: A person performing any of the following activities shall require a permit from the Department of Environmental Protection, pursuant to 38 M.R.S.A. section 480-C, if the activity occurs in, on, over or adjacent to any freshwater wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them:

A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;
B. Draining or otherwise dewatering;
C. Filling, including adding sand or other material to a sand dune; or
D. Any construction or alteration of any permanent structure.

15. Land Use Standards. All land use activities within the shoreland zone shall conform with the following provisions, if applicable.

A. Minimum Lot Standards

<table>
<thead>
<tr>
<th>Minimum Lot Standards</th>
<th>Minimum Lot Area (sq. ft.)</th>
<th>Minimum Shore Frontage (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Residential per dwelling unit</td>
<td>40,000</td>
<td>200</td>
</tr>
<tr>
<td>(b) Governmental, Institutional, Commercial or Industrial per principal structure</td>
<td>60,000</td>
<td>300</td>
</tr>
<tr>
<td>(c) Public and Private Recreational Facilities</td>
<td>40,000</td>
<td>200</td>
</tr>
</tbody>
</table>

(2) Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area.

(3) Lots located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof after September 22, 1971.

(4) The minimum width of any portion of any lot within one hundred (100) feet, horizontal distance, of the normal high-water line of a water body or upland edge of a wetland shall be equal to or greater than the shore frontage requirement for a lot with the proposed use.

(5) If more than one residential dwelling unit, principal governmental, institutional, commercial or industrial structure or use, or combination thereof, is constructed or established on a single parcel, all dimensional requirements shall be met for each additional dwelling unit, principal structure, or use.

B. Principal and Accessory Structures

(1) All new principal and accessory structures shall be set back at least one hundred (100) feet, horizontal distance, from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development I District the setback from the normal high-
water line shall be at least twenty five (25) feet, horizontal distance. In the Resource Protection District the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified above shall apply.

In addition:

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

(b) Street, side line and rear line setbacks shall be as required per the applicable local Ordinances.

(2) Principal or accessory structures and expansions of existing structures which are permitted in the Resource Protection, Limited Residential, Limited Commercial, and Stream Protection Districts, shall not exceed thirty-five (35) feet in height. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.

(3) The lowest floor elevation or openings of all buildings and structures, including basements, shall be elevated at least one foot above the elevation of the 100 year flood, the flood of record, or in the absence of these, the flood as defined by soil types identified as recent flood-plain soils.

(4) The total footprint area of all structures, parking lots and other non-vegetated surfaces, within the shoreland zone shall not exceed twenty (20) percent of the lot or a portion thereof, located within the shoreland zone, including land area previously developed, except in the General Development District adjacent to rivers that do not flow to great ponds classified GPA, where lot coverage shall not exceed seventy (70) percent.

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

(a) The site has been previously altered and an effective vegetated buffer does not exist;

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

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

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

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

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

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

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

(ii) Vegetation plantings must be in quantities sufficient to retard erosion and provide for effective infiltration of stormwater runoff;

(iii) Only native species may be used to establish the buffer area;

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

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

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

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

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland.

(1) Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.

(2) The location shall not interfere with existing developed or natural beach areas.

(3) The facility shall be located so as to minimize adverse effects on fisheries.
(4) The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf shall not be wider than six feet for non-commercial uses.

(5) No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.

(6) New permanent piers and docks shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act.

(7) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.

(8) Except in the General Development Districts, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.

NOTE: New permanent structures, and expansions thereof, projecting into or over water bodies shall require a permit from the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S.A. section 480-C. Permits may also be required from the Army Corps of Engineers if located in navigable waters.

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

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

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

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

(1) One campsite per lot existing on the effective date of this Ordinance, or thirty thousand (30,000) square feet of lot area within the shoreland zone, whichever is less, may be permitted.
(2) Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

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

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

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

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

F. Commercial and Industrial Uses. The following new commercial and industrial uses are prohibited within the shoreland zone adjacent to great ponds classified GPA, and rivers and streams which flow to great ponds classified GPA:

(1) Auto washing facilities

(2) Auto or other vehicle service and/or repair operations, including body shops

(3) Chemical and bacteriological laboratories

(4) Storage of chemicals, including herbicides, pesticides or fertilizers, other than amounts normally associated with individual households or farms

(5) Commercial painting, wood preserving, and furniture stripping

(6) Dry cleaning establishments

(7) Electronic circuit assembly

(8) Laundromats, unless connected to a sanitary sewer

(9) Metal plating, finishing, or polishing

(10) Petroleum or petroleum product storage and/or sale except storage on same property as use occurs and except for storage and sales associated with marinas

- 15 -
(11) Photographic processing

(12) Printing

G. Parking Areas

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

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

(3) In determining the appropriate size of proposed parking facilities, the following shall apply:

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

(b) Internal travel aisles: Twenty (20) feet wide.

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

(1) Roads and driveways shall be set back at least one-hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river that flows to a great pond classified GPA, and seventy-five (75) feet, horizontal distance from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland unless no reasonable alternative exists as determined by the Planning Board. If no other reasonable alternative exists, the road and/or driveway setback requirement shall be no less than fifty (50) feet, horizontal distance, upon clear showing by the applicant that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream, or wetland.

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

Section 15 (H)(1) does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply
fully with the requirements of Section 15(H)(1) except for that portion of the road or driveway necessary for direct access to the structure.

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

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

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

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

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

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

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

<table>
<thead>
<tr>
<th>Grade (Percent)</th>
<th>Spacing (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2</td>
<td>250</td>
</tr>
<tr>
<td>3-5</td>
<td>200-135</td>
</tr>
<tr>
<td>6-10</td>
<td>100-80</td>
</tr>
<tr>
<td>11-15</td>
<td>80-60</td>
</tr>
<tr>
<td>16-20</td>
<td>60-45</td>
</tr>
<tr>
<td>21+</td>
<td>40</td>
</tr>
</tbody>
</table>

(b) Drainage dips may be used in place of ditch relief culverts only where the grade is ten (10) percent or less.
(c) On sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed at approximately a thirty (30) degree angle downslope from a line perpendicular to the centerline of the road or driveway.

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

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

I Signs. The following provisions shall govern the use of signs in the Resource Protection, Stream Protection, Limited Residential and Limited Commercial Districts:

(1) Signs relating to goods and services sold on the premises shall be allowed, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. In the Limited Commercial District, however, such signs shall not exceed sixteen (16) square feet in area. Signs relating to goods or services not sold or rendered on the premises shall be prohibited.

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

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

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

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

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

(7) Signs may be illuminated only by shielded, non-flashing lights.

J. Storm Water Runoff

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

(2) Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

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

K. Septic Waste Disposal

(1) All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, and the following:  
   a) clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland and 
   b) a holding tank is not allowed for a first-time residential use in the shoreland zone.

NOTE: The Maine Subsurface Wastewater Disposal Rules require new systems, excluding fill extensions, to be constructed no less than one hundred (100) horizontal feet from the normal high-water line of a perennial water body. The minimum setback distance for a new subsurface disposal system may not be reduced by variance.

L. Essential Services

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

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

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

M. Mineral Exploration and Extraction. Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than one hundred (100) square feet of ground surface. A permit from the Code Enforcement Officer shall be required for mineral exploration which exceeds the above limitation. All excavations, including test pits and holes, shall be immediately capped, filled or secured by other equally effective measures to restore disturbed areas and to protect the public health and safety.
Mineral extraction may be permitted under the following conditions:

(1) A reclamation plan shall be filed with, and approved, by the Planning Board before a permit is granted. Such plan shall describe in detail procedures to be undertaken to fulfill the requirements of Section 15 (M)(3) below.

(2) No part of any extraction operation, including drainage and runoff control features, shall be permitted within one hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within seventy-five (75) feet, horizontal distance, of the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland. Extraction operations shall not be permitted within fifty (50) feet, horizontal distance, of any property line without written permission of the owner of such adjacent property.

(3) Within twelve (12) months following the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than one hundred (100) cubic yards of materials are removed in any consecutive twelve (12) month period, ground levels and grades shall be established in accordance with the following:

(a) All debris, stumps, and similar material shall be removed for disposal in an approved location, or shall be buried on-site. Only materials generated on-site may be buried or covered on-site.

(b) The final graded slope shall be two and one-half to one (2 1/2:1) slope or flatter.

(c) Top soil or loam shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources if necessary to complete the stabilization project.

(4) In keeping with the purposes of this Ordinance, the Planning Board may impose such conditions as are necessary to minimize the adverse impacts associated with mineral extraction operations on surrounding uses and resources.

N. Agriculture

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

(2) Manure shall not be stored or stockpiled within one hundred (100) feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, or within seventy-five (75) feet horizontal distance, of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water.
(3) Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area, within the shoreland zone shall require a Conservation Plan to be filed with the Planning Board. Non-conformance with the provisions of said plan shall be considered to be a violation of this Ordinance.

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

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

O. Timber Harvesting

(1) In a Resource Protection District abutting a great pond, timber harvesting shall be limited to the following:

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

(1) The ground is frozen;

(2) There is no resultant soil disturbance;

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

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

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

(b) Beyond the 75 foot strip referred to in Section 15(O)(1)(a) above, timber harvesting is permitted in accordance with paragraph 2 below except that in no case shall the average residual basal area of trees over 4 1/2 inches in diameter at 4 1/2 feet above ground level be reduced to less than 30 square feet per acre.
Except in areas as described in Section 15(G)(1) above, timber harvesting shall conform with the following provisions:

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

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

(ii) At distances greater than one-hundred (100) feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, and greater than seventy-five (75) feet, horizontal distance, of the normal high-water line of other water bodies or the upland edge of a wetland, harvesting operations shall not create single clearcut openings greater than ten-thousand (10,000) square feet in the forest canopy. Where such openings exceed five-thousand (5000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clearcut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.

(b) Timber harvesting operations exceeding the 40% limitation in Section 15(O)(2)(a) above, may be allowed by the planning board upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such an exception is necessary for good forest management and will be carried out in accordance with the purposes of this Ordinance. The planning board shall notify the Commissioner of the Department of Environmental Protection of each exception allowed, within fourteen (14) days of the planning board's decision.

(c) No accumulation of slash shall be left within fifty (50) feet, horizontal distance, of the normal high-water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four (4) feet above the ground. Any debris that falls below the normal high-water line of a water body or tributary stream shall be removed.

(d) Timber harvesting equipment shall not use stream channels as travel routes except when:

(i) Surface waters are frozen; and

(ii) The activity will not result in any ground disturbance.

(e) All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.
(f) Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.

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

P. Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

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

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

(2) Except in areas as described in Section P(1), above, and except to allow for the development of permitted uses, within a strip of land extending one-hundred (100) feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

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

(b) Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of Section 15(P)(2)(b) a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1250 square feet) area as determined by the following rating system.
Diameter of Tree at 4-1/2 feet Above Ground Level (inches)  
<table>
<thead>
<tr>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 - &lt; 4 in.</td>
</tr>
<tr>
<td>4 - &lt; 8 in.</td>
</tr>
<tr>
<td>8 - &lt; 12 in.</td>
</tr>
<tr>
<td>12 in. or greater</td>
</tr>
</tbody>
</table>

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

The following shall govern in applying this point system:

(i) The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
(ii) Each successive plot must be adjacent to, but not overlap a previous plot;
(iii) Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this Ordinance;
(iv) Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by Ordinance;
(v) Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of Section 15(P)(2)(b) "other natural vegetation" is defined as retaining existing vegetation under three (3) feet in height and other ground cover and retaining at least five (5) saplings less than two (2) inches in diameter at four and one half (4 1/2) feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two (2) inches in diameter can be removed until 5 saplings have been recruited into the plot.

Notwithstanding the above provisions, no more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4 1/2 feet above ground level may be removed in any ten (10) year period.

(c) In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in Section 15(P) paragraphs (2) and (2)(a) above.

(d) Pruning of tree branches, on the bottom 1/3 of the tree is allowed.

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

Section 15(P)(2) does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.
(3) At distances greater than one hundred (100) feet, horizontal distance, from a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any ten (10) year period, selective cutting of not more than forty (40) percent of the volume of trees four (4) inches or more in diameter, measured 4 1/2 feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

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

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

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

Q. Erosion and Sedimentation Control

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

(a) Mulching and revegetation of disturbed soil.

(b) Temporary runoff control features such as hay bales, silt fencing or diversion ditches.

(c) Permanent stabilization structures such as retaining walls or rip-rap.

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

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

(4) Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:
(a) Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.

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

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

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

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

S. Water Quality. No activity shall deposit on or into the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body, tributary stream or wetland.

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

16. Administration

A. Administering Bodies and Agents

(1) Code Enforcement Officer. A Code Enforcement Officer shall be appointed or reappointed annually by July 1st.
(2) Board of Appeals. A Board of Appeals shall be created in accordance with the provisions of 30-A M.R.S.A. section 2691.

(3) Planning Board. A Planning Board shall be created in accordance with the provisions of State law.

B. Permits Required. After the effective date of this Ordinance no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use. A person who is issued a permit pursuant to this Ordinance shall have a copy of the permit on site while the work authorized by the permit is performed.

(1) A permit is not required for the replacement of an existing road culvert as long as:

(a) The replacement culvert is not more than 25% longer than the culvert being replaced;

(b) The replacement culvert is not longer than 75 feet; and

(c) Adequate erosion control measures are taken to prevent sedimentation of the water, and the crossing does not block fish passage in the watercourse.

(2) A permit is not required for an archaeological excavation as long as the excavation is conducted by an archaeologist listed on the State Historic Preservation Officer’s level 1 or level 2 approved list, and unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures.

(3) Any permit required by this Ordinance shall be in addition to any other permit required by other law or ordinance.

(4) Fees for the administration of the this Ordinance shall be established the Board of Selectmen after hearing.

C. Permit Application

(1) Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in Section 14.

(2) All applications shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant, or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.

(3) All applications shall be dated, and the Code Enforcement Officer or Planning Board, as appropriate, shall note upon each application the date and time of its receipt.

(4) If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the Plumbing
Inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface sewage disposal system.

D. Procedure for Administering Permits. Within 35 days of the date of receiving a written application, the Planning Board or Code Enforcement Officer, as indicated in Section 14, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete. The Planning Board or the Code Enforcement Officer, as appropriate, shall approve, approve with conditions, or deny all permit applications in writing within 35 days of receiving a completed application. However, if the Planning Board has a waiting list of applications, a decision on the application shall occur within 35 days after the first available date on the Planning Board's agenda following receipt of the completed application, or within 35 days of the public hearing, if the proposed use or structure is found to be in conformance with the purposes and provisions of this Ordinance.

The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this Ordinance.

After the submission of a complete application to the Planning Board, the Board shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

(1) Will maintain safe and healthful conditions;

(2) Will not result in water pollution, erosion, or sedimentation to surface waters;

(3) Will adequately provide for the disposal of all wastewater;

(4) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

(5) Will conserve shore cover and visual, as well as actual, points of access to inland waters;

(6) Will protect archaeological and historic resources as designated in the comprehensive plan;

(7) Will avoid problems associated with floodplain development and use; and

(8) Is in conformance with the provisions of Section 15, Land Use Standards.

If a permit is either denied or approved with conditions, the reasons as well as conditions shall be stated in writing. No approval shall be granted for an application involving a structure if the structure would be located in an unapproved subdivision or would violate any other local ordinance, or regulation or statute administered by the municipality.

E. Special Exceptions. In addition to the criteria specified in Section 16(D) above, excepting structure setback requirements, the Planning Board may approve a permit for a single family residential structure in a Resource Protection District provided that the applicant demonstrates that all of the following conditions are met:
(1) There is no location on the property, other than a location within the Resource Protection District, where the structure can be built.

(2) The lot on which the structure is proposed is undeveloped and was established and recorded in the registry of deeds of the county in which the lot is located before the adoption of the Resource Protection District.

(3) All proposed buildings, sewage disposal systems and other improvements are:

(a) Located on natural ground slopes of less than 20%; and

(b) Located outside the floodway of the 100-year flood-plain along rivers and artificially formed great ponds along rivers, based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps; all buildings, including basements, are elevated at least one foot above the 100-year flood-plain elevation; and the development is otherwise in compliance with any applicable municipal flood-plain ordinance.

If the floodway is not shown on the Federal Emergency Management Agency Maps, it is deemed to be 1/2 the width of the 100-year flood-plain.

(4) The total ground-floor area, including cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1,500 square feet. This limitation shall not be altered by variance.

(5) All structures, except functionally water-dependent structures, are set back from the normal high-water line of a water body, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the Planning Board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the flood-plain, and its proximity to moderate-value and high-value wetlands.

F. Expiration of Permit. Permits shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the issuance of the permit, the applicant shall have one additional year to complete the project, at which time the permit shall expire.

G. Installation of Public Utility Service. A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the appropriate municipal officials or other written arrangements have been made between the municipal officials and the utility.
H. Appeals

(1) Powers and Duties of the Board of Appeals. The Board of Appeals shall have the following powers:

(a) Administrative Appeals: To hear and decide administrative appeals, on an appellate basis, where it is alleged by an aggrieved party that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Planning Board or Code Enforcement Officer in the administration of this Ordinance. Any order, requirement, decision or determination made, or failure to act, in the enforcement of this ordinance is not appealable to the Board of Appeals. Appeals of interpretations of this Ordinance shall be heard on an appellate basis.

(b) Variance Appeals: To authorize variances upon appeal, within the limitations set forth in this Ordinance.

(2) Variance Appeals. Variances may be granted only under the following conditions:

(a) Variances may be granted only from dimensional requirements including, but not limited to, lot width, structure height, percent of lot coverage, and setback requirements.

(b) Variances shall not be granted for establishment of any uses otherwise prohibited by this Ordinance.

(c) The Board shall not grant a variance unless it finds that:

(i) The proposed structure or use would meet the provisions of Section 15 except for the specific provision which has created the non-conformity and from which relief is sought; and

(ii) The strict application of the terms of this Ordinance would result in undue hardship. The term "undue hardship" shall mean:

   a. That the land in question cannot yield a reasonable return unless a variance is granted;

   b. That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

   c. That the granting of a variance will not alter the essential character of the locality; and

   d. That the hardship is not the result of action taken by the applicant or a prior owner.

(d) Notwithstanding Section 16(H)(2)(c)(ii) above, the Board of Appeals may grant a variance to an owner of a residential dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The
board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. The term “structures necessary for access to or egress from the dwelling” shall include railing, wall or roof systems necessary for the safety or effectiveness of the structure.

(e) The Board of Appeals shall limit any variances granted as strictly as possible in order to ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.

(f) A copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the municipal officials to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to the action by the Board of Appeals shall be made part of the record and shall be taken into consideration by the Board of Appeals.

(3) Administrative Appeals

When the Board of Appeals hears a decision of the Planning Board or Code Enforcement Officer, it shall hold an appellate hearing, and may reverse the decision of the Planning Board or Code Enforcement Officer only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board or Code Enforcement Officer. The Board of Appeals may only review the record of the proceedings before the Planning Board. The Board Appeals shall not receive or consider any evidence which was not presented to the Planning Board or Code Enforcement Officer, but the Board of Appeals may receive and consider written or oral arguments. If the Board of Appeals determines that the record of the Planning Board proceedings are inadequate, the Board of Appeals may remand the matter to the Planning Board for additional fact finding.

(4) Appeal Procedure

(a) Making an Appeal

(i) An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party from any decision of the Code Enforcement Officer or the Planning Board, except for enforcement-related matters as described in Section 16(H)(1)(a) above. Such an appeal shall be taken within thirty (30) days of the date of the official, written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.

(ii) Applications for appeals shall be made by filing with the Board of Appeals a written notice of appeal which includes:
a. A concise written statement indicating what relief is requested and why the appeal or variance should be granted.

b. A sketch drawn to scale showing lot lines, location of existing buildings and structures and other physical features of the lot pertinent to the relief sought.

(iii) Upon receiving an application for an administrative appeal or a variance, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.

(iv) The Board of Appeals shall hold a public hearing on an administrative appeal or a request for a variance within thirty-five (35) days of its receipt of a complete written application, unless this time period is extended by the parties.

(b) Decision by Board of Appeals

(i) A majority of the full voting membership of the Board shall constitute a quorum for the purpose of deciding an appeal.

(ii) The person filing the appeal shall have the burden of proof.

(iii) The Board shall decide all administrative appeals and variance appeals within thirty five (35) days after the close of the hearing, and shall issue a written decision on all appeals.

(iv) The Board of Appeals shall state the reasons and basis for its decision, including a statement of the facts found and conclusions reached by the Board. The Board shall cause written notice of its decision to be mailed or hand-delivered to the applicant and to the Department of Environmental Protection within seven (7) days of the Board’s decision. Copies of written decisions of the Board of Appeals shall be given to the Planning Board, Code Enforcement Officer, and the municipal officers.

(5) Appeal to Superior Court. Except as provided by 30-A M.R.S.A. section 2691(3)(F), any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five (45) days from the date of any decision of the Board of Appeals.

(6) Reconsideration. In accordance with 30-A M.R.S.A. section 2691(3)(F), the Board of Appeals may reconsider any decision within forty-five (45) days of its prior decision. A request to the Board to reconsider a decision must be filed within ten (10) days of the decision that is being reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within forty-five (45) days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, planning board, code enforcement officer, and other parties of interest, including abutters and those who testified at the original hearing(s). The Board may conduct additional hearings and receive additional evidence and testimony.
Appeal of a reconsidered decision to Superior Court must be made within fifteen (15) days after the decision on reconsideration.

I. Enforcement

(1) Nuisances. Any violation of this Ordinance shall be deemed to be a nuisance.

(2) Code Enforcement Officer

(a) It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he or she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings or structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be submitted to the municipal officers and be maintained as a permanent record.

(b) The Code Enforcement Officer shall conduct on-site inspections to insure compliance with all applicable laws and conditions attached to permit approvals. The Code Enforcement Officer shall also investigate all complaints of alleged violations of this Ordinance.

(c) The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. On a biennial basis, a summary of this record shall be submitted to the Director of the Bureau of Land and Water Quality within the Department of Environmental Protection.

(3) Legal Actions. When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality. The municipal officers, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without Court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

(4) Fines. Any person, including but not limited to a landowner, a landowner's agent or a contractor, who violates any provision or requirement of this Ordinance shall be penalized in accordance with 30-A, M.R.S.A. section 4452.
17. Definitions.

Accessory structure or use - a use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Aggrieved party - an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

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

Aquaculture - the growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

Basal Area - the area of cross-section of a tree stem at 4 1/2 feet above ground level and inclusive of bark.

Basement - any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of its volume below the existing ground level.

Boat Launching Facility - a facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers.

Campground - any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

Canopy - the more or less continuous cover formed by tree crowns in a wooded area.

Commercial use - the use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.

Development - a change in land use involving alteration of the land, water or vegetation, or the addition or alteration of structures or other construction not naturally occurring.

Dimensional requirements - numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.
Disability - any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.

Driveway - a vehicular access-way less than five hundred (500) feet in length serving two single-family dwellings or one two-family dwelling, or less.

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

Essential services - gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Expansion of a structure - an increase in the floor area or volume of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Expansion of use - the addition of one or more months to a use's operating season; or the use of more floor area or ground area devoted to a particular use.

Family - one or more persons occupying a premises and living as a single housekeeping unit.

Floodway - the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot in height.

Floor area - the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

Forest management activities - timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation or maintenance of roads.

Forested wetland - a freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.

Foundation - the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frostwalls, or other base consisting of concrete, block, brick or similar material.
Freshwater wetland - freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream or brook, such that in a natural state, the combined surface area is in excess of 10 acres; and

2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Functionally water-dependent uses - those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that can not be located away from these waters. The uses include, but are not limited to commercial and recreational fishing and boating facilities, excluding recreational boat storage buildings, finfish and shellfish processing, fish storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, retaining walls, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that can not reasonably be located or operated at an inland site, and uses that primarily provide general public access to coastal or inland waters.

Great pond - any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner,

Great pond classified GPA - any great pond classified GPA, pursuant to 38 M.R.S.A. Article 4-A Section 465-A. This classification includes some, but not all impoundments of rivers that are defined as great ponds.

Ground cover - small plants, fallen leaves, needles and twigs, and the partially decayed organic matter of the forest floor.

Height of a structure - the vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

Home occupation - an occupation or profession which is customarily conducted on or in a residential structure or property and which is 1) clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and 2) which employs no more than two (2) persons other than family members residing in the home.
Increase in nonconformity of a structure - any change in a structure or property which causes further deviation from the dimensional standard(s) creating the nonconformity such as, but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of nonconformance of the existing structure shall not be considered to increase nonconformity. For example, there is no increase in nonconformity with the setback requirement for water bodies, wetlands, or tributary streams if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure. Hence, a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions which in-fill irregularly shaped structures.

Individual private campsite - an area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include but not be limited to a gravel pad, parking area, fire place, or tent platform.

Industrial - The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals.

Institutional - a non-profit or quasi-public use, or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes.

Lot area - The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.

Marina - a business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, bait and tackle shops and marine fuel service facilities.

Market value - the estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.

Mineral exploration - hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.

Mineral extraction - any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site.

Minimum lot width - the closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.

Multi-unit residential - a residential structure containing three (3) or more residential dwelling units.
Native – indigenous to the local forests.

Non-conforming condition – non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

Non-conforming lot - a single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet the area, frontage, or width requirements of the district in which it is located.

Non-conforming structure - a structure which does not meet any one or more of the following dimensional requirements; setback, height, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Non-conforming use - use of buildings, structures, premises, land or parts thereof which is not allowed in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Normal high-water line - that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers and great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond.

Person - an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.

Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland.

Temporary: Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months.

Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.

Principal structure - a building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

Principal use - a use other than one which is wholly incidental or accessory to another use on the same premises.

Public facility - any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.
Recent floodplain soils - the following soil series as described and identified by the National Cooperative Soil Survey:

- Fryeburg
- Lovewell
- Alluvial
- Podunk
- Suncook
- Hadley
- Medomak
- Cornish
- Rumney
- Sunday
- Limerick
- Ondawa
- Charles
- Saco
- Winooski

Recreational facility - a place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.

Recreational vehicle - a vehicle or an attachment to a vehicle designed to be towed, and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, and must be registered with the State Division of Motor Vehicles.

Replacement system - a system intended to replace: 1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or 2.) any existing overboard wastewater discharge.

Residential dwelling unit - a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

Residual basal area - the average of the basal area of trees remaining on a harvested site.

Riprap - rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.

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

Road - a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles, excluding a driveway as defined.

Service drop - any utility line extension which does not cross or run beneath any portion of a water body provided that:

1. in the case of electric service
   a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
   b. the total length of the extension is less than one thousand (1,000) feet.
2. in the case of telephone service

   a. the extension, regardless of length, will be made by the installation of telephone wires to
      existing utility poles, or

   b. the extension requiring the installation of new utility poles or placement underground is less
      than one thousand (1,000) feet in length.

Setback - the nearest horizontal distance from the normal high-water line of a water body or tributary
stream, or upland edge of a wetland, to the nearest part of a structure, road, parking space or other
regulated object or area.

Shore frontage - the length of a lot bordering on a water body or wetland measured in a straight line
between the intersections of the lot lines with the shoreline.

Shoreland zone - the land area located within two hundred and fifty (250) feet, horizontal distance, of
the normal high-water line of any great pond or river; within 250 feet, horizontal distance, of the
upland edge of a freshwater wetland; or within seventy-five (75) feet, horizontal distance, of the
normal high-water line of a stream.

Shoreline - the normal high-water line, or upland edge of a freshwater wetland.

Skid trail - a route repeatedly used by forwarding machinery or animal to haul or drag forest
products from the stump to the yard or landing, the construction of which requires minimal
excavation.

Slash - the residue, e.g., treetops and branches, left on the ground after a timber harvest.

Stream - a free-flowing body of water from the outlet of a great pond or the confluence of two (2)
perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5
minute series topographic map, or if not available, a 15-minute series topographic map, to the point
where the body of water becomes a river or flows to another water body or wetland within the
shoreland area.

Structure - anything built for the support, shelter or enclosure of persons, animals, goods or property
of any kind, together with anything constructed or erected with a fixed location on or in the ground,
exclusive of fences, and poles, wiring and other aerial equipment normally associated with service
drops as well as guying and guy anchors. The term includes structures temporarily or permanently
located, such as decks, patios, and satellite dishes.

Substantial start - completion of thirty (30) percent of a permitted structure or use measured as a
percentage of estimated total cost.

Subsurface sewage disposal system - any system designed to dispose of waste or waste water on or
beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields;
grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism,
or apparatus used for those purposes; does not include any discharge system licensed under 38
M.R.S.A. section 414, any surface waste water disposal system, or any municipal or quasi-municipal
sewer or waste water treatment system..
Sustained slope - a change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

Timber harvesting - the cutting and removal of timber for the primary purpose of selling or processing forest products. The cutting or removal of trees in the shoreland zone on a lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting or removal of trees shall be regulated pursuant to Section 15 (P), Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting.

Tributary stream – means a channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. “Tributary stream” does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity.

This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.

NOTE: Water setback requirements apply to tributary streams within the shoreland zone.

Upland edge of a wetland - the boundary between upland and wetland. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) foot) tall or taller.

Vegetation - all live trees, shrubs, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 feet above ground level.

Volume of a structure - the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

Water body - any great pond, river or stream.

Water crossing - any project extending from one bank to the opposite bank of a river, stream, tributary stream, or wetland whether under, through, or over the water or wetland. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings. This definition includes crossings for timber harvesting equipment and related activities.

Wetland - a freshwater wetland.

Woody Vegetation - live trees or woody, non-herbaceous shrubs.
SITE PLAN ORDINANCE

FOR THE

TOWN OF PARIS, MAINE

ENACTED: June 14, 2011

EFFECTIVE: June 14, 2011

CERTIFIED BY: Elizabeth J. Knox – Town Clerk

Signature
Table of Contents

ARTICLE 1 - PURPOSE 4
  1.1 The purposes of this Ordinance are: 4

ARTICLE 2 - AUTHORITY, APPLICABILITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING ORDINANCE 4
  2.1 Authority 4
  2.4 AMENDMENTS 6
  2.5 REPEAL OF EXISTING ORDINANCE 6
  2.6 CONFLICT WITH OTHER ORDINANCES 6
  2.7 VALIDITY AND SEVERABILITY 7

ARTICLE 3 - ADMINISTRATIVE PROCEDURE 7
  3.1 Joint Meetings 7
  3.2 Agenda 7
  3.3 Notice of Decisions 7
  3.4 Payment requirements 7

ARTICLE 4 - PREAPPLICATION MEETING AND APPLICATION PROCESS 7
  4.1 Pre-Application Meeting 7
  4.2 The Site Plan Review Submissions 8

ARTICLE 5 - PERFORMANCE STANDARDS 11
  5.1 Pollution 11
  5.2 Sufficient Water 11
  5.3 Soil Erosion 13
  5.4 Traffic Conditions 13
  5.5 Street and Sidewalk Construction and Design Standards 16
  5.6 Sewage Disposal 16
  5.7 Impact on the Municipality's Ability to Dispose of Solid Waste 16
  5.8 Retention of Open Spaces and Natural or Historic Features 17
  5.10 Conformance with the other applicable Ordinances and laws 17
  5.11 Financial and Technical Capacity 17
  5.12 Impact on Water Quality or Shoreline 18
  5.13 Impact on Ground Water Quality or Quantity 18
  5.15 Identification of Freshwater Wetlands 18
  5.16 Storm Water Management 18
  5.17 Phosphorous Export 19

ARTICLE 6 - PERFORMANCE GUARANTEES 21
  6.1 Guarantee Standards 21
  6.2 Types of Guarantees 21
  6.3 Contents of Guarantee 21
  6.4 Escrow Account 21
  6.5 Performance Bond 22
  6.6 Letter of Credit 22
  6.7 Release of Guarantee 22
  6.8 Default 22
  6.10 Improvements Guaranteed 22

ARTICLE 7 - WAIVERS 22
  7.1 Submission Waivers 22
  7.2 Performance Waiver 23
ARTICLE 1 – PURPOSE

1.1 The purposes of this Ordinance are:

A. To provide for an expeditious and efficient process for the review of site plan proposals;
B. To clarify the site plan approval process and criteria within applicable statutes and ordinances;
C. To assure that new development in the Town of Paris meets the goals and conforms to the policies of the Town of Paris and Maine State Law;
D. To assure the comfort, convenience, safety, health and welfare of the people of the Town of Paris;
E. To protect the environment and conserve the natural and cultural resources in the Town of Paris;
F. To assure that an appropriate level of services and facilities are available to the Paris residents.
G. To minimize potential negative impacts on properties and on the municipality.

ARTICLE 2 - AUTHORITY, APPLICABILITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING ORDINANCE

2.1 Authority

A. These standards have been prepared in accordance with the provisions of Maine Constitution, Title 30-A M.R.S.A. § 3001.
B. These standards shall be known and cited as "Site Plan Ordinance" of the Town of Paris, Maine.
C. The effective date of this Ordinance shall be the day of adoption by the Town on ______.

2.2 APPLICABILITY

This Ordinance shall apply to:

A. All development proposals for new, or substantial enlargements (an expansion by either 2,500 square feet or 25% in area, whichever is less), provided such expansion involves at least 500 square feet within any five-year period with regard to floor space, seating capacity, or outdoor storage area of commercial, retail, industrial,
institutional, public, multifamily and recreational structure(s) or uses and their accessory uses and structures.

B. Campgrounds.

C. “Change in Use,” including new uses of existing structures or land which would employ new materials and/or processes not normally associated with the existing or previous use.

D. Any Home Occupations when determined by the Planning Board that Site Plan Review is required.

1. In a Childcare Home Occupation serving less than seven (7) children, the Code Enforcement officer may review and approve the application. All other Childcare Home Occupations must be reviewed and approved by the Planning Board.

E. All advertising features and signs to be replaced or installed in the town.

This Ordinance does not apply to:

A. Construction of detached single family dwellings and duplex dwellings that are considered a subdivision according to state law.

B. Construction of barns, stables, and other agricultural related buildings by and for the private use of families residing on the property on which the building is to be located.

C. All non-structural uses of land for agricultural or forestry purposes

2.3 Administration

A. The Planning Board of the Town of Paris, hereinafter called the Board, shall administer this Ordinance.

B. The Code Enforcement Officer shall be responsible for enforcing this Ordinance and advising the planning board.

C. The provisions of this Ordinance shall pertain to all proposed work within the scope of this ordinance, in the Town of Paris.

D. No building permit or plumbing permit or certificate of occupancy shall be issued by the Code Enforcement Officer, or Licensed Plumbing Inspector for any use or development within the scope of this Ordinance until a Site Plan of Development Application has been reviewed and approved by the Planning Board.

E. All Site Plan approvals shall expire two (2) years after the date of approval unless there is substantial construction achieved. If work is not completed within three (3)
years from the date of approval, the approval lapses and a new application must be made and approved. There will be no additional charge for application review provided the application is unchanged.

F. All applications for Site Plan Review shall be made in writing to the Board on forms provided for that purpose and shall be by the owner of the property or the owner’s agent as designated in writing by the owner.

G. An application for Site Plan Review shall be accompanied by a fee as established by the Board of Selectmen. This application fee shall be made by check payable to the Town of Paris and shall not be refundable. The Planning Board shall not consider an application complete until the fees have been received by the Town.

H. If the services of outside consulting engineers or other professionals are required by the Board to assist in the review of the application, or the amount or conditions of any performance guarantee that may be required, the Board shall notify the applicant of the nature of such services, the firm or individual selected, and the cost of services. The cost of such services shall be paid by the applicant and evidence of such payment shall be provided to the Board before the final plan is approved.

2.4 AMENDMENTS

A. This Ordinance may be amended by the legislative body of the Town of Paris. Amendments may be initiated as follows.

1. Recommended by a majority vote of the Planning Board to the Board of Selectmen; or

2. By a majority vote of the Board of Selectmen; or

3. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.

B. A public hearing shall be held prior to the adoption of any amendment. Notice of the hearing shall be provided as established by Tide 30-A, MRS A, § 4352.9.A & B

2.5 REPEAL OF EXISTING ORDINANCE

Adoption of this Ordinance shall repeal any and all previously adopted Site Plan ordinances. This shall not prevent the enforcement of repealed ordinances or regulations with respect to the time periods in which they were in effect.

2.6 CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not be construed to repeal any existing bylaws or ordinances, other than those specifically identified, or to impair the provisions of private restrictions placed upon property, provided, that where this Ordinance imposes greater restrictions, its provisions shall control.
2.7 VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other article, section or provision.

ARTICLE 3 - ADMINISTRATIVE PROCEDURE

3.1 Joint Meetings

If any portion of the proposed work crosses the boundary of an adjacent municipality the Board shall meet jointly with that municipality's Planning Board to review the application and conduct any public hearings. The joint meetings and any hearings required under this section may be waived by written agreement of both Planning Boards.

3.2 Agenda

In order to establish an orderly, equitable and expeditious procedure for reviewing proposals and to avoid unnecessary delays in processing applications for proposal review, the Board shall prepare a written agenda for each regularly scheduled meeting. The agenda shall be posted at the Town Office no less than seven days in advance of the meeting and distributed to the Board members and any applicants appearing on the agenda. Applicants shall request to be placed on the Board's agenda at least twelve days in advance of a regularly scheduled meeting by contacting the Board's Secretary at the Town Office. The Board shall take no action on any application not appearing on the Board's written agenda. Except the Board by a majority vote may amend the agenda to include items not on the agenda provided notification and posting requirements of this Ordinance are not circumvented.

3.3 Notice of Decisions

All written notices of the Board's decisions shall be issued to the applicant within 12 days of the meeting at which the Board reached its decision.

3.4 Payment requirements

All fees and payments required by this Ordinance shall be made payable to the “Town of Paris”. The Planning Board shall not consider an application complete until the fees have been received by the Town and appropriate agencies.

ARTICLE 4 - PREAPPLICATION MEETING AND APPLICATION PROCESS

4.1 Pre-Application Meeting

A. Prior to submitting a Site Plan Review Application, the applicant or authorized agent should meet informally with the Code Enforcement Officer to discuss the proposal. The purpose of this pre-application meeting shall be to clarify what is proposed, what is possible, and what is acceptable.
B. No binding commitments shall be made between the applicant and the Code Enforcement Officer at this stage. The Code Enforcement Officer may provide guidance to the applicant on what is required by the ordinance, and information that the Board will need in order to review the application.

C. The pre-application meeting, or the submission of an application not determined as “complete” shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1, M.R.S.A subsection 302.

4.2 The Site Plan Review Submissions

The Site Plan of Development Application submission shall contain at least the following maps, exhibits and information, unless otherwise waived by the Planning Board.

A. The name, address and phone number of the applicant or authorized agent, and a short description of the proposed changes and or development.

B. Evidence of right, title or interest in the property.

C. A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a professional land surveyor. The type of monumentation to be set shall be indicated.

D. A copy of the most recently recorded deed for the parcel. A copy of all deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.

E. A copy of any deed restrictions intended to cover all or part of the lot(s), buildings or dwellings.

F. If a change in sewage disposal is proposed, the following information shall be included.

1. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Paris Utility District stating the District has the capacity to collect and treat the waste water shall be provided.

2. When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analysis, prepared by a licensed site evaluator or certified soil scientist shall be provided. The location of all test pits dug on the site shall be depicted on the plan.

G. If a change in the potable water supply is proposed, the following information shall be provided.
a. When water is to be supplied by public water supply, a written statement from the Paris Utility District shall be submitted indicating that there is adequate supply and pressure for the proposal and that the District approves the plans for extensions where necessary.

H. Where the District supply line is to be extended, a written statement from the Fire Chief or his representative shall be submitted, stating his review, his request for fire hydrants, and his approval of the location of fire hydrants, if any.

I. A sketch plan depicting the following:

1. The date the plan was prepared, north point, and graphic map scale.

2. The names and addresses of the record owner, applicant, and individual or company who prepared the plan and adjoining property owners.

3. Wetland areas, regardless of size as defined by the 1987 U.S Army Corps of Engineers Wetland Delineation Manual.

4. The number of acres within the proposed location of property lines, existing buildings, vegetative cover type, and other essential existing physical features.

5. The location of all rivers, streams, brooks and sand and gravel aquifers within or adjacent to the proposal.

6. Contour lines at 20 foot intervals or as specified by the Board, showing elevations in relation to mean sea level.

7. Any Shoreland Zoning district in which the proposal is located and location of any Shoreland Zoning boundaries affecting the proposal.

8. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be altered.

9. The location, names, and present right of way widths of existing streets, existing and proposed easements, building lines, parks and other open spaces on or adjacent to the proposed work.

10. If any portion of the proposal is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation, as depicted on the Hood Insurance Rate Map Town of Paris, Maine, shall be delineated on the plan. In addition the plan shall contain the notes required in Article 10.14.B.

11. The location of all existing and proposed overhead and underground utilities.
12. Areas within or adjacent to the proposal which have been identified significant wildlife habitat by the Maine Department of Inland Fisheries and Wildlife.

J. A high intensity soil survey by a certified soil scientist, when required by the Board.

K. When required by the Board a hydro geologic assessment prepared by a certified geologist or licensed professional engineer, experienced in hydrogeology, when the site is not served by public sewer and;
Any part of the proposal is located over a sand and gravel aquifer, as shown on map(s) entitled "Hydro geologic Data for Significant Sand and Gravel Aquifers," by the Maine Geological Survey, 1985 as amended from time to time; or

The Board may require a hydro geologic assessment in other cases where site considerations or development design indicate greater potential of adverse impacts on ground water quality. These cases include extensive areas of shallow to bedrock soils or proposed use of shared or common subsurface waste water disposal systems. The hydro geologic assessment shall be conducted in accordance with the provisions of Article 10.13.

L. If the proposal is in the direct watershed of Halls, Marshall or Mud Pond a phosphorus control plan shall be submitted.

M. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours.

N. Street and roadway plan and profile drawings drawn to a scale 1" = 50' horizontal and 1" = 5' vertical, prepared by a licensed professional engineer that complies with the Town of Paris Minimum Road Standards.

O. Typical cross section views of all proposed streets and drainage systems as prepared by a licensed professional engineer.

P. The limits and location of any proposed streets, sidewalks, and curbing.


R. An erosion and sedimentation control plan prepared:

1. In accordance with the Maine Erosion and Sedimentation Control BMPS by a licensed professional engineer or a certified professional in erosion and sediment control; or
2. Certified compliant with the standards of the Maine Erosion and Sedimentation Control BMPS by a licensed professional engineer.

3. All erosion and sedimentation control plans not prepared by a licensed engineer shall be reviewed and approved by the Oxford County soil and water Conservation District

S. If any portion of the proposal is located within an area designated as a unique natural area by the Maine Natural Areas Program the plan shall include measures for the preservation of the values which qualify the site for such designation.

T. The location and method of disposal for land clearing and construction debris.

U. A list of construction items including but not limited to streets, sidewalks, storm drainage, water supply and sewers, with cost estimates, that will be completed by the applicant prior to the sale of lots or dwellings, and written evidence from financial institutions that the applicant has financial commitments or resources to cover these costs.

V. The Board may determine the need for a municipal service impact analysis based on the proposal and comments received from department heads. Impact statements may be solicited from the following list of municipal service departments but is not limited to them: schools including busing; street reconstruction, maintenance, and snow removal; solid waste disposal; recreation facilities; police and fire protection. A municipal service impact analysis includes, at a minimum, a list of construction and maintenance items, with both capital and annual operating cost estimates, as would be incurred by the Town of Paris.

W. Engineering for the design of roadways, PUD utilities and drainage shall include the signature and seal of a licensed professional engineer on the Plan.

ARTICLE 5 - PERFORMANCE STANDARDS

The Board shall review the application for conformance with the following performance standards and make findings that each has been met prior to the approval of a Final Plan. In all instances the burden of proof shall be upon the applicant to present adequate information to indicate all performance standards and statutory criteria for approval have been or will be met.

5.1 Pollution

The proposed change(s) shall not cause the discharge waste water to a water body without a license from the Maine Department of Environmental Protection.

5.2 Sufficient Water

A. Water Supply
1. Any proposed change(s) shall make provisions to connect to the public water system if the Paris Utility District indicates it can provide water service. Connection shall be required if the proposed change(s) has direct access to the existing line without crossing the property of another person and:

a. Is within 500 feet of water main that is of adequate size and has adequate supply as determined by the Paris Utility District to serve the proposal as measured along the centerline of public streets to the nearest point of the proposed change.

b. In meeting the standards of this Section, a proposed change shall not generate a demand on the source, treatment facilities or distribution system of the Paris Utility District beyond the capacity of that system's components, considering improvements that are planned to be in place prior to occupancy or any use. The applicant and the Paris Utility District may enter into an agreement to correct deficiencies. Such an agreement shall be noted on the Final Plan.

2. When a proposed water supply will be from individual wells or a private community water system the following will be met.

   a. Written evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.

   b. Individual wells shall be sited and constructed to prevent infiltration of surface water, and contamination from subsurface waste water disposal systems and other sources of potential contamination.

   c. Wells and subsurface waste water disposal areas are to be in compliance with the Maine Department of Human Services Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installers Rules.

   d. If a central water supply system is provided by the applicant, the location and protection of the source, the design, construction and operation of the system shall conform to the standards of the Maine Department of Human Services Maine Rules Relating to Drinking Water (10-144ACM.R.231).

3. Fire Protection

   a. A letter from the State Fire Marshall stating the proposal meets the statute and regulation requirements for which the State Fire Marshal is responsible.

   b. Letter from Fire Chief for adequate area for emergency vehicles. (When a Public or Private road is proposed)

B. Water Quality
Potable water supplies shall meet the primary drinking water standards contained in the Maine Rules Relating to Drinking Water adopted by the Maine Department of Human Services Division of Health Engineering.

5.3 Soil Erosion

A. The Board shall require the applicant to prevent soil erosion and sediment transport on the site and onto adjacent and downstream properties. Erosion control practices shall conform to the Maine Erosion and Sediment Control BMPS.

B. All soil erosion and sediment control plans not prepared by a licensed engineer shall be reviewed and approved by the Oxford County Soil and Water Conservation District at the expense of the applicant.

C. Prior to the issuance of a Building permit (if required) for any lot or dwelling unit in a proposal the Code Enforcement Officer shall insure erosion control measures are in place.

D. Topsoil shall be considered part of the proposal and shall not be removed from the site except for surplus topsoil from streets, parking areas, and building excavations.

5.4 Traffic Conditions

A. Provision shall be made for vehicular access and circulation in such a manner as to:
   1. Safeguard against hazards to traffic and pedestrians on existing streets and within the proposal.
   2. Avoid traffic congestion on any street.
   3. Provide safe and convenient circulation on public streets and within the proposal.
   4. Street lights shall comply with the following.
      a. Street lights, systems and their installation shall be in accordance all applicable utility specifications.
      b. When required, street lights shall be installed in locations as recommended by the utility company.
      c. The cost of installation of street lights and systems shall be the responsibility of the applicant.

B. Access Control.

1. Entrances/driveways onto Routes 26,117,119 or High Street shall require ME.DOT entrance permit.
2. Entrances/driveways onto Christian Ridge Road, East Oxford Road, Elm Hill Road, Mr. Mica Road, Oxford Street and Paris Hill Road shall not exceed a frequency of one per 200 feet of street frontage.

3. Where a lot has frontage on two or more streets, the access to the lot shall be provided from the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians. This provision shall be a condition of the plan approval noted on the plan and as a deed restriction to the affected lots.

4. The Board may require, based upon site distances and volume of traffic, the use of shared or common driveways.

C. Parking and Circulation

1. All streets, public or private, shall conform to or surpass the Town of Paris Minimum Road Standards. The layout and design of all means of vehicular and pedestrian circulation including walkways, interior roads, drives, and parking areas shall provide for safe general circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and parking areas.

2. A use shall not be extended and no structure shall be constructed or enlarged unless sufficient off-street parking space to accommodate the parking demand for employees and customers and business needs is provided. Parking shall conform to all of the following:

   a. All parking areas, except parking for residential uses containing three or fewer units, shall be arranged so that it is not necessary for vehicles to back into the street. All parking areas on Main St. shall be arranged so that it is not necessary to back onto Main St.

   b. Where the proposal will abut an existing or potential parking area, provisions shall be made for internal vehicular connections.

   c. Parking areas shall be designed to permit each motor vehicle to proceed to and from parking space provided for it without requiring the moving of any other motor vehicle.

3. Off-street parking spaces shall comply with the following standards.

   a. Except as provided below, each parking space shall contain a rectangular area at least eighteen (18) feet long and nine (9) feet wide. Lines marking parking spaces may be drawn at various angles in relation to curbs and aisles, as long as the parking spaces so created contain within them the rectangle required by this section. Parking areas containing space for over ten vehicles and serving residential or commercial activities and all parking areas where parking will not be perpendicular to travel ways shall be clearly marked by line painting or other means.
b. Up to twenty (20) percent of the required parking spaces needed may contain a rectangular area of only eight (8) feet in width by fifteen (15) feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for compact cars only.

4. Off-street parking shall be provided that conforms to the number required in the following table. The Planning Board may require any fraction of a space to constitute the need for a full space.

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>New dwelling unit</td>
<td>1.5 spaces</td>
</tr>
<tr>
<td>Small Retail specialty</td>
<td>0.3 per 100 sq. ft. gross floor area</td>
</tr>
<tr>
<td>Large Retail/Shopping Center</td>
<td>0.5 per 100 sq. ft. gross floor area</td>
</tr>
<tr>
<td>Office</td>
<td>0.4 per 100 sq. ft. gross floor area</td>
</tr>
<tr>
<td>Wholesale/warehouse</td>
<td>0.5 per 1000 sq. ft. gross floor area</td>
</tr>
<tr>
<td>Industrial/Manufacturing</td>
<td>1 per employee on maximum working shift</td>
</tr>
<tr>
<td>Hotels, motels, tourist homes</td>
<td>one per room plus ½ per employee</td>
</tr>
<tr>
<td>Hospitals</td>
<td>2.5 per bed</td>
</tr>
<tr>
<td>Nursing/convalescent homes</td>
<td>0.3 per bed</td>
</tr>
<tr>
<td>Schools ............... Elementary</td>
<td>1.0 per classroom</td>
</tr>
<tr>
<td>Schools ............... Secondary</td>
<td>5 per classroom</td>
</tr>
<tr>
<td>Theaters/auditoria/churches</td>
<td>1.0 per five seats plus</td>
</tr>
<tr>
<td>Eating and drinking establishments</td>
<td>1.0 per 100 sq. ft. of assembly area</td>
</tr>
<tr>
<td></td>
<td>1.0 per three seats</td>
</tr>
</tbody>
</table>

5. For those uses not specifically listed or able to be placed into one of the above categories, the applicant shall provide evidence indicating the number of spaces that will be adequate to provide off-street parking for all activities.

6. The Planning Board may change the number of spaces or establish the number of spaces for uses not listed upon the submittal of information that indicates the number of spaces needed for the type of use. Information should be submitted based on similar existing uses in the area or based on the Institute of Transportation Engineers (ITE) Transportation Planning Handbook or other standard publications by ITE.

7. Parking facilities for lots in the downtown and gateway areas which, in the interest of creating and maintaining a vital business community and which cannot provide their own parking because of location, lot size or other existing development, may be provided by the Town of Paris, private parking resources or some combination thereof. Such public or private off-street parking shall be located within five hundred (500) feet of the principal building or use as measured along lines of public access or be located such that a rearrangement of the use of the new and existing spaces would result in an adequate number of spaces for all businesses using such public/private parking arrangements. On-street parking may be allowed for small uses in the downtown that are adjacent to on-street parking spaces.
If the required off-street parking is to be provided by off-site private parking, such areas shall be designated in a contract between the applicant and the owner of the spaces, or in another form that assures continued availability of parking for the development.

8. The joint use of a parking facility by two or more principal buildings or uses may be approved by the Planning Board where it is clearly demonstrated that the parking facilities would substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees of such establishments.

9. The use of an existing building for its current use shall be deemed to be in compliance with the parking requirements of this section. However, any change in the use, expansion of use, or any renovation which increases the floor area shall be required to comply with the parking requirements for changed or expanded use.

5.5 Street and Sidewalk Construction and Design Standards

A. Any proposed changes to or new construction for public and private streets and sidewalks must confirm to the Performance Standards of the Paris Subdivision Ordinance Section 10.5, as amended from time to time.

B. For the purposes of interpreting and enforcing this section of the Site Plan Ordinance the word “subdivision”, as used in the Paris Subdivision Ordinance, shall be understood to mean the proposed change.

5.6 Sewage Disposal

A. Any proposed changes to or new construction for sewage Disposal must confirm to the Performance Standards of the Paris Subdivision Ordinance Section 10.6, as amended from time to time.

B. For the purposes of interpreting and enforcing this section of the Site Plan Ordinance the word “subdivision”, as used in the Paris Subdivision Ordinance, shall be understood to mean the proposed change.

5.7 Impact on the Municipality's Ability to Dispose of Solid Waste

If the additional solid waste from the proposed change exceeds the capacity of the municipal solid waste facility, or causes the municipal facility to no longer be in compliance with its license from the Department of Environmental Protection, or causes the municipality to exceed its contract with a non-municipal facility, the applicant shall make alternate arrangements for the disposal of solid waste. The alternate arrangements shall be at a disposal facility which is in compliance with its license. The Board may not require the alternate arrangement to exceed a period of five years.
5.8 Retention of Open Spaces and Natural or Historic Features

A. If any portions of the proposed changes are located within an area designated as a unique natural area by the Maine Natural Areas Program the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.

B. If any portions of the proposed changes are designated a site of historic or prehistoric importance by the Maine Historic Preservation Commission, appropriate measures for the protection of the historic or prehistoric resources shall be included in the plan.

C. Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended.

D. Applicants proposing changes within 250 feet to wildlife resources identified by the Maine Department of Inland Fisheries and Wildlife shall consult with a recognized wildlife or fisheries consultant or the Maine Department of Inland Fisheries and Wildlife and provide their written comments to the Board. The Board may consult with the Maine Department of Inland Fisheries and Wildlife and may impose any recommendations by the Maine Department of Inland Fisheries and Wildlife or consultant as conditions of approval.

5.10 Conformance with the other applicable Ordinances and laws

All proposed changes shall meet the minimum dimensional requirements and other standards of the Ordinances and Rules of the Town of Paris and the State of Maine unless specified by the Board.

5.11 Financial and Technical Capacity

A. Financial Capacity. The applicant shall have adequate financial resources to construct the proposed improvements and meet the criteria in this Ordinance. When the applicant proposes to construct the buildings as well as the make improvements, the applicant shall have adequate financial resources to complete the entire proposed project. In making the above determinations the Board shall consider the following:

1. The proposed time frame for construction and the effects of inflation.

2. An accurate and complete cost estimate for the development.

3. A letter from a financial institution or other funding agency indicating a commitment to provide a specified amount of funds and the uses for which the funds may be utilized.

B. Technical Ability

1. The applicant shall retain qualified contractors and consultants to supervise and construct the required improvements in the proposal.
2. In determining the applicant's technical ability the Board shall consider the applicant's previous experience, the experience and training of the applicant's consultants and contractors, and the existence of violations of previous approvals granted to the applicant.

5.12 Impact on Water Quality or Shoreline

The proposal shall comply with the provision of the Shoreland Zoning Ordinance and all State laws and rules relating to water quality.

5.13 Impact on Ground Water Quality or Quantity

A. Any proposed changes to or new construction that may impact ground water quality or quantity must confirm to the Performance Standards of the Paris Subdivision Ordinance Section 10.13 and as amended.

B. For the purposes of interpreting and enforcing this section of the Site Plan Ordinance the word “subdivision”, as used in the Paris Subdivision Ordinance, shall be understood to mean the proposed change.

5.14 Floodplain Management

When any part of a proposed change is located in a special flood hazard area as identified by the Federal Emergency Management Agency:

A. The proposal shall comply with the requirements of the Town of Paris Floodplain Management Ordinance

B. The plan shall include a statement that structures in the proposal shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation. Such a restriction shall be included in any deed, lease, purchase and sale agreement, or document transferring or expressing intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The statement shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated as a condition of approval on the plan.

5.15 Identification of Freshwater Wetlands

Freshwater wetlands shall be identified in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, as may be amended, published by the United States Army Corps of Engineers

5.16 Storm Water Management
A. For proposed changes that require a permit under the Stormwater Management Law (Title 38 MRSA § 420-D), a Stormwater management plan shall be submitted which complies with the requirements of the Maine Department of Environmental Protection's Chapter 500 Stormwater Management Rules.

B. For proposed changes that do not require a DEP permit under the Stormwater Law, a Stormwater management plan shall be submitted which incorporates adequate provision for the management of the quantity and quality of all storm water generated within the proposal, and any drained ground water through a management system of swales, culverts, underdrains, storm drains and best management practices equivalent to those in the most recent edition of Stormwater Management for Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection.

C. Where necessary to achieve the above standards, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the proposal and over other properties. Wherever the storm drainage system is within the right-of-way of a public street, perpetual Easements shall be provided to the municipality allowing maintenance and improvement of the system.

D. The applicant shall provide a statement from a licensed professional engineer registered in the State of Maine, that the proposal will not cause erosion, drainage or runoff problems either in the proposal or on adjacent properties.

E. Where the peak runoff from the proposal onto abutting properties is increased either in volume or duration, easements from the abutting property owners, allowing such additional discharge shall be obtained.

5.17 Phosphorous Export

Proposals within the direct watershed of a pond listed below shall be designed to limit phosphorous runoff to the levels defined below. The Board shall keep an accurate record of permits issued by watershed using an appropriate record keeping system, and shall review actual development rates and recommend adjustments to the table at five year intervals, subject to a reasonable appropriation by the Town to conduct such a reassessment, or the availability of adequate State or regional grant programs or technical assistance programs.

A. Protection Level

<table>
<thead>
<tr>
<th>Protection Level</th>
<th>Phosphorus Loads</th>
<th>Per Acre Phosphorus Load (pounds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halls Pond</td>
<td>1.94</td>
<td>0.045</td>
</tr>
<tr>
<td>Marshall Pond</td>
<td>10.73</td>
<td>0.032</td>
</tr>
<tr>
<td>Mud Pond</td>
<td>0.83</td>
<td>0.032</td>
</tr>
</tbody>
</table>
1. Phosphorous export from a proposal shall be calculated according to the procedures defined in "Phosphorous Control in Lake Watersheds: A Technical Guide for Evaluating New Development" (Maine DEP et. al., September 1989 with revision in 1992 and as may be amended). Upon request, copies of all worksheets and calculations shall be made available to the Board.

2. Phosphorous control measures shall meet the design criteria contained in "Phosphorus Control in Lake Watersheds: A Technical Guide for Reviewing Development" (Maine DEP et al., September 1989 with revisions in 1992 or as may be amended). The Board shall require the reasonable use of vegetative buffers, limits on clearing, and minimizing street lengths, and shall encourage the use of other non-structural measures prior to allowing the use of high maintenance structural measures such as infiltration systems and wet ponds.

5.18 Signage - First time signs and signs that replace existing signs

A. In the case of a multi-tenant development it shall be the responsibility of the owner or property manager of such premise to allocate sign space upon the premise, under the terms of this section.

B. On each premises there shall be permitted one (1) wall or roof sign affixed to the exterior of the structure for each occupancy under common ownership, operation or control therein. Such signs shall not occupy more than twenty (20) percent of the wall to which if is attached or is above. For the purpose of this section, wall is defined as the facade of the building up to the roof line excluding windows, doors and major architectural features.

C. Window and door signs are allowed without regard to the percentage of the door or window in which they are displayed.

D. One projecting sign is permitted per structure, projecting signs shall extend no lower than ten (10) feet above ground level projecting from the wall at an angle of ninety (90) degrees. No projecting sign shall exceed twenty-four (24) square feet.

E. One free standing sign is permitted per lot. No free standing sign shall be greater than one hundred (100) square feet.

F. Awning and canopy signs are permitted. Canopies over fuel islands shall only advertise fuel and the store or corporate name.

G. Signs shall be illuminated only by the following means:

1) A steady, stationery light(s) of single color shielded and directed solely at the sign and not casting light off the premises.

2) Interior, non exposed, white lights of reasonable intensity.

H. Special Features of the Development: Exposed storage- areas, exposed machinery installation service areas, truck loading areas, utility buildings and similar
structures shall have sufficient setbacks and screening to minimize their adverse impact on other land uses within the development area and surrounding properties.

5.19. Exterior Lighting:

All exterior lighting shall be designed to minimize adverse impact on neighboring properties and the safe flow of pedestrian and vehicular traffic.

ARTICLE 6 - PERFORMANCE GUARANTEES

6.1 Guarantee Standards

When a proposal exceeds an estimated cost of $25,000.00 the Board may require performance guarantees.

6.2 Types of Guarantees

With submittal of the proposal, the applicant shall indicate which one of the following performance guarantees in an amount adequate to cover the total construction costs of all required public improvements, taking into account the time-span of the construction schedule and the inflation rate for construction costs. The conditions and amount of the performance guarantee shall be determined by the Town Manager with the advice of the, municipal engineer, Highway Foreman, Paris Utility District, Selectmen, or municipal attorney. The requirement for a performance bond may be a condition of approval.

A. Either a certified check, payable to the Town of Paris, or cash for the establishment of an escrow account;

B. A performance bond payable to the Town of Paris issued by a surety company, approved by the Selectmen, or Town Manager,

C. An irrevocable letter of credit from a financial institution establishing funding for the construction of the proposal, from which the Town of Paris may draw if construction is inadequate, approved by the Selectmen, or Town Manager.

6.3 Contents of Guarantee

The performance guarantee shall contain a construction schedule, cost estimates for each major phase of construction taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guarantee to the developer, and a date after which the applicant will be in default and the municipality shall have access to the funds to finish construction.

6.4 Escrow Account

The establishment of an escrow account shall be made by either cash, or certified check made out to the Town of Paris. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the
account to cover the cost of items not completed by the developer under the performance guarantee.

6.5 Performance Bond

A performance bond shall detail the conditions of the bond, the method for release of the bond or portions of the bond to the applicant, and the procedures for collection by the Town of Paris. The bond documents shall specifically reference the proposal for which approval is sought. A performance bond shall not be canceled by the issuer without prior written notice to the Town.

6.6 Letter of Credit

An irrevocable letter of credit from a bank or other lending institution shall indicate that funds have been set aside for the construction of the proposal and may not be used for any other project or loan.

6.7 Release of Guarantee

Prior to the release of any part of the performance guarantee, the Town Manager shall determine, in part upon the report of the Inspecting Official or other qualified individual retained by the Town and any other agencies and departments who may be involved, that the proposed improvements meet or exceed the approved design and construction requirements for that portion or phase of the proposal for which the release is requested.

6.8 Default

If upon inspection, the Inspecting Official or other qualified individual retained by the municipality finds that any of the required improvements are not being constructed or have not been constructed in accordance with the plans approved by the Board, he or she shall so report in writing to the Selectmen and the applicant or developer. The Selectmen shall take any steps necessary to preserve the municipality's rights.

6.10 Improvements Guaranteed

Performance guarantees shall be tendered for all improvements required to meet the standards of this Ordinance and for the construction of, but not limited to streets, storm water management facilities, public sewage collection or disposal facilities, public water systems, wire/fiber based utilities, erosion and sedimentation control measures and recreation facilities or open space areas.

ARTICLE 7 - WAIVERS

7.1 Submission Waivers

Where the Board makes written findings of fact that there are special circumstances of a particular proposal's element, it may waive portions of The Site Plan Review
Submission requirements, provided the applicant has demonstrated that the performance standards of this Ordinance have been or will be met, the public health, safety, and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of this Ordinance.

7.2 Performance Waiver

Where the Board makes written findings of fact that due to special circumstances of a particular parcel or building, the provision of certain required improvements or standards is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposal, it may waive the requirement for such improvements or standard, subject to appropriate conditions. Provided the waivers do not have the effect of nullifying the intent and purpose of this Ordinance and further provided the performance standards of this Ordinance have been or will be met.

7.3 Conditions

When granting a waiver, the Board shall cite the specific justification or justifications for granting the waiver and under no circumstance may any waiver be used as a precedent for the granting of subsequent waivers.

7.4 Waivers to be shown on Final Plan

When the Board grants a waiver to any of the improvements required by this Ordinance the Final Plan, to be recorded at the Registry of Deeds, shall indicate the waivers granted and the date on which they were granted.

ARTICLE 8 – APPEALS

8.1 Appeals

An aggrieved party may appeal any decision of the Board under this Ordinance to the Appeals Board, within thirty days of the date the decision by the Board.
ARTICLE 15 – DEFINITIONS

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular, the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "may" shall be permissive; the word "shall" is always mandatory; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied."

Abutting Property: Any lot which is physically contiguous with the subject lot even if only at a point and any lot which is located directly across a street or right-of-way from the subject lot such that the extension of the side lot lines of the subject lot would touch or enclose the abutting property.

Affordable Housing: Housing units, which will meet the sales price and/or rental targets, established by the comprehensive plan for housing affordability.

Aggrieved Party: An owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

Appeal: An action by an aggrieved party challenging a decision of the Board or Code Enforcement Officer in the administration or enforcement of this Ordinance.

Applicant: The person or entity submitting a Site Plan Review Proposal, for new, or substantial enlargements to floor space, seating capacity, or outdoor storage area of commercial, retail, industrial, institutional, public, multifamily and recreational structure(s) or uses and their accessory uses and structures.

Area of Special Flood Hazard: The land in the floodplain having a one percent or greater chance of flooding in any given year as specifically identified in the Flood Insurance Study cited in the Town of Paris Flood Plain Management Ordinance.

Arterial Street: Routes 26,117,119 and High Street.

Average Daily Traffic (ADT): The average number of vehicles per day that enter and exit the premises or travel over a specific section of street.

Backlot: A lot that has no frontage on a road or street (Private or Public)

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

Basement: Any area of a building having its floor subgrade (below ground level) on all sides.
Buffer Area: A part of a property or an entire property, which is not built upon and is specifically intended to separate and thus minimize the effects of a land use activity (e.g., noise, dust, visibility, glare, etc.) on adjacent properties or on sensitive natural resources.

Building: Any structure, having one or more floors and a roof, which is used for the housing or enclosure of animals or property such as a garage, barn, or workshop.

Campground: Any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

Certified professional in erosion and sediment control: An individual that has successfully passed a written examination, under the direction of CPESC Inc., designed to determine proficiency in the principals, practices and legislation of erosion and sediment control.

Cluster Subdivision: A subdivision in which the lot sizes are reduced below those normally required in a traditional subdivision in return for the provision of permanent open space owned in a common by lot/unit owners, the Town, or a land conservation organization. Clustering shall not be used to increase the overall net residential density of the development.

Code Enforcement Officer: A person appointed by the Selectmen to perform the inspection, licensing, and enforcement duties required by a particular statute or ordinance.

Common Open Space: Land within or related to a subdivision, not individually owned or within an individual lot, which is designed and intended for the common use or enjoyment of the residents of the development or the general public. It may include complementary structures and improvements, typically used for maintenance and operation of the open space, such as for outdoor recreation.

Corner Lot: A lot abutting two or more streets at their intersection. Such corner lots shall be deemed to have at least two front yard setbacks.

Coverage: That percentage of the plot or lot area covered by the building area.

Curb Cut: The opening along the curb line or street right-of-way line at which point vehicles may enter or leave the street.

Density: The number of dwelling units per acre of land.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and streets.
Development: Means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to filling, grading, paving, or excavation or the construction of buildings or other structures.

Dimensional Requirements: Numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.

Direct Watershed of a Great Pond: That portion of the watershed that drains directly into Halls, Marshall or Mud Ponds.

Downtown Area: The commercial area along and on either side of State Route 26 that begins at the southernmost border with Norway and extends northward to the South Paris Post Office.

Driveway: A vehicular access way less than five hundred (500) feet in length serving two lots or less.

Dwelling Unit: Multi-Family: A single building designed for or occupied by three (3) or more families with separate housekeeping and cooking facilities for each.

Dwelling Unit: Single-Family: A detached residence for, or occupied by, (1) family only.

Dwelling Unit: Two-Family: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

Dwelling Unit: As Defined by MRSA 30-A §4401.

Engineered Subsurface Waste Water Disposal System: A subsurface waste water disposal system designed, installed, and operated as a single unit; or any system designed to treat waste water with characteristics significantly different from domestic waste water.

Final Plan: The final drawings on which the applicant's proposal is presented to the Board for approval and which, if approved, shall be recorded at the Registry of Deeds.

Finding of Fact and Conclusion of Law: A written statement prepared and signed by the Board that summarizes the basic facts of the proposal and statements linking the specific facts to the list of the criteria that the applicant must meet in order to receive Board approval.

Flood or Flooding:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
   1. The overflow of inland waters.
   2. The unusual and rapid accumulation or runoff of surface waters from any source.
B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding
anticipated cyclical levels or suddenly caused by an unusually high water level in a
natural body of water, accompanied by a severe storm, or by an unanticipated force
of nature, such as flash flood or by some similarly unusual and unforeseeable event
which results in flooding.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal
Insurance Administrator has delineated both the special hazard areas and the risk
premium zones applicable to the community.

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

Freshwater Wetland: Means fresh water swamps, marshes, bogs and similar areas which
are:
A. Inundated or saturated by surface or ground water at a frequency and for a
duration sufficient to support, and which under normal circumstances do support a
prevalence of wetland vegetation typically adapted for life in saturated soils; and
B. Not considered part of great pond, river, stream or brook. These areas may contain
small stream channels or inclusions of land that do not conform to the above
criteria.

Frontage/Shore: The length of a lot bordering a water body measured in a straight line
between the intersections of the lot lines with the shoreline at normal high water
elevation.

Frontage/Street: The horizontal, straight-line distance between the intersections of the side
lot lines with the street right-of-way.

Gateway Area: The area adjacent to a point-of-entry into a unique locale such as a city,
town, park, business, building, community or other physical space.

Great Pond: Any inland body of water which in a natural state has a surface area in excess
of ten acres, and any inland body of water artificially formed or increased which has a
surface area in excess of thirty (30) acres except for the purposes of this Ordinance,
where the artificially formed or increased inland body of water is completely
surrounded by land held by a single owner.

Groundwater: All of the water found beneath the surface of the ground. For purposes of
aquifer protection, this term refers to the subsurface water present in aquifers and
recharge areas.

High Intensity Soil Survey: A map prepared by a Certified Soil Scientist, identifying the
soil types down to one eighth of an acre or less at a scale equivalent to the proposal’s
submitted plan. The soils shall be identified in accordance with the National
Cooperative Soil Survey. The map shall show the location of all test pits used to identify
the soils, and shall be accompanied by a log of each sample point identifying the
textural classification and the depth to seasonal high water table or bedrock at that
location. Single soil test pits and their evaluation for suitability for subsurface waste water disposal systems shall not be considered to constitute high intensity soil surveys.

Historic or Archaeological Resources: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archaeological resource.

Historic Structure: Any structure that is:
A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
   1. By an approved state program as determined by the Secretary of the Interior, or
   2. Directly by the Secretary of the Interior in states without approved programs.

Hotel/Motel: A building or group of buildings containing six or more guest rooms and offering lodging accommodations (which may include such accessory services as food and beverages, meeting rooms, entertainment and recreation) to transient guests. A hotel/motel may provide kitchens or kitchenettes in guestrooms and will not, as a result, be considered a dwelling unit under this Ordinance, as long as the hotel/motel is occupied exclusively by transient guests. A transient guest is a person who occupies the hotel/motel for no more than 186 days in any 365-day period.

Inspecting Official: An individual or individuals appointed by the Town Manager to oversee all aspects of street construction including drainage and stormwater management. The Inspecting Official shall possess such education and training that the Town Manager deems necessary to perform all aspects of inspection.

Infrastructure: Public and private improvements, such as water, sewer, roads, power and telecommunications including their facilities, services, and installations.

Landscaped Buffer Strip: A landscaped area adjacent to and parallel with property lines of a lot or parcel. The border strip may be crossed by drives, access streets or pedestrian ways but otherwise shall be maintained in a landscaped state. The buffer strip shall not be used for parking, the storage of materials, equipment or wastes or the display of any equipment, materials or products. The buffer strip may be used for subsurface wastewater disposal systems.

Licensed Professional Engineer: A professional engineer, registered in the State of Maine.

Liquidation Harvesting: The purchase or other acquisition of forestland followed by a
timber harvest that does not comply with Section 6 of the Maine Forest Service Rule-
Chapter 23 and the subsequent sale, offer for sale, or other conveyance of the harvested land, or any portion of it, within five years.

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

Lot: A parcel of land in single ownership, or one leasehold, with ascertainable boundaries established by deed or instrument of record, or a segment of land ownership defined by lot boundary lines on a land proposal's plan duly approved by the Board and recorded in the County Registry of Deeds.

Lot Area: The horizontal area within the lot lines.

Lot Lines: The lines bounding a lot. Wherever a lot abuts a street or water body, the sideline of the street or water body on the side abutting the lot shall constitute the lot line.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements contained in the Town of Paris Floodplain Management Ordinance.

Manufactured Housing: As defined in Title 30-A M.R.S. A. § 4358 and as hereafter amended.

Minimum Road Standards: The Town of Paris Minimum Road Standards for streets as adopted and amended.

Mobile Home Park: A contiguous parcel of land under unified ownership approved by the municipality for the placement of 3 or more manufactured housing units within any five year period.

Monument: Permanent granite or cement monuments not less than four (4) inches square in width or iron reinforcement rods at least 5/8 inches across the top.

Multifamily Development: A subdivision which contains three or more dwelling units on land in common ownership, such as apartment buildings and condominiums.

Multi-Unit Residential: A structure(s) containing three (3) or more dwelling units.

Municipal Impact Analysis: A list of construction and maintenance items, with both capital and annual operating cost estimates, as would be incurred by the Town of Paris.
including but not be limited to: schools including busing; street reconstruction, maintenance, and snow removal; solid waste disposal; recreation facilities; police and fire protection.

Municipality: The Town of Paris

Natural Areas and Natural Communities: Areas identified by a governmental agency such as the Maine Department of Conservation or the Maine Department of Inland Fisheries and Wildlife as having significant value as a natural area.

Net Residential Acreage: The total acreage available for a proposal, as shown on the proposed plan, minus the area for streets or access and the areas that are unsuitable for development.

Net Residential Density: The net residential acreage of a parcel of land for a subdivision divided by the minimum lot area per dwelling unit.

Normal High-Water Line: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. In the case of wetlands adjacent to rivers and great ponds, the normal high-water line is the upland edge of the wetland, and not the edge of the open water.

100-Year Flood: The highest level of flood that, on the average, has a one percent (1 %) chance of occurring in any given year.

Off Street Parking: See Parking Area

Open Space: An undeveloped area of land that may be used for its natural resource values and/or passive recreational uses.

Parking Area: A designated area prepared to specifically accommodate the out-of-thoroughfare, off-street parking of vehicles as demonstrated by appropriate site preparation, including but not limited to paving, stripping, graveling, or other clearly visible indications that the area is designated specifically for parking.

Peak Hour: The hour of the day during which the traffic volume at an intersection or on a roadway segment is higher than the volume during any other hour of the day.

Phasing: The development of a proposal in distinct stages.

Planning Board: The Planning Board of the Town of Paris.

Preapplication/Sketch Plan: Conceptual maps, renderings, and supportive data describing the applicant’s proposal for the initial review prior to submitting an application for proposal’s approval.
Preliminary Plan/Application: The preliminary drawings indicating the proposed site changes and application requirements to be submitted to the Board for its consideration.

Private Way: Private way means a private road, driveway or public easement.

Proposal: The collection of all changes being proposed for new, or substantial enlargements to floor space, seating capacity, or outdoor storage area of commercial, retail, industrial, institutional, public, multifamily and recreational structure(s) or uses and their accessory uses and structures.

Public Improvement: Including but not limited to, streets, public and private water and sewer systems, stormwater drainage systems, sidewalks, utilities, street signs, recreational facilities and traffic lights.

Public Sewer System: A common sewer controlled by a public, governmental authority.

Public Water System: A water supply system that provides water to at least 15 service connections or services water to at least 25 individuals daily for at least 30 days a year.

Public Way: Public way means any road capable of carrying motor vehicles, including, but not limited to, any state highway, municipal road, county road, unincorporated territory road or other road dedicated to the public.

Recording Plan: An original of the Final Plan, suitable for recording at the Registry of Deeds.

Recreational Facility: A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

Reserved Affordable Housing: Affordable housing which is restricted by means of deed covenants, financing restrictions, or other binding long term methods to occupancy by households making 80% or less of the area median household income.

Required Improvements: Including but not limited to, streets, public and private water and sewer systems, stormwater drainage systems, sidewalks, utilities, street signs, recreational facilities and traffic lights.

River, stream or brook: A channel is created by the action of surface water and has two (2) or more of the following characteristics.

A. It is depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topography map or if that is not available, a 15-minute series topography map.
B. It contains or is known to contain flowing water continuously for a period of at least 3 months of the year in most years.
C. The channel bed is primarily composed of material such as sand and gravel, parent material or bedrock that has been deposited or scoured by water. D. The channel contains aquatic animals such as fish, aquatic insects or mollusks in the water or, if no surface water is present in the stream bed.
E. The channel bed contains aquatic vegetation and is essentially devoid of upland vegetation.

River, stream or brook does not mean a ditch or other drainage way constructed and maintained solely for the purpose of draining storm water or a grassy swale.

Sight Distance: The length of unobstructed sight line of motor vehicles drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points:
(1) sitting in the access viewing vehicles traveling on the highway (both left and right),
(2) traveling on the highway viewing a vehicle sitting in an access and
(3) traveling on the highway viewing a vehicle turning into an access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard will be met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the traveled way. The height of the hypothetical person’s view is considered to be 3.5 feet above the pavement and the height of the object being viewed is considered to be 4.5 feet above the pavement.

Significant Wildlife Habitat: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife or the Maine Department of Conservation as having significant value as habitat for animals.

Special Flood Hazard Area: See Area of Special Flood Hazard.

Street/Road: A way maintained by the State of Maine or the Town of Paris or privately owned way meeting the standards of the Town of Paris Minimum Road Standards.

Structure: See Building

Subdivision: As defined in Title 30-A M.R.S.A. § 4401 and as hereafter amended. A lot of 40 or more acres shall not be counted as a lot for the purposes of this Ordinance when the parcel of land being divided is located entirely outside any shoreland area.

Substantial Construction: The completion of a portion of the public improvements that represents no less than thirty percent of the costs of the proposed improvements within a proposal.

Subsurface Waste Water Disposal System: A system designed to dispose of waste or waste water beneath the surface of the earth; includes but is not limited to septic tanks; disposal fields; grandfathered cesspool; holding tanks; pretreatment filter; piping, or any other fixture, mechanism, or apparatus used for those purposes. The term shall not include any wastewater discharge system licensed under 38 M.R.S.A § 414, any surface
wastewater disposal system or any municipal or quasi-municipal sewer or waste water treatment system.

Sustained Slope: A change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

Town Plans: Municipal ordinances in effect at the time of a proposal’s submission.

Utilities: Public and private facilities including but not limited to sewer lines, water lines, electrical lines, and cable television/internet lines.

Waiver-Performance: A vote by the Board that allows for the applicant not to comply with one or more of the review standards.

Waiver-Submission: A vote by the Board that allows the applicant not to provide or comply with one or more of the application submission requirements.

Water Body: Any great pond, river, or stream.

Wetland: See freshwater wetland.

Wire/Fiber Based Utilities: Including but not limited to electrical power lines, telephone line, cable television lines and internet lines.

Yard: An unoccupied space, open to the sky, on the same lot with a building or structure.
SPECIAL AMUSEMENT ORDINANCE
OF THE
TOWN OF PARIS, MAINE

ENACTED: November 5, 2013
EFFECTIVE: November 5, 2013

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
SPECIAL AMUSEMENT ORDINANCE
of the
Town of Paris, Maine

Section 1. Title

This ordinance shall be known and may be cited as the Special Amusement Ordinance of the Town of Paris, Maine.

Section 2. Purpose

The purpose of this ordinance is to control the issuance of special permits for music, dancing or entertainment in facilities licensed by the State of Maine to sell liquor as required by 28-A MRSA Section 1054 (11).

Section 3. Special amusement permit

Applications for all special amusement permits shall be made in writing to the municipal officers on forms to be provided by the Town and shall state the name of the applicant; the applicant’s residence and business addresses; the applicant’s phone number; the name of the business to be conducted; the nature of the business; the location to be used; whether the applicant has ever had a license to conduct the business therein described either denied or revoked (if so, the applicant shall describe those circumstances specifically); whether the applicant, including all partners or corporate officers, has ever been convicted of a felony (if so, the applicant shall describe those circumstances specifically) and any additional information as may be required by the municipal officers in consideration of the issuance of the permit, including, but not limited to, a copy of the applicants’ current liquor license.

The fee for a special amusement permit shall be $50.00.

A permit shall be valid only for the license year of the applicant’s existing liquor license.
Section 4. Live Entertainment Regulation

No business shall permit entertainment on the premises, whether provided by professional entertainer(s), employee(s) of the premises, or any other person, when the entertainment involves:
   A. The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
   B. Touching the breasts, buttocks, anus, or genitals;
   C. Displaying genitals, pubic hair, buttocks, anus or any portion of the female breasts at or below the areola area thereof.

No business shall permit any person to remain in or upon the premises who exposes to the public view any portion of his or her genitals or anus.

Section 5. Admission

A licensee who has been issued a special amusement permit may charge admission in designated areas approved by the municipal special amusement permit.

Section 6. Penalty

Whoever violates any of the provisions of this ordinance shall be punished by a fine of not more that Five Hundred Dollars ($500.00) for each offense.

Section 7. Severability

The invalidity of any provision of this ordinance shall not invalidate any other part.
Section 8. Repeal of conflicting ordinances

All existing special amusement ordinances of the Town of Paris are hereby repealed.

Section 9. Effective Date

This ordinance shall be in full force and effective as soon as the Town votes to enact it.

ENACTED: November 5, 2013

EFFECTIVE: November 5, 2013

CERTIFIED BY: [Signature]

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
SUB DIVISION ORDINANCE

FOR THE

TOWN OF PARIS, MAINE

ENACTED: June 14, 2014

EFFECTIVE: June 14, 2014

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
Table of Contents

SUBDIVISION ORDINANCE ....................................................................................................................................................3

ARTICLE 1 - PURPOSE .....................................................................................................................................................3

1.1 The purposes of this Ordinance are: .........................................................................................................................3

ARTICLE 2 - AUTHORITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING
ORDINANCE ........................................................................................................................................................................3

2.1 Authority .................................................................................................................................................................3

2.2 Administration .......................................................................................................................................................3

2.3 Amendments .........................................................................................................................................................4

2.4 Repeal of Existing Subdivision Ordinance ............................................................................................................4

2.5 Conflict with Other Ordinances ............................................................................................................................4

2.6 Validity and Severability ........................................................................................................................................4

ARTICLE 3 - ADMINISTRATIVE PROCEDURE ............................................................................................................4

3.1 Joint Meetings .......................................................................................................................................................4

3.2 Agenda ....................................................................................................................................................................4

3.3 Notice of Decisions .................................................................................................................................................5

3.4 Payment requirements ..........................................................................................................................................5

ARTICLE 4 - PREAPPLICATION MEETING, SKETCH PLAN AND SITE INSPECTION ........................................5

4.1 Purpose ..................................................................................................................................................................5

4.2 Procedure ...............................................................................................................................................................5

4.3 Submission .............................................................................................................................................................5

4.4 On-Site Inspection .................................................................................................................................................6

4.5 Rights not Vested ...................................................................................................................................................6

4.6 Establishment of File ............................................................................................................................................6

ARTICLE 5 - PRELIMINARY PLAN ................................................................................................................................7

5.1 Procedure ...............................................................................................................................................................7

5.2 Submissions ...........................................................................................................................................................9

ARTICLE 6 - FINAL PLAN ..........................................................................................................................................13

6.1 Procedure ...............................................................................................................................................................13

6.2 Submissions ..........................................................................................................................................................15

ARTICLE 7 - FINAL APPROVAL AND RECORDING ................................................................................................16

7.1 Approval Requirements .......................................................................................................................................16

7.2 Plan Signing and Recording ................................................................................................................................16

7.3 Changes, Erasures, Modifications, or Revisions .................................................................................................17

7.4 Acceptance of Streets, Easements, or Other Open Spaces ....................................................................................17

7.5 Start of Construction ............................................................................................................................................17

ARTICLE 8 - REVISIONS TO APPROVED PLANS ..................................................................................................17

8.1 Requirements .......................................................................................................................................................17

8.2 Procedure ...............................................................................................................................................................17

8.3 Submissions ...........................................................................................................................................................18

8.4 Scope of Review ...................................................................................................................................................18

ARTICLE 9 - INSPECTIONS AND ENFORCEMENT ..................................................................................................19

9.1 Inspection of Required Improvements ................................................................................................................19

9.2 Violations and Enforcement ................................................................................................................................19

ARTICLE 10 - PERFORMANCE STANDARDS ........................................................................................................20

10.1 Pollution ............................................................................................................................................................20

10.2 Sufficient Water ..................................................................................................................................................20

10.3 Soil Erosion ........................................................................................................................................................22

10.4 Traffic Conditions .............................................................................................................................................22

10.5 Street and Sidewalk Construction and Design Standards ...................................................................................23

10.6 Sewage Disposal .................................................................................................................................................25

10.7 Impact on the Municipality’s Ability to Dispose of Solid Waste ........................................................................26

10.8 Retention of Open Spaces and Natural or Historic Features ...........................................................................27

10.9 Reservation or Dedication and Maintenance of Open Space and Common Land, Recreational Areas and other
    related Facilities and Services ........................................................................................................................................27

10.10 Conformance with the other applicable Ordinances and laws ........................................................................28

10.11 Financial and Technical Capacity ....................................................................................................................28

10.12 Impact on Water Quality or Shoreline ..............................................................................................................29

10.13 Impact on Ground Water Quality or Quantity ................................................................................................29
ARTICLE 1 – PURPOSE

1.1 The purposes of this Ordinance are:

A. To provide for an expeditious and efficient process for the review of proposed subdivisions;

B. To clarify the approval criteria of the state Subdivision Law, found in Title 30-A M.R.S.A., §4404;

C. To assure that new development in the Town of Paris meets the goals and conforms to the policies of the Town of Paris and Maine State Law;

D. To assure the comfort, convenience, safety, health and welfare of the people of the Town of Paris;

E. To protect the environment and conserve the natural and cultural resources in the Town of Paris;

F. To assure that an appropriate level of services and facilities are available to the Residents of new subdivisions and those lots in subdivisions are capable of supporting the proposed uses and structures;

G. To minimize the potential negative impacts from new subdivisions on neighboring properties and on the municipality;

ARTICLE 2 - AUTHORITY, ADMINISTRATION, EFFECTIVE DATE AND REPEAL OF EXISTING ORDINANCE

2.1 Authority

A. These standards have been prepared in accordance with the provisions of Article VET, Part 2, Section 1 of the Maine Constitution, Title 30-A M.R.S.A. § 3001.

B. These standards shall be known and cited as “Subdivision Ordinance of the Town of Paris, Maine.”

C. The effective date of this Ordinance shall be the day of adoption by the Town on

2.2 Administration

A. The Planning Board of the Town of Paris, hereinafter called the Board, shall administer this Ordinance.

B. The Code Enforcement Officer shall be responsible for enforcing this Ordinance and advising the planning board.
C. The provisions of this Ordinance shall pertain to all land and buildings proposed for subdivision within the boundaries of the Town of Paris.

2.3 Amendments

A. This Ordinance may be amended by the legislative body of the Town of Paris. Amendments may be initiated as follows.

1. Recommended by a majority vote of the Planning Board to the Board of Selectmen;

2. By a majority vote of the Board of Selectmen; or

3. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.

B. A public hearing shall be held prior to the adoption of any amendment. Notice of the hearing shall be provided as established by Tide 30-A, MRS A, § 4352.9.A &B.

2.4 Repeal of Existing Subdivision Ordinance

Adoption of this Ordinance shall repeal any and all previous adopted subdivision ordinances and regulations and mobile home park ordinances. This shall not prevent the enforcement of repealed ordinances or regulations with respect to the time periods in which they were in effect.

2.5 Conflict with Other Ordinances

This Ordinance shall not be construed to repeal any existing bylaws or ordinances, other than those specifically identified, or to impair the provisions of private restrictions placed upon property, provided, that where this Ordinance imposes greater restrictions, its provisions shall control.

2.6 Validity and Severability

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other article, section or provision.

ARTICLE 3 - ADMINISTRATIVE PROCEDURE

3.1 Joint Meetings

If any portion of the proposed subdivision crosses the boundary of an adjacent municipality the Board shall meet jointly with that municipality's Planning Board to review the application and conduct any public hearings. The joint meetings and any hearings required under this section may be waived by written agreement of both Planning Boards.

3.2 Agenda

In order to establish an orderly, equitable and expeditious procedure for reviewing subdivisions and to avoid unnecessary delays in processing applications for subdivision review, the Board
shall prepare a written agenda for each regularly scheduled meeting. The agenda shall be posted at the Town Office no less than seven days in advance of the meeting and distributed to the Board members and any applicants appearing on the agenda. Applicants shall request to be placed on the Board's agenda at least twelve days in advance of a regularly scheduled meeting by contacting the Board's Secretary at the Town Office. The Board shall take no action on any application not appearing on the Board's written agenda. Except the Board by a majority vote may amend the agenda to include items not on the agenda provided notification and posting requirements of this Ordinance are not circumvented.

3.3 Notice of Decisions

All written notices of the Board's decisions shall be issued to the applicant within 14 days of the meeting at which the Board reached its decision.

3.4 Payment requirements

All fees and payments required by this Ordinance shall be made payable to the Town of Paris.

ARTICLE 4 - PREAPPLICATION MEETING, SKETCH PLAN AND SITE INSPECTION

4.1 Purpose

The purpose of the Preapplication meeting and on-site inspection is for the applicant to present general information regarding the proposed subdivision to the Board and receive the Board's comments prior to the expenditure of substantial sums of money on surveying, soils identification, and engineering.

4.2 Procedure

A. Request to be on the agenda in accordance with paragraph 3.2.

B. The applicant shall present the Preapplication Sketch Plan and make a verbal presentation regarding the site and the proposed subdivision.

C. Following the applicant's presentation, the Board may ask questions and make suggestions to be incorporated by the applicant into the application.

D. The date and time of the on-site inspection shall be determined.

E. If an onsite inspection is scheduled the applicant shall place “flagging” at the boundary of the subdivision, and the centerline of any proposed streets, and at the approximate intersections of the street centerlines, and the lot corners, prior to the on-site inspection.

4.3 Submission

A. The Preapplication Sketch Plan shall show in simple sketch form the proposed layout of the streets, lots, existing buildings and other features in relation to existing conditions.

B. The Sketch Plan, which does not have to be engineered and may be a free-hand penciled sketch, should be supplemented with general information to describe or outline the existing
conditions of the site and the proposed development.

C. It will be most helpful to both the applicant and the Board for site conditions such as steep slopes (greater than 15%), wet areas (as identified on the National Wetland Inventory Maps) and vegetative cover to be identified in a general manner.

D. It is recommended that the sketch plan be superimposed on or accompanied by a copy of the Assessor's map(s) on which the land is located. The applicant may use the MEGIS as a substitute for U.S.G.S and tax assessor's mapping.

E The Sketch Plan shall be accompanied by:

1. A copy of a portion of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision unless the proposed subdivision is less than ten acres in size.

2. A copy of that portion of the Soil Survey Map of the Oxford County Area, Shoreland Zoning Map, and Flood Insurance Rate Map covering the proposed subdivision, showing the outline of the proposed subdivision.

3. The applicant shall furnish to the Board written evidence showing interest (ownership, option, contract for sale, etc.) in the property to be subdivided.

4. A written statement indicating if the parcel to be subdivided has changed ownership within the past five years, if timber has been harvested within the past five years and if such harvesting resulted in a violation of the Liquidation Harvesting Rules.

4.4 On-Site Inspection

Within twenty days of the pre-application meeting, the Board may hold an on-site inspection of the property if required. No inspections, site walks or field trips will take place unless the applicant has been notified in writing.

A. The applicant shall comply with the finding of fact provided by the Board prior to the on-site inspection.

B. If conditions are as such (snow coverage and or vegetation) that drainage patterns, wetlands (including vernal pools) and storm water runoff patterns cannot be seen the board may require as an alternative to the onsite inspection that the information be prepared by a licensed professional engineer and provided to the board with the sketch plan.

C. Within 14 days of conducting the on sight inspection or receiving the information from licensed professional engineer the board shall issue to the applicant a written list of suggestions and concerns that have been expressed by the Board as of the date of the letter.

4.5 Rights not Vested

The pre-application meeting, the submittal or review of the sketch plan, an on-site inspection or the submission of an application not determined as complete shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1 M.R.S.A., §302.

4.6 Establishment of File

Following the pre-application meeting the Board's Secretary shall establish a file for the proposed subdivision. All correspondence and submissions regarding the pre-application
meeting and application shall be maintained in that file in the Town Office.

ARTICLE 5 - PRELIMINARY PLAN

5.1 Procedure

A. Within six months after the on-site inspection by the Board, the applicant shall submit an application and all supporting information for approval of a Preliminary Plan at least twelve (12) days prior to a scheduled meeting of the Board.

1. Applications and all supporting information shall be submitted to the Board's Secretary in care of the Town Office or delivered by hand to the Town Office.

2. Failure to submit the application within six months shall require resubmission of the Sketch Plan to the Board.

3. The Preliminary Plan shall approximate the layout shown on the Sketch Plan, plus any additional requirements from the finding of fact issued by the Board after the on sight inspection.

B. All applications for Preliminary Plan approval shall be accompanied by the fees as set forth by the Selectmen.

1. A non-refundable application fee for each lot or dwelling unit, payable by check to the Town of Paris.

2. In addition, if stated in the finding of fact, the applicant shall pay a fee for each lot or dwelling unit to be deposited in a special account designated for that subdivision application, to be used by the Board for hiring independent consulting services to review the application, if necessary.

   a. Prior to the expenditure of monies from this account the applicant shall be notified in writing of the items in the submitted application requiring independent consulting.

   b. The applicant (at his expense) shall be afforded the opportunity to provide the required information prior to the hiring of any independent consulting services.

   c. If the balance in this special account is drawn down by 75%, the Board shall notify the applicant, and require that an additional fee per lot or dwelling unit be deposited by the applicant.

   d. The Board shall continue to notify the applicant and require an additional fee per lot or dwelling unit be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit.

   e. Any balance in the account remaining after a decision on the Final Plan application by the Board shall be returned to the applicant.

3. The recreational assessment fee per Article 10.9.G, if applicable.
C. The applicant, or his duly authorized representative, shall attend the meeting of the Board to present the Preliminary Plan. Failure to attend the meeting to present the Preliminary Plan application shall result in a delay of the Board’s review of the plan and issuance of dated receipt.

D. At or subsequent to the meeting at which an application for a Preliminary Plan approval is initially presented, the Board shall:

1. Issue a dated receipt to the applicant.

2. Within seven days of the receipt of the subdivision application the Board’s Secretary shall notify by mail all owners of abutting property that an application for subdivision approval has been submitted, specifying the location of the proposed subdivision and including a general description of the project. The address of abutting property owners shall be that of town record.

3. Notify the town clerk and the planning board of the neighboring municipalities if any portion of the subdivision abuts or crosses the municipal boundary.

4. The Board shall notify in writing the Town Manager, Highway Foreman, Superintendent of the Paris Utility District, School Superintendent, Police Chief, Fire Chief, Manager of Norway/Paris Solid Waste, and Manager of Oxford County Recycling of the proposed subdivision, the number of dwelling units proposed, and the size and construction characteristics of any multi-family, commercial or industrial buildings. The Board may request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision. The Board shall only consider recommendations to the application presented in writing or in person from the respective department at a scheduled meeting.

E. Within 15 days of the receipt of the Preliminary Plan application, the Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Board shall notify the applicant of the specific additional material needed to complete the application.

F. Upon a determination that a complete Preliminary Plan application has been submitted the Board may hold a public hearing:

1. The public hearing shall be held within thirty days (30) of determining that a complete application has been received.

2. The Board shall publish a notice of the date, time and place of the hearing in a newspaper of general circulation (Sun Journal or Advertiser Democrat) in the municipality at least two times, the date of the first publication to be at least seven days prior to the hearing.

3. A copy of the notice shall be mailed to the applicant.

H. Within fifteen days from the public hearing or if no hearing is held within 30 days of determining it has received a complete application or within another time limit as may be otherwise mutually agreed to by the Board and the applicant, the Board shall make findings of fact, and conclusions relative to the criteria contained in Title 30-A M.R.S.A., §4404 as amended from time to time and the standards of Article 10.
1. If the Board finds that all the criteria of the Statute and the standards of Article 10 have been met, it shall approve the Preliminary Plan.

2. If the Board finds that any of the criteria of the statute or the standards of Article 10 have not been met, the Board shall either
   a. deny the application
   b. or approve the application with conditions to ensure all of the criteria and standards will be met by the subdivision.

I. When granting approval to a Preliminary Plan, the Board shall state the conditions of such approval, if any, with respect to:

   1. The specific changes which it will require in the Final Plan;

   2. The character and extent of the required improvements for which waivers may have been requested and which the Board finds may be waived without jeopardy to the public health, safety, and general welfare; and

   3. The construction items for which cost estimates and performance guarantees will be required as prerequisite to the approval of the Final Plan.

J. Approval of a Preliminary Plan shall not constitute approval of the Final Plan or intent to approve the Final Plan, but rather it shall be deemed an expression of approval of the design of the Preliminary Plan as a guide to the preparation of the Final Plan.

K. Prior to the approval of the Preliminary Plan, the Board may require that additional information be submitted and changes in the plan be made as a result of further study of the proposed subdivision or as a result of new information received.

5.2 Submissions

The Preliminary Plan application shall consist of the following items.

A. Application form as provided by the Board and required fees.

B. Location Map. The location map shall be at a size adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the municipality. The location map shall show:

   1. Existing subdivisions within 500 feet of the proposed subdivision.

   2. Locations and names of existing and proposed streets within 500 feet of the subdivision.

   3. An outline of the proposed subdivision and any remaining portion of the owner's property if the Preliminary Plan submitted covers only a portion of the owner's entire contiguous holding.

   4. A copy of the Town of Paris tax map showing the subdivision may be used for the location map provided the information as indicated above is provided.
C. The Preliminary Plan shall be submitted in ten copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The Preliminary Plan shall be drawn to a scale of not more than one hundred feet to the inch. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read. In addition, ten copies of the plan(s) reduced to a size of 11 by 17 inches, and all accompanying information shall be submitted for mailing to each Board member.

D. Application Requirements. The application for Preliminary Plan approval shall include the following information. The Board may require additional information to be submitted, where it finds necessary in order to determine whether the criteria of Title 30-A M.R.S.A., §4404 as amended from time to time are met or the standards from Article 10.

1. Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor’s map and lot numbers.

2. Evidence of right, title or interest in the property.

3. A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a professional land surveyor. The type of monumentation to be set shall be indicated.

4. A copy of the most recently recorded deed for the parcel. A copy of all deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.

5. A copy of any deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.

6. The type of sewage disposal to be used in the subdivision.
   
   a. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Paris Utility District stating the District has the capacity to collect and treat the waste water shall be provided.

   b. When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analysis, prepared by a licensed site evaluator or certified soil scientist shall be provided. The location of all test pits dug on the site shall be depicted on the plan.

7. Potable Public Water.

   a. When water is to be supplied by public water supply, a written statement from the Paris Utility District shall be submitted indicating that there is adequate supply and pressure for the subdivision and that the District approves the plans for extensions where necessary.

   b. When water is to be supplied by private wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.
8. Where the District supply line is to be extended, a written statement from the Fire
Chief or his representative shall be submitted, stating his review, his request for fire
hydrants, and his approval of the location of fire hydrants, if any.

9. The Plat Plan depicting the following:

a. The date the plan was prepared, north point, and graphic map scale.

b. The names and addresses of the record owner, applicant, and individual or
company who prepared the plan and adjoining property owners.

c. Wetland areas, regardless of size as defined by the 1987 U.S Army Corps of
Engineers Wetland Delineation Manual.

d. The number of acres within the proposed subdivision, location of property
lines, existing buildings, vegetative cover type, and other essential existing
physical features.

e. The location of all rivers, streams, brooks and sand and gravel aquifers within
or adjacent to the proposed subdivision.

f. Contour lines at 10 foot intervals or as specified by the Board, showing
elevations in relation to mean sea level.

g. Any Shoreland Zoning district in which the proposed subdivision is located and
location of any Shoreland Zoning boundaries affecting the subdivision.

h. The location and size of existing and proposed sewers, water mains, culverts,
and drainage ways on or adjacent to the property to be subdivided.

i. The location, names, and present right of way widths of existing streets, existing
and proposed easements, building lines, parks and other open spaces on or
adjacent to the subdivision. The plan shall contain sufficient data to allow the
location, bearing and length of every street line, lot line, and boundary line to be
readily determined and be reproduced upon the ground. These tines shall be tied
to reference points previously established.

j. The proposed lot lines with approximate dimensions and lot areas.

k. All parcels of land proposed to be dedicated to public use and the conditions of
such dedication.

l. The location of any open space.

m. If any portion of the subdivision is in a flood-prone area, the boundaries of any
flood hazard areas and the 100-year flood elevation, as depicted on the Hood
Insurance Rate Map Town of Paris, Maine, shall be delineated on the plan. In
addition the plan shall contain the notes required in Article 10.14.B.
n. The location of all existing and proposed overhead and underground utilities. All wire/fiber based utilities shall be designated on the plan including those proposed to serve lots not in the subdivision.

o. Areas within or adjacent to the proposed subdivision which have been identified significant wildlife habitat by the Maine Department of Inland Fisheries and Wildlife.

p. The location of farmland as required by Title 30-A Section 4404 §14-A(amended).

10. A description of proposed ownership, improvement and management plan of any open space to be preserved.

11. A high intensity soil survey by a certified soil scientist, when required by just cause by the Board.

12. When required by the Board a hydro geologic assessment prepared by a certified geologist or licensed professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and;

   a. Any part of the subdivision is located over a sand and gravel aquifer, as shown on map(s) entitled "Hydro geologic Data for Significant Sand and Gravel Aquifers," by the Maine Geological Survey, 1985 as amended from time to time; or
   
   b. The subdivision has an average density of more than one dwelling unit per 40,000 square feet.

The Board may require a hydro geologic assessment in other cases where site considerations or development design indicate greater potential of adverse impacts on ground water quality. These cases include extensive areas of shallow to bedrock soils or proposed use of shared or common subsurface waste water disposal systems. The hydro geologic assessment shall* be conducted in accordance with the provisions of Article 10.13.

13. If the proposed subdivision is in the direct watershed of Halls, Marshall or Mud Pond a phosphorus control plan shall be submitted.

14. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours.

15. Street and roadway plan and profile drawings drawn to a scale 1" = 50' horizontal and 1" = 5' vertical, prepared by a licensed professional engineer that complies with the Town of Paris Minimum Road Standards.

16. Typical cross section views of all proposed streets and drainage systems as prepared by a licensed professional engineer.

17. The limits and location of any proposed streets, sidewalks, and curbing.

19. An erosion and sedimentation control plan prepared:

   a. In accordance with the Maine Erosion and Sedimentation Control BMPS by a licensed professional engineer or a certified professional in erosion and sediment control; or

   b. Certified compliant with the standards of the Maine Erosion and Sedimentation Control BMPS by a licensed professional engineer.

   c. All erosion and sedimentation control plans not prepared by a licensed engineer shall be reviewed and approved by the Oxford County soil and water Conservation District.

20. If any portion of the subdivision is located within an area designated as a unique natural area by the Maine Natural Areas Program the plan shall include measures for the preservation of the values which qualify the site for such designation.

21. The location and method of disposal for land clearing and construction debris.

22. A list of construction items including but not limited to streets, sidewalks, storm drainage, water supply and sewers, with cost estimates, that will be completed by the applicant prior to the sale of lots or dwellings, and written evidence from financial institutions that the applicant has financial commitments or resources to cover these costs.

23. The Board may determine the need for a municipal service impact analysis based on the comments received from department heads as requested in Article 5.1.D.4. This list shall include but not be limited to: schools including busing; street reconstruction, maintenance, and snow removal; solid waste disposal; recreation facilities; police and fire protection. A municipal service impact analysis that includes a list of construction and maintenance items, with both capital and annual operating cost estimates, as would be incurred by the Town of Paris.

24. Engineering for the design of roadways, PUD utilities and drainage shall include the signature and seal of a licensed professional engineer on the Plan.

25. If a driveway or entrance will enter onto Route 26, Route 117, Route 119 or High Street a written entrance permit, issued by the Maine Department of Transportation, shall be submitted.

ARTICLE 6 - FINAL PLAN

6.1 Procedure

   A. Within six months after the approval of the Preliminary Plan, the applicant shall submit an application in accordance with 5.1.A and 5.1.A.1.
1. If the application for the Final Plan is not submitted within six months after Preliminary Plan approval, the Board shall require resubmission of the preliminary Plan, except as stipulated below.

   a. If an applicant cannot submit the Final Plan within six months, due to delays caused by other regulatory bodies, or other reasons, the applicant may request an extension. Such a request for an extension to the filing deadline shall be filed, in writing, with the Board prior to the expiration of the filing period.

   b. In considering the request for an extension the Board shall make findings that the applicant has made due progress in preparation of the Final Plan and in pursuing approval of the plans before other agencies, and that municipal ordinances or regulations which may impact on the proposed development have not been amended.

B. The Final Plan shall approximate the layout shown on the Preliminary Plan, plus any changes required by the Board in its finding of facts to date.

2. Prior to submittal of the Final Plan application, the following approvals shall be obtained in writing, where applicable:

   a. Maine Department of Environmental Protection, under the Site Location of Development Act, Natural Resources Protection Act, or if a waste water discharge license is needed.

   b. Maine Department of Human Services, if the applicant proposes to provide a public water system other than the Paris Utility District.

   c. Maine Department of Human Services, if an engineered subsurface waste water disposal system(s) is to be utilized.

   d. U.S. Army Corps of Engineers, if a permit under Section 404 of the Clean Water Act is required.

C. The applicant, or his duly authorized representative, shall attend the meeting of the Board to discuss the Final Plan. Failure to attend the meeting to present the Final Plan application shall result in a delay of the Board's review of the plan and issuance of dated receipt.

D. The Board shall issue a dated receipt to the applicant when an applicant for a final plan approval is initially presented and accepted by the Board.

E. Within fifteen days of the dated receipt of the Final Plan application, the Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Board shall notify the applicant of the specific additional material needed to complete the application.

F. Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the applicant. The Board may hold a public hearing in accordance with 5.1.F on the Final Plan application if it determines that significant changes from the Preliminary Plan have occurred.

G. Before the Board grants approval of the Final Plan, the applicant shall meet the performance guarantee requirements contained in Article 11.
H. Within fifteen days from the public hearing or if no hearing is held within 15 days of determining it has received a complete application of the dated receipt of a complete application or within another time limit as may be otherwise mutually agreed to by the Board and the applicant, the Board shall make findings of fact, and conclusions relative to the criteria for approval contained in Tide 30-A M.R.S.A., §4404 as amended from time to time and the standards of this Ordinance. If the Board finds that all the criteria of the statute and the standards of this Ordinance have been met, they shall approve the Final Plan. If the Board finds that any of the criteria of the statute or the standards have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. All conditions of approval shall be placed on the plan to be recorded. The reasons for any conditions shall be stated in the records of the Board.

6.2 Submissions

The Final Plan for a Subdivision shall consist of two reproducible, stable-based transparencies, one to be recorded at the Registry of Deeds, the other to be filed at the municipal office, and four copies of one or more maps or drawings drawn to a scale of not more than one hundred feet to the inch. The reproducible transparencies shall be embossed with the seal of the individual responsible for preparation of the plan. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read. Plans shall be no larger than 24 by 36 inches in size, and shall have a margin of two inches outside of the border lines on the left side for binding and a one inch margin outside the border along the remaining sides. Space shall be provided for endorsement by the Board. Ten copies of all information accompanying the plan shall be submitted. In addition, ten copies of the Plan(s) reduced to a size of 11 by 17 inches shall be submitted for mailing to each Board member. The Final Plan shall include or be accompanied by the following information.

A. Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.

B. The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, and other essential existing physical features.

C. The date the plan was prepared, north point, graphic map scale.

D. The names and addresses of the record owner, applicant, and individual or company who prepared the plan.

E. The location of any zoning boundaries affecting the subdivision.

F. If different than those submitted with the Preliminary Plan, a copy of any proposed deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.

G. The location and size of existing and proposed sewers, water mains, culverts, storm water management facilities and drainage ways on or adjacent to the property to be subdivided.

H. The location, names, and present widths of existing and proposed streets, highways, easements, buildings, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The location, bearing and length of street lines, lot lines and parcel boundary lines shall be certified by a professional land surveyor.
The original reproducible plan shall be embossed with the seal of the professional land surveyor and be signed by that individual.

I. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers to convey title to the municipality of all public ways and open spaces shown on the Plan, and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If proposed streets and/or open spaces or other land is to be offered to the municipality, written evidence that the Selectmen are satisfied with the legal sufficiency of the written offer to convey title shall be included.

J. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation, as depicted on the Hood Insurance Rate Map Town of Paris, Maine, shall be delineated on the plan. In addition the plan shall contain the notes required in Article 10.14.B.

K. Wetland areas shall be identified on the plan, regardless of size.

L. The type and amount of performance guarantee approved by the Road Commissioner and the Paris Utility District as the case may be.

ARTICLE 7 - FINAL APPROVAL AND RECORDING

7.1 Approval Requirements

A. No plan shall be approved by the Board as long as the applicant is in violation of the provisions of a previously approved Subdivision Plan within the municipality. Additionally, the Board shall not approve any Subdivision Plan that does not comply with the provisions of Title 30-A M.R.S.A., §4404, this ordinance, or any other applicable ordinance.

B. No plan shall be signed by the Board until all fees and payments required by this Ordinance have been paid.

7.2 Plan Signing and Recording

A. Signing: Upon findings of fact and determination that all standards in Title 30-A M.R.S.A., §4404 as amended, from time to time, and this Ordinance have been met and upon voting to approve the subdivision, the Board shall sign the Final Plan.

1. The Board shall specify in writing its findings of facts and reasons for any conditions or denial.

2. Any conditions of approval shall be indicated on the Final Plan.

3. One copy of the signed plan shall be retained by the Board as part of its permanent records.

4. One copy of the signed plan shall be forwarded to the Tax Assessor.

5. One copy of the signed plan shall be forwarded to the Code Enforcement Officer.
B. Recording: Any subdivision not recorded in the Registry of Deeds within ninety days of the date upon which the plan is approved and signed by the Board shall become null and void.

C. Any plan that is found not to have complied with the provisions of this Ordinance shall not be recorded at the Registry of Deeds.

D. If a plan is recorded that is found to have failed to comply with the review and approval requirements of this Ordinance then the Code Enforcement Officer shall institute proceedings, through the Board of Selectmen, to have the plan stricken from the Registry of Deeds.

7.3 Changes, Erasures, Modifications, or Revisions

No changes, erasures, modifications, or revisions shall be made in any Final Plan after approval has been given by the Board and endorsed in writing on the plan, unless the revised Final Plan is first submitted and the Board approves any modifications, in accordance with Article 9. The Board shall make findings that the revised plan meets the criteria of Title 30-A M.R.S.A., §4404, and the standards this Ordinance. In the event that a Plan is recorded without complying with this requirement, it shall be considered null and void, and the Code Enforcement Officer shall institute proceedings to have the plan stricken from the records of the Registry of Deeds.

7.4 Acceptance of Streets, Easements, or Other Open Spaces

The approval by the Board of a subdivision plan shall not be deemed to constitute or be Evidence of any acceptance by the municipality of any street, easement, or other open space shown on such plan. When a park, playground, or other recreation area shall have been shown on the plan to be dedicated to the municipality, approval of the plan shall not constitute an acceptance by the municipality of such areas. The Board shall require the plan to contain appropriate notes to this effect. The Board may also require the filing of a written agreement between the applicant and the Selectmen covering future deed and title dedication, and provision for the cost of grading, development, equipment, and maintenance of any such dedicated area.

7.5 Start of Construction

Failure to complete substantial construction of the public improvements to serve the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void. Upon determining that a subdivision's approval has expired under this paragraph, the Board shall have the Code Enforcement Officer place a notice in the Registry of Deeds to that effect.

ARTICLE 8 - REVISIONS TO APPROVED PLANS

8.1 Requirements

No changes, erasures, modifications, or revisions shall be made in any Final Plan approved on or after September 23, 1971 until approval has been given by the Board in accordance with this Article.

8.2 Procedure

An applicant for a revision to a previously approved plan shall request to be placed on the
Board's agenda at least twelve days in advance of a regularly scheduled meeting by contacting the Board's Secretary at the Town Office. If the revision involves the creation of additional lots, dwelling units or infrastructure, the procedures for Preliminary Plan approval shall be followed. If the revision involves only modifications of the approved plan, without the creation of additional lots, dwelling units or infrastructure, the procedures for Final Plan approval shall be followed.

8.3 Submissions

The applicant shall submit a copy of the approved plan as well as ten copies of the proposed revisions. The application shall also include all necessary supporting information to allow the Board to make a determination that the proposed revisions meet the standards of this Ordinance and the criteria contained in Title 30-A M.R.S.A., §4404. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the title of the subdivision, the book and page and plan file number on which the original plan is recorded at the Registry of Deeds. The fees for any revisions to approved plans shall be set by the Selectmen.

8.4 Scope of Review

The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

ARTICLE 9 - INSPECTIONS AND ENFORCEMENT

9.1 Inspection of Required Improvements

A. At least twelve (12) days prior to commencing construction of required improvements, the subdivider or builder shall:

1. Notify the Code Enforcement Officer in writing of the time when it is proposed to commence construction of such improvements, so that the municipal officials can arrange for inspections by the Inspecting Official to assure that all municipal specifications, requirements, and conditions of approval are met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Board.

2. Provide the Town of Paris with the performance guarantee in the type and in the amount approved by the Board at the time of Final Plan approval.

3. Deposit with the Town Clerk a check for the amount of the estimated costs for inspection of the required improvements. If upon satisfactory completion of construction and cleanup there are funds remaining, the surplus shall be refunded to the subdivider or builder as appropriate. If the inspection account shall be drawn down by 75%, the subdivider or builder shall deposit an additional amount sufficient to complete the inspection of the required improvements.

B. If the Inspecting Official finds upon inspection of the improvements that any of the required improvements are not being constructed or have not been constructed in accordance with the plans and specifications approved by the Board, he shall so report in writing to the Selectmen, Board, and the subdivider and builder. The Inspecting Official shall prepare periodic reports and
provide the same to the Board and Board of Selectmen. The Inspecting Official shall have no enforcement authority but is authorized to request the Code Enforcement Officer to take enforcement actions as necessary to ensure compliance including 'Stop Work' orders. The Board shall notify the applicant and Selectmen, and if necessary, the bonding company, and take all necessary steps to preserve the municipality's rights under the guarantee, security or bond. The Selectmen shall take any steps necessary to assure compliance with the approved plans.

C. If at any time it appears necessary or desirable to modify the required improvements before or during the construction of the required improvements, the Inspecting Official is authorized to approve minor modifications due to unforeseen circumstances such as encountering hidden outcrops of bedrock, natural springs, etc. The Inspecting Official shall issue any approval under this section in writing and shall transmit a copy of the approval to the Board. Revised plans shall be filed with the Board. For major modifications, such as relocation of rights-of-way, property boundaries, changes of grade by more than 3% that are greater than 50' in length, etc., the subdivider shall obtain permission from the Board to modify the plans.

D. By September 15 of each construction season the Inspecting Official shall report to the Board, Town Manager and Code Enforcement Officer on the completion status of the required improvements and recommend steps necessary to prepare for the winter construction season. By November 30 of each construction year the Inspecting Official shall submit a report to the Board, Town Manager and Code Enforcement Officer based on that inspection, addressing whether storm water and erosion control measures (both temporary and permanent) are in place, are properly installed, and appear adequate for winter construction activities. The report shall also include a discussion and recommendations on any problems which were encountered.

E. Upon completion of street construction and all associated drainage systems, a written Certification signed by a licensed professional engineer shall be submitted to the Selectmen at the expense of the applicant, certifying that street construction and all associated drainage systems meet or exceeds the design and construction requirements of this Ordinance. If there are any underground utilities, the servicing utility shall certify in writing that they have been installed in a manner acceptable to the utility. "As built" plans shall be signed by a licensed professional engineer and submitted to the Selectmen.

F. The subdivider or subsequent owner shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of the improvements by the legislative body or control is placed with a homeowners' association.

9.2 Violations and Enforcement

A. No plan of a division of land or buildings within the municipality which would constitute a subdivision shall be recorded in the Registry of Deeds until a Final Plan has been approved and signed by the Board in accordance with this Ordinance.

B. A person shall not convey, offer or agree to convey any land or dwelling in a subdivision which has not been approved by the Board and recorded in the Registry of Deeds.

C. A person shall not sell, lease or otherwise convey any land or dwelling in an approved subdivision which is not shown on the plan as a separate lot or dwelling.
D. No public utility, water utility, sanitary utility or any utility company of any kind shall serve any lot or dwelling in a subdivision for which a Final Plan has not been approved by the Board and recorded in the Registry of Deeds.

E. Development of a subdivision without Board approval shall be a violation of law. Development includes grading or construction of streets, grading of land or lots, or construction of buildings which require a plan approved as provided in this Ordinance and recorded in the Registry of Deeds.

F. No Building Permit shall be issued for any lot or dwelling in a subdivision before the street upon which the lot fronts is completed in accordance with this Ordinance.

G. Violations of the above provisions are a nuisance and shall be punished in accordance with the provisions of Title 30-A M.R.S.A., §4452 as amended.

H. When any violation of any provisions of this Ordinance shall be found to exist, the Selectmen, after notice from the Code Enforcement Officer, shall assume sole responsibility for resolution of the violation. Any resolution will be by the Selectmen in the name of the Town. The Selectmen may institute any and all actions and proceedings either legal or equitable that may be appropriate or necessary for the enforcement of the provisions of this Ordinance, the same to be brought in the name of the Town. This shall include consent agreements/decrees for the purpose of eliminating violations of this Ordinance and collecting fines without court action. The Selectmen are authorized to levy monetary penalties as provided for in Title 30-A MRSA § 4452. This provision shall not prevent any person aggrieved by a violation of this Ordinance from taking appropriate legal action against the violator.

I. Failing to comply with any or all conditions of approval shall be considered a violation of this Ordinance and shall be punished in accordance with sections G and H above.

ARTICLE 10 - PERFORMANCE STANDARDS

The performance standards in this article are intended to clarify and expand upon the criteria for approval found within the subdivision statute (Title 30-A M.R.S.A., §4404) and this Ordinance. In reviewing a proposed subdivision, the Board shall review the application for conformance with the following performance standards and make findings that each has been met prior to the approval of a Final Plan. In all instances the burden of proof shall be upon the applicant to present adequate information to indicate all performance standards and statutory criteria for approval have been or will be met.

10.1 Pollution

The proposed subdivision shall not discharge waste water to a water body without a license from the Maine Department of Environmental Protection.

10.2 Sufficient Water

A. Water Supply

1. Any subdivision shall make provisions to connect to the public water system if
the Paris Utility District indicates it can provide water service. Connection shall be required if the subdivision has direct access to the existing line without crossing the property of another person and:

a. Is within 500 feet of water main that is of adequate size and has adequate supply as determined by the Paris Utility District to serve the proposed subdivision as measured along the centerline of public streets to the nearest point of the parcel to be subdivided.

b. In meeting the standards of this Section, a proposed subdivision shall not generate a demand on the source, treatment facilities or distribution system of the Paris Utility District beyond the capacity of that system's components, considering improvements that are planned to be in place prior to occupancy of the subdivision. The applicant and the Paris Utility District may enter into an agreement to correct deficiencies. Such an agreement shall be noted on the Final Plan.

2. When a subdivision is to be served by the public water system, the complete supply system within the subdivision including fire hydrants shall be installed at the expense of the applicant. The size and location of mains, gate valves, hydrants, and service connections shall be reviewed and approved in writing by the Paris Utility District and the Fire Chief. The system shall be designed by a licensed professional engineer.

3. When a proposed subdivision's water supply will be from individual wells or a private community water system the following will be met.

a. Individual wells shall be sited and constructed to prevent infiltration of surface water, and contamination from subsurface waste water disposal systems and other sources of potential contamination.

b. Lot design shall permit placement of wells and subsurface waste water disposal areas are in compliance with the Maine Department of Human Services Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installers Rules.

c. If a central water supply system is provided by the applicant, the location and protection of the source, the design, construction and operation of the system shall conform to the standards of the Maine Department of Human Services Maine Rules Relating to Drinking Water (10-144ACM.R.231).

4. Fire Protection

a. Fire hydrants connected to a public water supply system shall be located to meet the specifications of the Fire Chief

b. Letter from Fire Chief for adequate area for emergency vehicles. (When a Public or Private road is proposed for the Sub-Division)
B. Water Quality. Potable water supplies shall meet the primary drinking water standards contained in the Maine Rules Relating to Drinking Water adopted by the Maine Department of Human Services Division of Health Engineering.

10.3 Soil Erosion

A. The Board shall require the subdivider to prevent soil erosion and sediment transport on the site and onto adjacent and downstream properties. Erosion control practices shall conform to the Maine Erosion and Sediment Control BMPS.

B. All soil erosion and sediment control plans not prepared by a licensed professional engineer shall be reviewed and approved by the Oxford County Soil and Water Conservation District at the expense of the applicant.

C. Prior to the issuance of a Building permit (if required) for any lot or dwelling unit in a subdivision the Code Enforcement Officer shall insure erosion control measures are in place.

D. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from streets, parking areas, and building excavations.

10.4 Traffic Conditions

A. Provision shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to:

1. Safeguard against hazards to traffic and pedestrians on existing streets and within the subdivision.

2. Avoid traffic congestion on any street.

3. Provide safe and convenient circulation on public streets and within the subdivision.

4. Streets which join and are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing streets within the municipality. Street names shall be subject to the approval of the Board and with final approval by the Selectmen. The developer shall either install street name, traffic safety and control signs meeting municipal specifications or reimburse the municipality for the costs of their installation.

5. Street lights shall comply with the following.

   a. Street lights, systems and their installation shall be in accordance all applicable utility specifications.

   b. When required, street lights shall be installed in locations as recommended by the utility company.
c. The cost of installation of street lights and systems shall be the responsibility of the developer.

B. Access Control.

1. Entrances/driveways onto Routes 26,117,119 or High Street shall require ME.DOT entrance permit.

2. Entrances/driveways onto Christian Ridge Road, East Oxford Road, Elm Hill Road, Mt. Mica Road, Oxford Street and Paris Hill Road shall not exceed a frequency of one per 200 feet of street frontage.

3. Subdivisions containing fifteen (15) or more lots or dwellings, with entrances/driveways onto roads or right-of-ways other than routes 26, 117, 119 or High Street shall require at least two street connections with existing public streets. Streets, connections and other public ways shall be designed by licensed professional engineer.

4. Where a lot has frontage on two or more streets, the access to the lot shall be provided from the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians. This provision shall be a condition of the plan approval noted on the plan and as a deed restriction to the affected lots.

5. The Board may require, based upon site distances and volume of traffic, the use of shared or common driveways.

6. Streets within a subdivision proposed for acceptance by the Town shall be connected to existing Town or State maintained streets

10.5 Street and Sidewalk Construction and Design Standards

A. Public streets proposed to be constructed as part of a subdivision shall conform to the Town of Paris Minimum Paved Road Standards and the following:

1. All streets in the subdivision shall be designed to provide for safe vehicular and pedestrian movement while discouraging movement of through traffic.

2. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation of all existing and planned streets, to topographical conditions, to public convenience and safety and their appropriate relation to the proposed use of land to be served by the street.

3. Where a subdivision borders an existing narrow street (not meeting the width requirements of the standards for streets in The Town of Paris Minimum Road Standards), or when municipal road improvement plans indicates plans for realignment or widening of a street that would require use of some of the land in the subdivision, the plan shall indicate reserved areas for widening or realigning the street marked "Reserved for Street Realignment (Widening) Purposes." Land reserved for such purposes may not be included in computing lot area or setback requirements. When such widening or realignment is included in the municipality's capital investment plan, the reserve area shall not be included in any lot, but shall be reserved to be deeded to the municipality or State.
4. The street or street system of the proposed subdivision shall be designed to coordinate with existing, proposed, and platted streets. Wherever a proposed development abuts unplatted land or a future development phase of the same development, right-of-way easements meeting the width requirements of the Town of Paris Minimum Road Standards shall be provided as deemed necessary by the Board. Expansion of the street shall be the responsibility of any future developer of the abutting land.

5. Dead-end streets may serve up to 14 lots or dwellings. Dead-end streets shall be constructed to provide a cul-de-sac turn-around with a travel lane and width equal to the minimum width required for the internal subdivision street. For all cul-de-sacs there shall be a minimum outside turning radius of 75 feet. In phased subdivisions the Board may accept hammer head turn arounds where practical. (This paragraph is for the subdivision street being proposed not existing streets, public or private.)

6. Grades of all streets shall conform to the standards contained in the Town of Paris Minimum Road Standards but in no case exceed 3% within 50 feet of any intersection.

7. Where new street intersections or driveway curb-cuts are proposed, site distances, as measured along the street onto which traffic will be turning, shall meet the sight distance below based upon the posted speed limit. If there is no posted speed limit the minimum sight distance shall be 200 feet.

<table>
<thead>
<tr>
<th>Posted Speed Limit (MPH)</th>
<th>25</th>
<th>30</th>
<th>35</th>
<th>40</th>
<th>45</th>
<th>50</th>
<th>55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight Distance (feet)</td>
<td>200</td>
<td>250</td>
<td>305</td>
<td>360</td>
<td>425</td>
<td>495</td>
<td>570</td>
</tr>
</tbody>
</table>

8. All changes in grade shall be connected by vertical curves of such length and radius so that clear visibility shall be provided for a minimum distance of 200 feet.

9. Intersections of streets shall be at angles as close to ninety (90°) degrees as possible and in no case shall two streets intersect at an angle smaller than sixty (60°) degrees. Where one street approaches another between sixty (60°) to ninety (90°) degrees, the former street will be curved approaching the intersection.

10. Cross (four-cornered) street intersections shall be avoided insofar as practical. A distance of at least 200 feet shall be maintained between center lines of offset intersection streets.

11. Streets shall be rough graded, beyond the pavement travel way, to the width necessary for shoulders and ditches.

B. The Board shall require sidewalks in any situation where the subdivision will abut existing sidewalks or where the proximity of the proposed subdivision to future or existing neighborhood businesses, schools, community facilities, or other pedestrian traffic generators suggest sidewalks will be needed. The Board shall determine if sidewalks will be installed on one side or both sides of the street. Sidewalks shall be designed to comply with the Americans' with Disability Act and the following:
1. Location Sidewalks may be located adjacent to the curb or shoulder but it is recommended to locate sidewalks a minimum of 2 1/2 feet from the curb facing or edge of shoulder if the street is not curbed. If no shoulder is required, the sidewalk shall be located a minimum of 4 feet from the edge of the traveled way.

2. Bituminous Sidewalks
   a. The "sub-base" aggregate course shall be no less than twelve inches thick after compaction.
   b. The hot bituminous pavement surface course shall meet MDOT specifications.

C. Privately Owned Streets. Subdivisions may have private streets that are constructed to Town of Paris Minimum Road Standards for gravel roads provided that:
   1. They meet the requirements of 10.5 except pavement and;
   2. The Subdivider establishes a Road Association that clearly demonstrates the means to maintain the road and;
   3. Deeds to all lots serviced by the private road clearly indicate the road is private and The Town of Paris is not responsible for its maintenance and;
   4. The Subdivider provides deeded access across any non public property or rights-of-way that include but are not limited to the following:
      a. the right to maintain an access road or public way to the Town of Paris Minimum Road Standards for gravel or paved road standards;
      b. the right to build and maintain utilities and other public improvements and;
   5. Where the subdivision streets are to remain private, the following words shall appear on the recorded Plan: "All roads in this subdivision are private and to be maintained by the Road Association and shall not be maintained by the Town"
   6. Subdivision review is required per Article 8 before a private road can become public. The Planning Board shall require any private road to conform to the Town of Paris Minimum Road Standards as condition of review approval.

10.6 Sewage Disposal

A. Public System

1. Any subdivision shall make provisions to connect to the public sewer system if the Paris Utility District indicates it can provide sewer service. Connection shall be required if the subdivision is within 500 feet of a public sewer that is of adequate size as determined by the Paris Utility District to serve the proposed subdivision as measured along the centerline of public streets to the nearest point of the parcel to be subdivided without crossing property owned by others.
2. When a subdivision is proposed to be served by the public sewage system, the complete collection system for the subdivision and the connection to the public system, including manholes and pump stations, shall be installed at the expense of the applicant.

3. The Paris Utility District shall certify that providing service to the proposed subdivision is within the capacity of the system's existing collection and treatment system or improvements planned to be complete prior to the construction of the subdivision.

4. All components of the sanitary sewer shall be designed by a licensed professional engineer registered in the State of Maine. The Paris Utility District shall review and approve the construction drawings for the sewerage system. The size and location of laterals, collectors, manholes, and pump stations shall be reviewed and approved in writing by the District.

B. Private Systems

1. When a proposed subdivision will be served by private subsurface waste water disposal systems the following shall be met.

   a. The applicant shall submit evidence of site suitability for subsurface sewage disposal for each lot prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules.

      (1) The site evaluator or certified soil scientist shall certify in writing that all test pits which meet the requirements for a new system represent an area large enough to install a disposal area on soils which meet the Maine Subsurface Wastewater Disposal Rules.

      (2) Plans submitted shall show that there will be the required separation, as required in the Maine Subsurface Wastewater Disposal Rules, between the subsurface wastewater disposal system and well on the lot and adjacent lots.

      (3) All components of the subsurface wastewater disposal system including the septic tank shall be a minimum of 100 feet from any well

      (4) In no instance shall a disposal area be on a site which requires a New System Variance from the Subsurface Wastewater Disposal Rules.

10.7 Impact on the Municipality's Ability to Dispose of Solid Waste

   If the additional solid waste from the proposed subdivision exceeds the capacity of the municipal solid waste facility, or causes the municipal facility to no longer be in compliance with its license from the Department of Environmental Protection, or causes the municipality to exceed its contract with a non-municipal facility, the applicant shall make alternate arrangements for the disposal of solid waste. The alternate arrangements shall be at a disposal facility which is in compliance with its license. The Board may not require the alternate arrangement to exceed a period of five years.
10.8 Retention of Open Spaces and Natural or Historic Features

A. If any portion of the subdivision is located within an area designated as a unique natural area by the Maine Natural Areas Program the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.

B. If any portion of the subdivision is designated a site of historic or prehistoric importance by the Maine Historic Preservation Commission, appropriate measures for the protection of the historic or prehistoric resources shall be included in the plan.

C. Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended.

D. Applicants proposing to subdivide land hi or within 2SO feet to wildlife resources identified by the Maine Department of Inland Fisheries and Wildlife shall consult with a recognized wildlife or fisheries consultant or the Maine Department of Inland Fisheries and Wildlife and provide their written comments to the Board. The Board may consult with the Maine Department of Inland Fisheries and Wildlife and may impose any recommendations by the Maine Department of Inland Fisheries and Wildlife or consultant as conditions of approval.

10.9 Reservation or Dedication and Maintenance of Open Space and Common Land, Recreational Areas and other related Facilities and Services

A. For proposed subdivision of 10 or more lots or dwelling units, the Board may require the applicant to provide up to 10% of the total area of the subdivision for recreational facilities.

1. Such areas shall be at least one acre in size and accessible from all lots or dwellings in the subdivision.

2. Land reserved for recreation shall be of such character, configuration and location suitable for the particular use intended.

3. Recreational facilities shall be a required improvement and subject to the provisions of Article 9.1.

B. All open space, recreational facilities and other common land and facilities and property shall be owned by:

1. The owners of the lots or dwelling units by means of a lot owners' association incorporated under laws of the State of Maine;

2. An association which has as its principal purpose the conservation or preservation of land in essentially its natural condition; or

3. The municipality when the Selectmen have so voted that there would be a public benefit to municipal ownership. Public benefits include, but are not limited to, the proximity to other public recreation/open space areas and implementation of municipal recreation plans.

C. Further subdivision of the common land or open space and its use for other than non-commercial recreation or conservation purposes, except for easements for underground utilities or subsurface wastewater disposal systems, shall be prohibited. Structures and buildings accessory to non-commercial recreational or conservation uses may be erected on the common land. When open space is to be owned by an entity other than the municipality, there shall be a conservation easement deeded to the municipality prohibiting future development.
D. The common land or open space shall be shown on the Final Plan with appropriate notations on the plan to indicate:

1. It shall not be used for future building lots; and

2. Which portions of the open space, if any, may be dedicated for acceptance by the municipality.

E. The Final Plan application shall include the following:

1. Covenants for mandatory membership in the lot owners' association setting forth the owners' rights, interests, and privileges in the association and the common property and facilities, to be included in the deed for each lot or dwelling.

2. Draft articles of incorporation of the proposed lot owners' association as a not-for-profit corporation; and

3. Draft by-laws of the proposed lot owners' association specifying the responsibilities and authority of the association, the operating procedures of the association and providing for proper capitalization of the association to cover the costs of major repairs, maintenance and replacement of common facilities.

F. In combination, the documents referenced in paragraph E above shall provide for the following.

1. The homeowners' association shall have the responsibility of maintaining the common property or facilities.

2. The association shall levy annual charges against all owners of lots or dwelling units to defray the expenses connected with the maintenance, repair and replacement of common property and facilities and tax assessments.

3. The association shall have the power to place a lien on the property of members who fail to pay dues or assessments.

4. The developer or subdivider shall maintain control of the common property, and be responsible for its maintenance until development sufficient to support the association has taken place.

G. In lieu of dedicated open space or recreational facilities the Board shall assess a fee of $400.00 per lot on sub-divisions.

10.10 Conformance with the other applicable Ordinances and laws

All lots and dwellings shall meet the minimum dimensional requirements and other standards of the Ordinances and Rules of the Town of Paris and the State of Maine unless specified by the Board.

10.11 Financial and Technical Capacity

A. Financial Capacity. The applicant shall have adequate financial resources to construct the proposed improvements and meet the criteria in Title 30-A M.R.S.A., §4404 and this Ordinance. When the applicant proposes to construct the buildings as well as the subdivision improvements, the applicant shall have adequate financial resources to construct the total development in making the above determinations the Board shall consider the following:
1. The proposed time frame for construction and the effects of inflation.

2. An accurate and complete cost estimate for the development.

3. A letter from a financial institution or other funding agency indicating a commitment to provide a specified amount of funds and the uses for which the funds may be utilized.

4. The ability to provide a performance guarantee as required in Article 11.

B. Technical Ability

1. The applicant shall retain qualified contractors and consultants to supervise and construct the required improvements in the proposed subdivision.

2. In determining the applicant's technical ability the Board shall consider the applicant's previous experience, the experience and training of the applicant's consultants and contractors, and the existence of violations of previous approvals granted to the applicant.

10.12 Impact on Water Quality or Shoreline

The subdivision shall comply with the provision of the Shoreland Zoning Ordinance and all State laws and rules relating to water quality.

10.13 Impact on Ground Water Quality or Quantity

When required by the Board a hydro geologic assessment shall include the following.

A. Ground Water Quality

1. A map showing the basic soils types.

2. The depth to the water table at representative points throughout the subdivision.

3. Drainage conditions throughout the subdivision.

4. Data on the existing ground water quality, either from test wells in the subdivision or from existing wells on abutting lots.

5. An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, or at the subdivision boundaries; or at a distance of 1,000 feet from potential contamination sources, whichever is the shortest distance.

6. Subsurface (if existing) waste water disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries shall be shown on the plan.

7. Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).
8. No subdivision shall increase any contaminant concentration in the ground water to more than one half of the Maine Department of Human Services primary drinking water standards. No subdivision shall increase any contaminant concentration in the ground water to more than the Maine Department of Human Services secondary drinking water standards.

9. If ground water contains contaminants in excess of the Maine Department of Human Services primary drinking water standards, and the subdivision is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.

10. If ground water contains contaminants in excess of the Maine Department of Human Services secondary drinking water standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

11. If construction standards for drinking water wells or other measures to reduce ground water contamination and protect drinking water supplies are recommended in the assessment, those standards shall be included as a note on the Final Plan, and as restrictions in the deeds to the affected lots.

12. No subdivision shall result in negative impacts on water quality or storm water runoff onto the abutting property.

B. Ground Water Quantity

1. Ground water withdrawals by a proposed subdivision shall not lower the water table beyond the boundaries of the subdivision.

2. A proposed subdivision shall not result in a lowering of the water table at the subdivision boundary by increasing runoff with a corresponding decrease in infiltration of precipitation.

10.14 Floodplain Management

When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency:

A. The subdivision shall comply with the requirements of the Town of Paris Floodplain Management Ordinance

B. The plan shall include a statement that structures in the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation. Such a restriction shall be included in any deed, lease, purchase and sale agreement, or document transferring or expressing intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The statement shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated as a condition of approval on the plan.

10.15 Identification of Freshwater Wetlands

Freshwater wetlands shall be identified in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, as may be amended, published by the United States Army Corps of Engineers.
10.16 Storm Water Management

A. For subdivisions that require a permit under the Stormwater Management Law (Title 38 MRSA § 420-D), a Stormwater management plan shall be submitted which complies with the requirements of the Maine Department of Environmental Protection's Chapter 500 Stormwater Management Rules.

B. For subdivisions that do not require a DEP permit under the Stormwater Law, a Stormwater management plan shall be submitted which incorporates adequate provision for the management of the quantity and quality of all storm water generated within the subdivision, and any drained ground water through a management system of swales, culverts, underdrains, storm drains and best management practices equivalent to those in the most recent edition of Stormwater Management for Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection.

C. Where necessary to achieve the above standards, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. Wherever the storm drainage system is within the right-of-way of a public street, perpetual Easements shall be provided to the municipality allowing maintenance and improvement of the system.

D. The applicant shall provide a statement from a licensed professional engineer registered in the State of Maine, that the proposed subdivision will not cause erosion, drainage or runoff problems either in the subdivision or on adjacent properties.

Where the peak runoff from the subdivision onto abutting properties is increased either in volume or duration, easements from the abutting property owners, allowing such additional discharge shall be obtained.

10.17 Phosphorous Export

Subdivisions proposed within the direct watershed of a pond listed below shall be designed to limit phosphorous runoff to the levels defined below. The Board shall keep an accurate record of permits issued by watershed using an appropriate record keeping system, and shall review actual development rates and recommend adjustments to the table at five year intervals, subject to a reasonable appropriation by the Town to conduct such a reassessment, or the availability of adequate State or regional grant programs or technical assistance programs.

A. Protection Level

<table>
<thead>
<tr>
<th>Protection Level</th>
<th>Phosphorus Load (pounds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halls Pond High</td>
<td>1.94</td>
</tr>
<tr>
<td>Marshall Pond Medium</td>
<td>10.73</td>
</tr>
<tr>
<td>Mud Pond Medium</td>
<td>0.83</td>
</tr>
</tbody>
</table>

1. Phosphorous export from a proposed subdivision shall be calculated according to the procedures defined in "Phosphorous Control in Lake Watersheds: A Technical Guide for Evaluating New Development" (Maine DEP et. al., September 1989 with revision in 1992 and as may be amended). Upon request, copies of all worksheets and calculations shall be made available to the Board.
2. Phosphorous control measures shall meet the design criteria contained in "Phosphorus Control in Lake Watersheds: A Technical Guide for Reviewing Development" (Maine DEP et al., September 1989 with revisions in 1992 or as may be amended). The Board shall require the reasonable use of vegetative buffers, limits on clearing, and minimizing street lengths, and shall encourage the use of other non-structural measures prior to allowing the use of high maintenance structural measures such as infiltration systems and wet ponds.

10.18 Utilities

When utilities are to be run to or through the subdivision, they shall be either overhead or underground at the discretion of the developer.

10.19 Utility and Pedestrian Easements

Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require a utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway. Maintenance obligations of the easement shall be included in the written description of the easement.

10.20 Lots

A. Wherever possible, side lot lines shall be perpendicular to the street.

B. Minimum Lots size. Lots shall conform to Town Of Paris Building Code

   1. 20000sf minimum for lots with private waste water disposal.

   2. 10000sf for lots served by Public Water and Sewer.

C. The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as either to provide for or preclude future division. Deed restrictions and conditions of approval on the Final Plan shall either prohibit future divisions of the lots or specify that any future division within five (5) years from date of approval shall constitute a revision to the plan and shall require approval from the Board, subject to the criteria of the subdivision statute, the standards of this ordinance and conditions placed on the original approval.

D. If a lot on one side of a river or stream, as depicted on the Town of Paris Shoreland Zoning Map, or street fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the river, stream, or street to meet the minimum lot size in accordance with State law.

E. The ratio of lot length to width shall not be more than five to one. Hag lots and other odd shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements shall be avoided where possible.

F. Other than Cluster housing the subdividing of lands shall be such that all lots will have a minimum frontage of 100 feet on a street or a street proposed as part of the subdivision which will meet the Town of Paris Minimum Street Standards gravel or paved.
G. Developers shall work with the municipal officials to assign appropriate lot numbers such that rapid identification is facilitated in emergencies. This includes providing E-911 measurements on the Final Plan when required by the Board.

10.21 Monuments

Permanent granite or cement monuments not less than four (4) inches square in width or iron reinforcement rods at least 5/8 inches across the top and at least four (4) feet in the ground shall be installed as follows:

A. Monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.

B. Monuments shall be set at all corners and angle points of the subdivision boundaries and all lot boundary and angle points.

10.22 Mobile Home Parks

Except as stipulated below, mobile home parks shall meet all the requirements for a residential subdivision, and shall conform to all applicable State laws and local ordinances or regulations. Where the provisions of this section conflict with specific provisions of this Ordinance, the provisions of this section shall prevail.

A. Lot Area and Lot Width Requirements: Lots in a mobile home park shall meet the following minimum lot size, width and density requirements. Minimum requirements shall be based on Title 30-A MRS A § 4358.

1. Lots served by public sewer minimum lot area -- 6,500 square feet minimum lot width — 50 feet

2. Lots served by individual subsurface sewage disposal systems minimum lot area -- 20,000 square feet minimum lot width — 100 feet

3. Lots served by a central subsurface wastewater disposal system minimum lot area - 12,000 square feet minimum lot width - 75 feet

4. The overall density of a mobile home park served by a central subsurface wastewater disposal system shall be no greater than one unit per 20,000 square feet of total park area. The overall density shall be computed using the combined area of its mobile home lots plus:

   a. the area required for street rights-of-way; b. the area required for buffer strips, if any;

   c. in those mobile home parks served by public sewer the area, not exceeding 10% of the combined area of individual lots, designated as open space, storage or recreation; and

   d. the area of any setbacks required under Title 38 MRSA or the Town of Paris Shoreland Zoning Ordinance.
5. Where lots front on a curved right-of-way or are served by a driveway, the frontage requirement shall be measured in a straight line perpendicular to the setback line.

6. Lots within the shoreland area shall meet the lot area, lot width, setback and shore frontage requirements as required in the Shoreland Zoning Ordinance.

B. Lot Setbacks

1. The following lot setbacks shall apply to all manufactured housing units:
   - front setback 20 feet
   - side setback 10 feet
   - rear setback 20 feet
   - 10 feet (on lots served by public sewer)

   If these requirements conflict with the requirements of lots within the shoreland area, the stricter standards shall apply. If a lot has frontage on a public street, the setback shall conform with the residential setback requirements applicable to other residential dwelling units.

2. Accessory structures not part of the principal structure may be located within five feet of the side and rear lot lines.

3. The Board may allow lot side yard setbacks to be reduced to 5 feet provided a distance of 30 feet is maintained between manufactured housing units for the purpose of providing more usable yard space on one side of the home.

C. Lot Coverage

All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces, shall not cover more than 50% of the lot area.

D. No lot in a mobile home park may have vehicular access directly onto an existing public street.

E. Street Design, Circulation and Traffic Impacts

Streets within a park shall be designed by a licensed professional engineer, registered in the State of Maine.

1. Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in Section 10.5 of this Ordinance.

2. Streets which the applicant proposes to remain private ways shall meet the following minimum geometric design standards.
   a. Minimum right-of-way width: 23 feet
   b. Minimum paved or gravel surface width: 20 feet

3. Any mobile home park expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets. Any street within a park with an average daily traffic of 200 trips per day or more, shall have at least two street connections leading to existing public
streets, other streets within the park or other streets shown on an approved subdivision plan. All access roads to any mobile home park shall be from a public road.

4. The intersection of any street within a park and existing public street shall meet the following standards.

   a. Angle of Intersection. The desired angle of intersection shall be 90°. The minimum angle of intersection shall be 85°.

   b. Maximum grade within 50 feet of intersection. The maximum permissible grade within 50 feet of the intersection shall be 3%.

   c. Minimum Sight Distance. The minimum sight distance shall comply with Section 10.5.A.7.

F. No subdivision which is approved under this section as a mobile home park may be converted to another use without the approval of the Board, and meeting the appropriate lot size, lot width, setback and other requirements. The plan to be recorded at the Registry of Deeds and filed with the municipality shall include the following restrictions as well as any other notes or conditions of approval.

   1. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.

   2. No dwelling unit other than a manufactured housing unit shall be located within the park.

ARTICLE 11 - PERFORMANCE GUARANTEES

11.1 Types of Guarantees
With submittal of the application for Final Plan approval, the applicant shall indicate which one of the following performance guarantees in an amount adequate to cover the total construction costs of all required public improvements, taking into account the time-span of the construction schedule and the inflation rate for construction costs. The conditions and amount of the performance guarantee shall be determined by the Town Manager with the advice of the, municipal engineer, Highway Foreman, Paris Utility District, Selectmen, or municipal attorney. The requirement for a performance bond may be a condition of approval.

   A. Either a certified check, payable to the Town of Paris, or cash for the establishment of an escrow account;

   B. A performance bond payable to the Town of Paris issued by a surety company, approved by the Selectmen, or Town Manager,

   C. An irrevocable letter of credit from a financial institution establishing funding for the construction of the subdivision, from which the Town of Paris may draw if construction is inadequate, approved by the Selectmen, or Town Manager.

11.2 Contents of Guarantee

The performance guarantee shall contain a construction schedule, cost estimates for each major phase of construction taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guarantee to the
developer, and a date after which the applicant will be in default and the municipality shall have access to the funds to finish construction.

11.3 Escrow Account

The establishment of an escrow account shall be made by either cash, or certified check made out to the Town of Paris. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account to cover the cost of items not completed by the developer under the performance guarantee.

11.4 Performance Bond

A performance bond shall detail the conditions of the bond, the method for release of the bond or portions of the bond to the applicant, and the procedures for collection by the Town of Paris. The bond documents shall specifically reference the subdivision for which approval is sought. A performance bond shall not be canceled by the issuer without prior written notice to the Town.

11.5 Letter of Credit

An irrevocable letter of credit from a bank or other lending institution shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan.

11.6 Phasing of Development

The Board may approve plans to develop a Subdivision of 20 or more lots or dwelling units in separate and distinct phases. Each phase shall contain a minimum of 10 lots or dwelling units. This may be accomplished by limiting final approval to those lots or dwellings in that section of the proposed subdivision street which is covered by a performance guarantee. When development is phased, street construction shall commence from an existing public way or street completed in a previous phase. Final approval of lots or dwellings in subsequent phases shall be given by the Board only upon satisfactory completion of all requirements pertaining to previous phases.

11.7 Release of Guarantee

Prior to the release of any part of the performance guarantee, the Town Manager shall determine, in pan upon the report of the Inspecting Official or other qualified individual retained by the Town and any other agencies and departments who may be involved, that the proposed improvements meet or exceed the approved design and construction requirements for that portion or phase of the subdivision for which the release is requested.

11.8 Default

If upon inspection, the Inspecting Official or other qualified individual retained by the municipality finds that any of the required improvements are not being constructed or have not been constructed in accordance with the plans approved by the Board, he or she shall so report in writing to the Selectmen and the applicant or developer. The Selectmen shall take any steps necessary to preserve the municipality's rights.

11.9 Improvements Guaranteed

Performance guarantees shall be tendered for all improvements required to meet the standards of
this Ordinance and for the construction of, but not limited to streets, storm water management facilities, public sewage collection or disposal facilities, public water systems, wire/fiber based utilities, erosion and sedimentation control measures and recreation facilities or open space areas.

ARTICLE 12 - WAIVERS

12.1 Submission Waivers

Where the Board makes written findings of fact that there are special circumstances of a particular parcel proposed to be subdivided, it may waive portions of the submission requirements, provided the applicant has demonstrated that the performance standards of this Ordinance and the criteria of Title 30-A MRS A § 4404 have been or will be met, the public health, safety, and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of this Ordinance.

12.2 Performance Waivers

Where the Board makes written findings of fact that due to special circumstances of a particular parcel or building proposed to be subdivided, the provision of certain required improvements or standards is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed subdivision, it may waive the requirement for such improvements or standard, subject to appropriate conditions. Provided the waivers do not have the effect of nullifying the intent and purpose of this Ordinance and further provided the performance standards of this Ordinance and the criteria of Title 30-A MRSA § 4404 have been or will be met by the proposed subdivision.

12.3 Conditions

When granting waivers, the Board shall set conditions so that the purposes of this Ordinance are met.

12.4 Waivers to be shown on Final Plan

When the Board grants a waiver to any of the improvements required by this Ordinance the Final Plan, to be recorded at the Registry of Deeds, shall indicate the waivers granted and the date on which they were granted.

ARTICLE 13 – APPEALS

13.1 Appeals

An aggrieved party may appeal any decision of the Board under this Ordinance to the Appeals Board, within thirty days of the date the decision by the Board.

ARTICLE 14 – DEFINITIONS

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular, the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "may" shall be permissive; the word "shall" is always mandatory; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied."
**Abutting Property:** Any lot which is physically contiguous with the subject lot even if only at a point and any lot which is located directly across a street or right-of-way from the subject lot such that the extension of the side lot lines of the subject lot would touch or enclose the abutting property.

**Affordable Housing:**
Housing units, which will meet the sales price and/or rental targets, established by the comprehensive plan for housing affordability.

**Aggrieved Party:** An owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

**Appeal:** An action by an aggrieved party challenging a decision of the Board or Code Enforcement Officer in the administration or enforcement of this Ordinance.

**Applicant:** The person or entity applying for subdivision approval under this Ordinance.

**Area of Special Flood Hazard:** The land in the floodplain having a one percent or greater chance of flooding in any given year as specifically identified in the Flood Insurance Study cited in the Town of Paris Flood Plain Management Ordinance.

**Arterial Street:** Routes 26,117,119 and High Street.

**Average Daily Traffic (ADT):** The average number of vehicles per day that enter and exit the premises or travel over a specific section of street.

**Backlot:** A lot that has no frontage on a road or street (Private or Public)

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

**Basement:** Any area of a building having its floor subgrade (below ground level) on all sides.

**Buffer Area:** A part of a property or an entire property, which is not built upon and is specifically intended to separate and thus minimize the effects of a land use activity (e.g., noise, dust, visibility, glare, etc.) on adjacent properties or on sensitive natural resources.

**Building:** Any structure, having one or more floors and a roof, which is used for the housing or enclosure of animals or property such as a garage, barn, or workshop.

**Campground:** Any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

**Certified professional in erosion and sediment control:** An individual that has successfully passed a written examination, under the direction of CPESC Inc., designed to determine proficiency in the principals, practices and legislation of erosion and sediment control.

**Cluster Subdivision:** Definition of Terms – “Open Space Development” Note: See Paris’ Residential Open Space Ordinance.

**Code Enforcement Officer:** A person appointed by the Selectmen to perform the inspection, licensing, and enforcement duties required by a particular statute or ordinance.
Common Open Space: Land within or related to a subdivision, not individually owned or within an individual lot, which is designed and intended for the common use or enjoyment of the residents of the development or the general public. It may include complementary structures and improvements, typically used for maintenance and operation of the open space, such as for outdoor recreation.

Corner Lot: A lot abutting two or more streets at their intersection. Such corner lots shall be deemed to have at least two front yard setbacks.

Coverage: That percentage of the plot or lot area covered by the building area.

Curb Cut: The opening along the curb line or street right-of-way line at which point vehicles may enter or leave the street.

Density: The number of dwelling units per acre of land.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and streets.

Development: Means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to filling, grading, paving, or excavation or the construction of buildings or other structures.

Dimensional Requirements: Numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.

Direct Watershed of a Great Pond: That portion of the watershed that drains directly into Halls, Marshall or Mud Ponds.

Driveway: A vehicular access way less than five hundred (500) feet in length serving two lots or less.

Dwelling Unit: Multi-Family: A single building designed for or occupied by three (3) or more families with separate housekeeping and cooking facilities for each.

Dwelling Unit: Single-Family: A detached residence for, or occupied by, (1) family only.

Dwelling Unit: Two-Family: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

Dwelling Unit: As Defined by MRSA 30-A ss 4401.

Engineered Subsurface Waste Water Disposal System: A subsurface waste water disposal system designed, installed, and operated as a single unit; or any system designed to treat waste water with characteristics significantly different from domestic waste water.

Farmland: A parcel consisting of 5 or more acres of land that is:

A. Classified as prime farmland, unique farmland or farmland of statewide or local importance by the Natural Resources Conservation Service within the United States Department of Agriculture; or

B. Used for the production of agricultural products as defined in Title 7, section 152, subsection 2. (“Agriculture products” means those plants and animals and their products that are useful to humans and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, bees’ product, livestock and livestock products and fruits, berries, vegetables, flowers, seeds, grasses and other similar products, or any other plant, animal or plant or animal products
that supply humans with food, feed, fiber or fur. “Agricultural products” does not include trees grown and harvested for forest products.

Final Plan: The final drawings on which the applicant's plan of subdivision is presented to the Board for approval and which, if approved, shall be recorded at the Registry of Deeds.

Finding of Fact and Conclusion of Law: A written statement prepared and signed by the Board that summarizes the basic facts of the subdivision and statements linking the specific facts to the list of the criteria that the applicant must meet in order to receive Board approval.

Flood or Flooding:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

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

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

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

Freshwater Wetland: Means fresh water swamps, marshes, bogs and similar areas which are:

A. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support a prevalence of wetland vegetation typically adapted for life in saturated soils; and

B. Not considered part of great pond, river, stream or brook.

These areas may contain small stream channels or inclusions of land that do not conform to the above criteria.

Frontage/Shore: The length of a lot bordering a water body measured in a straight line between the intersections of the lot lines with the shoreline at normal high water elevation.

Frontage/Street: The horizontal, straight-line distance between the intersections of the side lot lines with the street right-of-way.

Great Pond: Any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner.

Groundwater: All of the water found beneath the surface of the ground. For purposes of aquifer protection, this term refers to the subsurface water present in aquifers and recharge areas.
High Intensity Soil Survey: A map prepared by a Certified Soil Scientist, identifying the soil types down to one eighth of an acre or less at a scale equivalent to the subdivision plan submitted. The soils shall be identified in accordance with the National Cooperative Soil Survey. The map shall show the location of all test pits used to identify the soils, and shall be accompanied by a log of each sample point identifying the textural classification and the depth to seasonal high water table or bedrock at that location. Single soil test pits and their evaluation for suitability for subsurface waste water disposal systems shall not be considered to constitute high intensity soil surveys.

Historic or Archaeological Resources: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archaeological resource.

Historic Structure: Any structure that is:

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

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

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

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or

2. Directly by the Secretary of the Interior in states without approved programs.

Hotel/Motel: A building or group of buildings containing six of more guest rooms and offering lodging accommodations (which may include such accessory services as food and beverages, meeting rooms, entertainment and recreation) to transient guests. A hotel/motel may provide kitchens or kitchenettes in guestrooms and will not, as a result, be considered a dwelling unit under this Ordinance, as long as the hotel/motel is occupied exclusively by transient guests. A transient guest is a person who occupies the hotel/motel for no more than 186 days in any 365-day period.

Inspecting Official: An individual or individuals appointed by the Town Manager to oversee all aspects of street construction including drainage and stormwater management. The Inspecting Official shall possess such education and training that the Town Manager deems necessary to perform all aspects of inspection.

Infrastructure: Public and private improvements, such as water, sewer, roads, power and telecommunications including their facilities, services, and installations.

Landscaped Buffer Strip: A landscaped area adjacent to and parallel with property lines of a lot or parcel. The border strip may be crossed by drives, access streets or pedestrian ways but otherwise shall be maintained in a landscaped state. The buffer strip shall not be used for parking, the storage of materials, equipment or wastes or the display of any equipment, materials or products. The buffer strip may be used for subsurface wastewater disposal systems.

Licensed Professional Engineer: A professional engineer, registered in the State of Maine.

Liquidation Harvesting: The purchase or other acquisition of forestland followed by a timber
harvest that does not comply with Section 6 of the Maine Forest Service Rule-Chapter 23 and the subsequent sale, offer for sale, or other conveyance of the harvested land, or any portion of it, within five years.

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

**Lot:** A parcel of land in single ownership, or one leasehold, with ascertainable boundaries established by deed or instrument of record, or a segment of land ownership defined by lot boundary lines on a land subdivision plan duly approved by the Board and recorded in the County Registry of Deeds.

**Lot Area:** The horizontal area within the lot lines.

**Lot Lines:** The lines bounding a lot. Wherever a lot abuts a street or water body, the sideline of the street or water body on the side abutting the lot shall constitute the lot line.

**Lowest Floor:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements contained in the Town of Paris Floodplain Management Ordinance.

**Manufactured Housing:** As defined in Title 30-A M.R.S. A. § 4358 and as hereafter amended.

**Minimum Road Standards:** The Town of Paris Minimum Road Standards for streets as adopted and amended.

**Mobile Home Park:** A contiguous parcel of land under unified ownership approved by the municipality for the placement of 3 or more manufactured housing units within any five year period.

**Monument:** Permanent granite or cement monuments not less than four (4) inches square in width or iron reinforcement rods at least 5/8 inches across the top.

**Multifamily Development:** A subdivision which contains three or more dwelling units on land in common ownership, such as apartment buildings and condominiums.

**Multi-Unit Residential:** A structure(s) containing three (3) or more dwelling units.

**Municipal Impact Analysis:** A list of construction and maintenance items, with both capital and annual operating cost estimates, as would be incurred by the Town of Paris including but not be limited to: schools including busing; street reconstruction, maintenance, and snow removal; solid waste disposal; recreation facilities; police and fire protection.

**Municipality:** The Town of Paris

**Natural Areas and Natural Communities:** Areas identified by a governmental agency such as the Maine Department of Conservation or the Maine Department of Inland Fisheries and Wildlife as having significant value as a natural area.

**Net Residential Acreage:** The total acreage available for a subdivision, as shown on the proposed subdivision plan, minus the area for streets or access and the areas that are unsuitable for development.
Net Residential Density: The net residential acreage of a parcel of land for a subdivision divided by the minimum lot area per dwelling unit.

Normal High-Water Line: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. In the case of wetlands adjacent to rivers and great ponds, the normal high-water line is the upland edge of the wetland, and not the edge of the open water.

100-Year Flood: The highest level of flood that, on the average, has a one percent (1%) chance of occurring in any given year.

Open Space: An undeveloped area of land that may be used for its natural resource values and/or passive recreational uses.

Peak Hour: The hour of the day during which the traffic volume at an intersection or on a roadway segment is higher than the volume during any other hour of the day.

Phasing: The development of a subdivision in distinct stages.

Planning Board: The Planning Board of the Town of Paris.

Preapplication/Sketch Plan: Conceptual maps, renderings, and supportive data describing the subdivision by the applicant for initial review prior to submitting an application for subdivision approval.

Preliminary Plan/Application: The preliminary drawings indicating the proposed Layout of the subdivision and application requirements to be submitted to the Board for its consideration.


Public Improvement: Including but not limited to, streets, public and private water and sewer systems, stormwater drainage systems, sidewalks, utilities, street signs, recreational facilities and traffic lights.

Public Sewer System: A common sewer controlled by a public, governmental authority.

Public Water System: A water supply system that provides water to at least 15 service connections or services water to at least 25 individuals daily for at least 30 days a year.

Public Way: Public way means any road capable of carrying motor vehicles, including, but not limited to, any state highway, municipal road, county road, unincorporated territory road or other road dedicated to the public. Maine Revised Statues – Title 23 – Chapter 21- http://mainelegislature.org/legis/statutes/23/title23ch21.pdf

Recording Plan: An original of the Final Plan, suitable for recording at the Registry of Deeds.

Recreational Facility: A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

Reserved Affordable Housing
Affordable housing which is restricted by means of deed covenants, financing restrictions, or other binding long term methods to occupancy by households making 80% or less of the area median household income.

Required Improvements: Including but not limited to, streets, public and private water and sewer
systems, stormwater drainage systems, sidewalks, utilities, street signs, recreational facilities and traffic lights.

**River, stream or brook**: A channel is created by the action of surface water and has two (2) or more of the following characteristics.

A. It is depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topography map or if that is not available, a 15-minute series topography map.

B. It contains or is known to contain flowing water continuously for a period of at least 3 months of the year in most years.

C. The channel bed is primarily composed of material such as sand and gravel, parent material or bedrock that has been deposited or scoured by water. D. The channel contains aquatic animals such as fish, aquatic insects or mollusks in the water or, if no surface water is present in the stream bed.

E. The channel bed contains aquatic vegetation and is essentially devoid of upland vegetation.

River, stream or brook does not mean a ditch or other drainage way constructed and maintained solely for the purpose of draining storm water or a grassy swale.

**Sight Distance**: The length of unobstructed sight line of motor vehicles drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access viewing vehicles traveling on the highway (both left and right), (2) traveling on the highway viewing a vehicle sitting in an access and (3) traveling on the highway viewing a vehicle turning into an access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard will be met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the traveled way. The height of the hypothetical person's view is considered to be 3.5 feet above the pavement and the height of the object being viewed is considered to be 4.5 feet above the pavement.

**Significant Wildlife Habitat**: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife or the Maine Department of Conservation as having significant value as habitat for animals.

**Special Flood Hazard Area**: See Area of Special Flood Hazard

**Street/Road**: A way maintained by the State of Maine or the Town of Paris or privately owned way meeting the standards of the Town of Paris Minimum Road Standards.

**Structure**: See Building

**Subdivision**: As defined in Title 30-A M.R.S.A. § 4401 and as hereafter amended. A lot of 40 or more acres shall not be counted as a lot for the purposes of this Ordinance when the parcel of land being divided is located entirely outside any shoreland area.

**Substantial Construction**: The completion of a portion of the public improvements that represents no less than thirty percent of the costs of the proposed improvements within a
Subdivision

**Subsurface Waste Water Disposal System**: A system designed to dispose of waste or waste water beneath the surface of the earth; includes but is not limited to septic tanks; disposal fields; grandfathered cesspool; holding tanks; pretreatment filter; piping, or any other fixture, mechanism, or apparatus used for those purposes. The term shall not include any wastewater discharge system licensed under 38 MRS A § 414, any surface wastewater disposal system or any municipal or quasi-municipal sewer or waste water treatment system.

**Sustained Slope**: A change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

**Town Plans**: Municipal ordinances in effect at the time of a subdivision applicant is pending as defined in Title 1 MRSA § 302.

**Tract or Parcel of Land**: All contiguous land in the same ownership, except that lands located on opposite sides of a public or private road are considered each a separate tract or parcel of land unless the road was established by the owner of land on both sides of the road after September 22, 1971.

*Maine Revised Statutes - Title 30-A §4401. Definitions*

**Utilities**: Public and private facilities including but not limited to sewer lines, water lines, electrical lines, and cable television/internet lines.

**Waiver-Performance**: A vote by the Board that allows for the applicant not to comply with one or more of the review standards.

**Waiver-Submission**: A vote by the Board that allows the applicant not to provide or comply with one or more of the application submission requirements.

**Water Body**: Any great pond, river, or stream.

**Wetland**: See freshwater wetland.

**Wire/Fiber Based Utilities**: Including but not limited to electrical power lines, telephone line, cable television lines and internet lines.

**Yard**: An unoccupied space, open to the sky, on the same lot with a building or structure.
Traffic Ordinance of the Town of Paris, Maine

ENACTED: May 27, 2015

EFFECTIVE: May 27, 2015

CERTIFIED BY: Elizabeth J. Knox, Town Clerk
Robert Wessels, Vice-Chairperson

Samuel Elliot

Janet Jamison

A TRUE COPY:

ATTESTED BY: Elizabeth J. Knox DATE: May 27, 2015

Elizabeth J. Knox, Town Clerk, Paris, Maine
Chapter 1-§0905-1.0...Definitions

1-§0905-1.1...Definition of Words and Phrases

A. The following words and phrases, when used in this Ordinance, shall, for the purpose of this Ordinance, have the meanings respectively ascribed to them in this Article, except when the context otherwise requires.

B. Whenever any words and phrases used herein are not defined in the State Laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

1-§0905-1.2...Alley

A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

1-§0905-1.3...Central Business District

All streets and portions of streets within the area designated.

1-§0905-1.4...Commercial Vehicle

Every vehicle designed, maintained or used primarily for the transportation of property.

1-§0905-1.5...Controlled Access Highway

Every highway, street or roadway in respect to which owners or occupants of abutting lands and persons have no legal right of access to or from the same except at such points and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

1-§0905-1.6...Passenger, Freight Curb Loading Zones

Spaces adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, commercial freight, or materials.

1-§0905-1.7...Driver

Every person who drives or is in actual physical control of a vehicle.
Article 10 Traffic Code, Chapter 1-§0905-1

1-§0905-1.8...Fire Department Officials

Any fireman, fire warden, engineer, volunteer and those appointed under special laws or emergencies.

1-§0905-1.9...Laned Roadway

A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

1-§0905-1.10..Official Time Standard

Whenever certain hours are named herein they shall mean standard time or daylight-savings time as may be current use in this municipality

1-§0905-1.11...Park

Means the leaving of a vehicle, whether occupied or unoccupied otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

1-§0905-1.12...Pedestrian

Any person afoot.

1-§0905-1.13...Person

Any natural person, firm, co-partnership, association or corporation.

1-§0905-1.14...Police Officer

Any Officer of the Police Department, any Constable, or any person authorized to direct or regulate traffic or to make arrested for violations of traffic regulations.

1-§0905-1.15...Private Road or Driveway

Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 1-§0905-1

1-§0905-1.16 . Right of Way

The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

1-§0905-1.17 . Roadway

That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

1-§0905-1.18 . Safety Zone

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

1-§0905-1.19 . Sidewalk

The portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

1-§0905-1.20 . Stand

Means the halting of a vehicle, whether occupied or unoccupied, temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

1-§0905-1.21 . Patrol/Traffic Unit

The Patrol/Traffic Unit of the Police Department of this municipality, or in the event, a Patrol/Traffic Unit is not established, then said term whenever used herein shall be deemed to refer to the Police Department of this town.

1-§0905-1.22 . Abandoned Vehicle

Means any vehicle that has been left parked on any street in the Town for a period of over 24 hours.

(New Definition)
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 2-§0905-2

Chapter 2-§0905-2.0...Patrol / Traffic Administration Procedures

2-§0905-2.1...Police Department Established

Paris Police Department was established by a Maine State Legislative Act in 1933...Acts and Resolves - Chapter 53, Page 503.

2-§0905-2.2...Police Administration

There is hereby established in the Police Department of this municipality a Patrol/Traffic Unit to be under the control of an Officer of Police Department appointed by and directly responsible to the Chief of Police.

2-§0905-2.3...Duty of Patrol/Traffic Unit

The Patrol Traffic Unit with such assistance as may be rendered by the other Divisions or Units within the Police Department shall:

A. Enforce the traffic provisions of this Ordinance and the State vehicle laws;
B. Make arrests for traffic violations;
C. Investigate accidents;
D. Cooperate with the Traffic Engineer and other municipal officials in the administration of traffic laws and in developing methods to improve traffic conditions.
E. Carry out those duties imposed upon it by this Ordinance.

2-§0905-2.4...Records of Traffic Violations

A. The Police Department or the Patrol/Traffic Unit thereof shall keep a record of violations of the Traffic Ordinance of this municipality or of the State vehicle laws of which any person has been convicted, a record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a three (3) year period and from that time on the record shall be maintained complete for at least the most recent three (3) year period.
B. All such records and reports shall be public records unless it is an open investigation or deemed not public by the Chief of Police.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 2-§0905-2

2-§0905-2.5...Patrol/Traffic Unit to Investigate Accidents

It shall be the duty of the Patrol/Traffic Unit, assisted by other Police Officers in the Department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

2-§0905-2.6...Traffic Accident Studies

Whenever the accidents at any particular location become numerous, the Patrol/Traffic Unit shall cooperate with the Traffic Engineer in conducting studies of such accidents and determining remedial measures. (The Maine State Department of Transportation provides technical assistance on request.)

2-§0905-2.7...Traffic Accident Reports

The Patrol/Traffic Unit shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the Traffic Engineer.

2-§0905-2.8...Town to provide books containing numbered citation forms; Police Chiefs duties regarding books.

A. The Town shall provide books or forms to include traffic citation forms for notifying alleged violators to appear and answer charges of violating traffic laws and ordinances in the district court. Such books may include serially numbered sets of citations in the form prescribed by the chief of police.

B. The chief of police shall be responsible for the issuance of such books to individual members of the police department. The Police Chief shall require a written receipt for every book that is issued and shall maintain a record of every such book and each set of citations contained therein. 

(Relocated from - Parking)

2-§0905-2.8...Drivers' Files to be Maintained

A. The Police Department or the Patrol/Traffic Unit thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 2-§0905-2

A. Said Unit shall study the cases of all such drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident and report such information to the Department of Motor Vehicles or other appropriate State agencies.

B. Such records shall accumulate during at least a three (3) year period and from that time on, such records shall be maintained complete for at least the most recent three (3) year period.

2-§0905-2.9...Patrol/Traffic Unit shall annually prepare a traffic report which shall be incorporated into the annual police report. Such report shall contain information on traffic matters in the municipality as follows:

A. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
B. The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
C. The plans and recommendations of the Unit for future traffic safety activities.

2-§0905-2.10...Patrol/Traffic Unit to designate method of identifying insignia to be displayed upon, or other method to be employed to identify the vehicles in funeral processions. The Traffic Unit shall recommend a type of pennant or other identifying insignia to be employed to identify the vehicles in funeral processions.

2-§0905-2.11...Procedure of police upon stopping alleged violator citation to specify violation.

Except when authorized or directed under state law to immediately take a person before a magistrate or other court official for the violation of any traffic laws, a police officer who halts a person for such violation, other than for the purpose of giving him a warning or warning notice, and does not take such person into custody under arrest, shall take such person's name, address, the operator's license number, the registered number of the motor vehicle involved and such other pertinent information as may be necessary. The officer shall then issue to such person in writing on the original form provided by the Town a traffic citation containing a notice to answer to the charge against him in the district court as soon as practicable after such alleged violation. The alleged violation shall he specified in this citation. (Relocated from Parking)
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 2-§0905-2

2-§0905-2.12...Duty to deposit copy of citation with superior officer: disposition of citation: Police Chief or his designee to record disposition of charges, warrant; altering defacing citations, records.

A. Every police officer upon issuing an original traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of the city shall deposit the copy of the citation with his immediate Superior officer, who shall make a police blotter record of it.

B. The citation shall be disposed of in accordance with those laws of the state which govern the procedures in the district court.

C. The chief of police shall also maintain or cause to be maintained in connection with every traffic citation issued by a member of the police department a record of the disposition of the charge by the district court or its traffic violations bureau. The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the district court or by any other court on traffic violation charges and which are delivered to the police department for service, and of the final disposition of all such warrants.

(Relocated from - Parking)

2-§0905-2.13...Funeral Processions to be identified

A funeral composed of a procession of vehicles shall be identified as such by a pennant or other identifying technique, i.e., headlights on, or by such other method as may be recommended by the Patrol/Traffic Unit.

(Relocated from Miscellaneous Driving)

2-§0905-2.14...When Permits Required for Parades and Processions

Any organized procession or parade except the Armed Forces of the United States, the military forces of this State, the Police Department and Fire Department, shall occupy, march or proceed along any way except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein may apply.

(Relocated from - Miscellaneous Driving)
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 2-§0905-2

2-§0905- 2.15...Traffic Engineers

The Office of Traffic Engineers is hereby established. The Police Chief and road Commissioner shall serve as Traffic Engineers in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this Ordinance.

2-§0905- 2.16...Emergency and Experimental Regulations

A. The Chief of Police, by and with the approval of the Board of Selectmen and the State Department of Transportation is hereby empowered to make regulations necessary to make effective the provisions of the Traffic Ordinances of this Town and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

B. The Traffic Engineer may test traffic-control devices under actual conditions of traffic.

2-§0905-2.17...Powers and Duties

The Chief of Police will receive complaints having to do with traffic matters. Complaints or actions before them will receive a response within a thirty (30) day period.

2-§0905-2.18...Prosecution of Town Ordinances

The Paris Board of Selectman hereby gives the Chief of Police authorization to represent the Town of Paris in the District Court in the prosecution of alleged violation of those ordinances which the police department is empowered to enforce, if duly certified in accordance with Title 30A, Part 2, Subpart 3, Chapter 123, Subchapter 4, §2671.3(Representation of the Municipality in District Court) under Title 25 Section 2803-A Subsection 1. The Chief of Police may designate any officer under his command, if so certified, to perform this prosecutorial function.

(New Ordinance)
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 3-§0905-3

Chapter 3-§0905-3.0...Authorization of Traffic Regulations

3-§0905-3.1...Authority of Police and Fire Department Officials

A. It shall be the duty of any Police Officer to enforce all traffic laws of this municipality and all of the State vehicle laws.

B. Police Officers are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, Police Officers may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

C. Officers of the Fire Department or Public Safety Traffic Flagger, when at the scene of a fire or other emergency, may direct or assist the Police in directing traffic there at or in the immediate vicinity.

3-§0905-3.2...Required Obedience to Traffic Ordinance

A. It is unlawful and an infraction for any person to do any act forbidden or fail to perform any act required in this Ordinance. If an operator violates 3.1(c.) above, he/she may be cited for a traffic infraction. If the operator is not able to be stopped or identified the registered owner may be cited after an investigation by the Police Department. (Title 29A §2091.4- Operator / §2091.5-Registered Owner)

3-§0905-3.3...Obedience to Police and Fire Officials –Emergency Rule

No person shall willfully fail or refuse to comply with any lawful order or direction of any Police Officer or Fire Department official. (Title 29A §2078 Emergency Rule- Class E)

3-§0905-3.4...Public Employees to Obey Traffic Regulations

The provisions of this ordinance shall apply to the drivers of all vehicles owned or operated by the United States, this State, or any County, Town, District, or any other political subdivision of the State, subject to such specific exceptions as are set forth in this Ordinance or in the State Vehicle Code.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 3-§0905-3

3-§0905-3.5...Authorized Emergency Vehicles

A. The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may park or stand, irrespective of the provisions of this Ordinance.

B. The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to park or stand with due regard for the safety of all persons, nor shall such provision protect the driver from the consequences of his reckless disregard for the safety of others.

3-§0905-3.6...Certain Non-motorized Traffic Regulations

A. Every person propelling any push cart upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance and by the rules of the road portion of the State Vehicle Code, except these provisions which by their nature have no application.

B. Every person riding an animal or driving an animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance, except those provisions of this Ordinance which by their very nature can have no application.

3-§0905-3.7...Use of Coasters, Roller Skates, Skateboards, Motorized Toys and Similar Devices Restricted

No person upon roller skates, skateboards, or riding in or by means of any coaster, toy vehicle, motorized toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

3-§0905-3.8 Penalties-

3-§0905-3.1(c.) Operator .................................................................$250.00
Registered Owner.................................................................$100.00
3-§0905-3.3 ..........(Maine 29A§2078 Emergency Rule).......(Class E Offense)
3-§0905-3.7...............................................................................$25.00
Chapter 4-§0905-4.0...Traffic-Control Devices

4-§0905-4.1...Authority to Install Traffic-Control Devices

The Traffic Engineer shall place and maintain official traffic-control devices when and as required under the Traffic Ordinances of this municipality to make effective the provisions of said Ordinances and may place and maintain such additional; official traffic-control devices as he may deem necessary to regulate, warn, or guide traffic under the Traffic Ordinances of this municipality or the State Vehicle Code. The installation of traffic-control devices on State-aid and State highways shall be subject to State Department of Transportation approval.

4-§0905-4.2...Specifications for Traffic-Control Devices

All traffic-control signs, signals and devices shall conform to specifications approved by the State Department of Transportation. All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the location throughout the municipality. All traffic-control devices so erected and not inconsistent with the provisions of State law or this Ordinance shall be official traffic-control devices.

4-§0905-4.3...Obedience to Official Traffic-Control Devices

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this Ordinance, unless otherwise directed by a Police Officer subject to the exemptions granted the driver of an authorized emergency vehicle.

4-§0905-4.4...When Official Traffic-Control Devices Required For Enforcement Purposes

A. No provision of this Ordinance for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

B. When a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 4-§0905-4

4-§0905-4.5... Official Traffic-Control Devices - Presumption of Legality

Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Ordinance, such devices shall hereby be determined to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

4-§0905-4.6... Board of Selectmen are hereby authorized:

A. To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in their opinion there is a particular danger to pedestrians crossing the roadway, and at such other places as they may deem necessary.

B. On State-aid and State highways the authority of the Board of Selectmen is subject to approval by the State Department of Transportation.

4-§0905-4.7... Traffic Lanes

The Board of Selectmen is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. On State-aid and State highways, the authority of the Board of Selectmen is subject to State Department of Transportation approval.
Chapter 5-§0905-5.0...Speed Regulation

5-§0905-5.1...State Speed Laws Applicable

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this municipality.

5-§0905-5.2...Regulation of Speed by Traffic Signals

The Traffic Engineer is authorized, subject to State Department of Transportation and State Police approval, to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable with the district or at intersections and shall erect appropriate signs giving notice thereof.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 6-§0905-6

Chapter 6-§0905-6.0...Turning Movements

6-§0905-6.1...Authority to Place Devices Altering Normal Course for Turns

The Traffic Engineer is authorized to place official traffic-control devices within or adjacent to intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law. On State-aid and State highways, the authority of the Traffic Engineer is subject to State Department of Transportation approval and the Board of Selectmen.

6-§0905-6.2...Authority to Place Restricted Turn Signs

The Traffic Engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any days and permitted at other hours, in which event the same shall be plainly indicated on the signs, or the signs may be removed when such turns are permitted. On State-aid and State highways, the authority of the Traffic Engineer is subject to State Department of Transportation approval and the Board of Selectmen.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 7-§0905-7

Chapter 7-§0905-7.0...One Way Streets and Alleys

7-§0905-7.1...Authority to Sign One Way Streets and Alleys

Whenever any Ordinance of this municipality designates any one-way street or alley, the Traffic Engineer and the Board of Selectmen shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic is prohibited.

7-§0905-7.2...One Way Streets and Alleys

Upon those streets and parts of streets of streets and in those alleys so designated, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

7-§0905-7.3...State Approval

On State-aid and State highways, installation of one way street signs is subject to State Department of Transportation approval.

7-§0905-7.4- Penalties

7-§0905-7.2..........................................................$75.00
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 8-§0905-8

Chapter 8-§0905-8.0...Stop and Yield Intersections

8-§0905-8.1...Through Streets Designated

Those streets and parts of streets described in Schedule 2 and made a part hereof, are hereby declared to be through streets for the purpose of this Section.

8-§0905-8.2...Signs Required at Through Streets

Whenever this Ordinance designates and describes a through street, it shall be the duty of the Traffic Engineer and the Board of Selectmen to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-controlled signals; provided, however, that at the intersection of through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the Traffic Engineer upon the basis of an engineering and traffic study.

8-§0905-8.3...Other Intersections Where Stop or Yield Required

The Traffic Engineer is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and to determine:

A. Whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or:

B. Whether Vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event he shall cause to be erected a yield sign at every place where obedience is required.

8-§0905-8.4...State Approval

On State-aid and State highways, the designation of through streets and the installation of stop and yield signs are subject to State Department of Transportation approval.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 9-§0905-9

Chapter 9-§0905-9.0... Traffic Operation

9-§0905-9.1...Stop When Traffic Obstructed

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or sidewalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal to proceed. (Maine 29A §2057.10(A))

9-§0905-9.2...Driving Through Funeral or other Procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Ordinance. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

9-§0905-9.3...Boarding or Alighting from Vehicles

No person shall board or alight from any vehicle while such vehicle is in motion.

9-§0905-9.4...Unlawful Riding

No person shall ride in any vehicle, upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in space intended for merchandise. (Maine 17A §211.1- Class D Crime)

9-§0905-9.5...Emerging from a private driveway

The driver of a vehicle emerging from a private driveway, automobile service station or building shall stop such vehicle immediately prior to driving onto the sidewalk and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway (Maine Title 29A- §2053.4 Right-of-Way) (Relocated from Miscellaneous)

9-§0905-9.6...Motor Vehicles shall not be driven on the sidewalk or through private land

The driver of any motor vehicle shall not drive on any sidewalk area except at a permanent or temporary driveway. No driver shall drive on any private land
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 9-§0905-9

not belonging to him without having prior permission to do so.  
*(Relocated from Miscellaneous)*

9-§0905-9.7...Clinging to moving vehicles

Any person riding, clinging, or therefore being dragged upon any motorcycle, coaster, sled, skis, toboggan, roller skates, skateboard, or any toy vehicle shall not attach the same or him/herself to any moving vehicle upon any roadway. (Maine 29A §2063.4) *(Relocated from Miscellaneous)*

9-§0905-9.8...Crossing fire hose

No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command. If said person damages firehose without obtaining consent shall be liable for restitution plus fine. (Maine 29A §2065) *(Relocated from Miscellaneous)*

9-§0905-9.9...Loud, unusual or unnecessary noise *(Vehicle)*

No person shall operate a motor vehicle upon any street or way, or in any other place, so as to make a loud, unusual, unnecessary noise against the peace, quiet or good order of the Town. (Maine 29A §2079-A, 29A §1903) *(Relocated from Miscellaneous)*

9-§0905-9.10...The transportation of rubbish, refuse, ashes and other waste material *(Unsecured Load)*

No person shall operate or cause to be operated upon any public way a vehicle with a load, unless such load is fastened, secured, confined or loaded to prevent any possibility, reasonably to be anticipated, or any portion of said load from falling to the ground. The word "load" as used in this paragraph shall include, but shall not be limited to, paper, wood products, rubbish, refuse, ashes, garbage, or other waste material. (Maine 29A §2396) *(Relocated from Miscellaneous)*
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 9-§0905-9

9-§0905-9.11.. Unreasonable deposit of snow or ice

Whoever unreasonably deposits or drops snow or ice within the traveled way of any highway, street, or roadway, or immediately adjacent to the travel-way, so as to obstruct or potentially obstruct shoulders, ditches, culverts or catch basins, within the Town of Paris, except upon the written authority of the municipal officers, shall be punished by a fine of not more than fifty dollars ($50.00).

(Relocated from Miscellaneous)

9-§0905-9.12.. Littering from a Vehicle

A person may not throw, drop, deposit, discard, dump or otherwise dispose of litter in any manner or amount.

9-§0905-9.12.. Penalties

Every person found guilty of a violation of any provision of this Ordinance shall be punished by a fine of not more than one hundred dollars ($100.00) and not less than fifty dollars ($50.00) for each offense;

§0905-9.1...................................................................................................................$50.00
§0905-9.2...................................................................................................................$50.00
§0905-9.3...................................................................................................................$50.00
§0905-9.4..............................................................................................Maine Title 17A §211.1- Class D Crime
§0905-9.5..............................................................................Maine Title 29A- §2053.4
§0905-9.6...................................................................................................................$50.00
§0905-9.7.................................................................................................................$100.00
§0905-9.8.................................................................................................................$100.00
§0905-9.9 A............................................................................................................$50.00
B................................................................................................................2nd Offense...$75.00
C................................................................................................................................3rd Offense...$100.00
§0905-9.10 A............................................................................................................$50.00
B................................................................................................................2nd Offense...$75.00
C................................................................................................................................3rd Offense...$100.00
§0905-9.11...............................................................................................................$50.00
§0905-9.12...............................................................................................................$100.00
Chapter 10-§0905-10.0....Pedestrians

10-§0905-10.1....Pedestrians in a Marked Crossway

When traffic-control devices are not in operation, an operator must yield the right-of-way to a pedestrian crossing within a marked crosswalk. *(New Ordinance)*

10-§0905-10.2... Pedestrian Crossing

A Pedestrian must yield the right-of-way to a vehicle when crossing a way:

A. Other than within a marked Crosswalk; or

B. With an available pedestrian tunnel or overhead pedestrian crossing.

10-§0905-10.3....Pedestrian Prohibitions - A Pedestrian may not:

A. Cross between adjacent intersections at which traffic-control devices operate, except in a marked crosswalk;

B. Cross an intersection diagonally, unless authorized by official traffic control devices; or

C. Suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible for the operator to yield.

10-§0905-10.4....Failure to Yield; Traffic Infraction

A person commits a traffic infraction if the person operates a vehicle past a yield sign and fails to yield the right-of-way to a pedestrian proceeding on the intersecting way. *(Maine 29A §2057.10(A)*

10-§0905-10.5...Pedestrian Fail to use Sidewalk

When use of a sidewalk next to a public way is practicable, a pedestrian may not walk on that public way *(Maine 29A §2056.1)*

10-§0905-10.6...Pedestrians on Sidewalk

An operator shall yield the right-of-way to a pedestrian on a sidewalk. *(Maine 29A §2056.3)*
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 10-§0905-10

10-§0905-10.7...Penalties

10-§0905-10.1.................................................................$25.00

10-§0905-10.2.................................................................$10.00

10-§0905-10.3.................................................................$10.00

10-§0905-10.4.................................................................$25.00

10-§0905-10.5.................................................................$10.00

10-§0905-10.6.................................................................$25.00
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 11-§0905-11

Chapter 11-§0905-11.0...Regulation for Bicycles

11-§0905-11.1...General

A. No person shall ride or propel a bicycle upon any public street, highway or across any sidewalk except in a careful and prudent manner and at a reasonable rate of speed. Persons riding bicycles shall observe all traffic rules and regulations applicable thereto;

1. Signal for all turns.
2. Ride at the right hand side of any street or highway.
3. Pass only to the left when passing slow moving vehicles with the exception that a pass may be made to the right when slow moving vehicles are about to make left hand turns.
4. No person shall operate or propel any bicycle without having at least one hand on the handlebars thereof.
5. No person shall ride or propel a bicycle with any passenger where said bicycle is designed to carry only one person. No bicycle shall be used to carry more persons at one time than the number for which it is designated and equipped.
6. No person riding or operating a bicycle shall hold on to any vehicle while said vehicle is in a moving motion.
7. No person shall ride or propel a bicycle on any street or highway of the Town after dark unless the same shall be equipped with sufficient light, attached to the front of said bicycle, visible from the front of said bicycle, visible from the front thereof not less than 200 feet and properly lighted, nor without a rear taillight, or in lieu of, a reflector attached to and visible from the rear of said bicycle for a distance of 50 feet.
8. No person shall ride or propel a bicycle upon any street or highway or access any sidewalk in the business district, abreast or to the left of any person so riding or propelling another bicycle.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 11-§0905-11

11-§0905-11.2...Parking of Bicycles

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

11-§0905-11.3...Riding on Sidewalks

A. No person shall ride a bicycle upon a sidewalk within a business district.
B. The Chief of Police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place, no person shall disobey the same.
C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such a pedestrian.

11-§0905-11.4...Removal of Numbers

No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame registered pursuant to this section.

11-§0905-11.5...Destruction of Stickers

No person shall remove, destroy, mutilate or alter any registration sticker, seal or registration card during the time in which such sticker, seal or registration card is operative. Nothing in this section shall prohibit the Police Department from stamping numbers on the frames of bicycles on which no serial numbers can be found or on which the number is illegible or insufficient for identification purposes.

11-§0905-11.6...Fees

There shall be no fee for bicycle registration.

11-§0905-11.7...Impoundment of Bicycles

The Paris Police Department, or any member thereof, may impound and retain possession of any bicycle operated in violation of any of the provisions of this Ordinance.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 11-§0905-11

11-§0905-11.8...Unclaimed Bicycles

Any bicycle that has been in the possession of the Paris Police Department for a period of ninety (90) days, and is not claimed by the owner, will be disposed of by the direction of the Chief of Police of Paris. One item will be printed in the local newspaper(s) for one week prior to the disposal of said bicycle or bicycles giving a complete description of bicycle or bicycles, and that the said bicycles will be disposed of if not claimed by a given date. The Chief of Police will cause to have printed in the local newspaper a list of disposed bicycles, indicating description of bicycle and place of disposition, i.e., charity organization, etc.

11-§0905-11.9...Penalties

Any person or persons maliciously removing, destroying, mutilating or altering any registration card, fender stickers or seals during which time such registration cards, fender stickers or seals are operative, shall be summoned to the District Court, Paris on such; and if found guilty will be subject to a fine of not more than $20.00 dollars.

Any portion of this fine shall be used to reimburse the owner of said bicycle who may have suffered such loss of said bicycle.

Any person of the age of seventeen (17) or over who violates any of the provisions of this Town Ordinance shall, upon conviction, be punished by a fine of not more than ten dollars ($10.00). The Chief of Police, when satisfied that a juvenile under the age of seventeen (17) years has ridden a bicycle in violation of any of the provisions of this Ordinance, may impound the bicycle for a period not to exceed five (5) days for the first offense and for a period not to exceed thirty (30) days for any subsequent offense.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 12-§0905-12

Chapter 12-§0905-12.0...Stopping, Standing, or Parking Prohibited in Specified Places

12-§0905-12.1...All Night Parking Prohibited Between the Dates of November 15th-April 15th

No person shall park a vehicle on any street for a period of time longer than thirty (30) minutes between the hours of 12:00 a.m. and 7:00 a.m.

12-§0905-12.2...Parking for Certain Purposes Prohibited

No person shall park a vehicle upon any roadway for the principle purpose of:

A. Displaying such vehicle for sale.
B. Washing, greasing or repairing such vehicle except repair necessitated by an emergency within a reasonable time.
C. Penalties- Whoever violates this subsection and found guilty will be fined $10.00

12-§0905-12.3...Parking Adjacent to Schools

A. The Traffic Engineer and the Board of Selectmen is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
B. When official signs are erected indicating no parking upon either side of a street, adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated space.
C. Penalties- Whoever violates this subsection and is found guilty will be fined $10.00.

12-§0905-12.4...Parking Prohibited on Narrow Streets

A. The Traffic Engineer and the Board of Selectmen is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
B. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.
12-§0905-12.5...Standing or Parking on One-Way Streets

The Traffic Engineer and the Board of Selectmen is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left hand side in violation of any such sign.

12-§0905-12.6...Standing or Parking on One-Way Roadways

In the event a highway includes two (2) or more separate roadways and traffic restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left hand side of such one-way roadway unless signs are erected to permit such standing or parking. The Traffic Engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

12-§0905-12.7... No Stopping, Standing, or Parking near Hazardous or Congested Places

A. The Traffic Engineer and the Board of Selectmen is hereby authorized to determine and designate by proper signs placed not exceeding 100 feet apart in which the stopping, standing or parking of vehicles would create unusual delay to traffic.

B. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated areas.

12-§0905-13.8...Penalties

Unless specified above, the violation(s) of the ordinances in this section is a parking infraction and should refer to Title 10, Article 16 – Parking for fine amounts.
Chapter 13-§0905-13.0... Stopping, Standing or Parking Restricted or Prohibited on Certain Streets

13-§0905-13.1... Application of this Article

The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic-control device.

13-§0905-13.2... Regulations not Exclusive

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specific times.

13-§0905-13.3... Parking Prohibited at All Times on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Schedule 4, and made a part of this Ordinance.

13-§0905-13.4... Parking Prohibited During Certain Hours on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified in Schedule 5, or any day except Sundays and public holidays within the district or upon any of the streets described in said Schedule 5, and made part of this Ordinance.

13-§0905-13.5... Parking Time Limited on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than two (2) hours at any time between the hours of 9:00 a.m. and 9:00 p.m. of any day except Sundays within the district or upon any of the streets described in Schedule 6.
13-§0905-13.6...Parking Time Limited on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than one (1) hour at any time between the hours of 9:00 a.m. and 9:00 p.m. of any day except Sundays within the district or upon any of the streets described in schedule 6.

13-§0905-13.6...Parking Time Limited on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than thirty (30) minutes at any time between the hours of 9:00 a.m. and 5:00 p.m. of any day except Sundays within the district or upon any of the streets described in Schedule 7.

13-§0905-13.7...Parking Signs Required

Whenever by this or any other Ordinance of this municipality, any parking is prohibited on designated streets, it shall be the duty of the Traffic Engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

13-§0905-13.8...Prohibited Parking

Parking prohibited during snow emergency along routes designated as snow emergency routes by Traffic Engineer (Police Chief).
Chapter 14-§0905-14.0...Regulating the Kinds of Classes of Traffic on Certain Highways

14-§0905-14.1...Commercial Vehicles prohibited for Using Certain Streets

When signs are erected giving notice thereof, no person shall operate any commercial vehicle exceeding 20,000 pounds gross weight at any time upon any of the streets or parts of streets that is listed in Chapter 16-§0905-16.0 (Schedule 7) made a part of the Ordinance, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

14-§0905-14.2...State Approval

On State-aid and State highway, the installation of signs is subject to State Department of Transportation approval.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 15-§0905-15

Chapter 15-§0905-15.0...Parking and Impoundment of Vehicles

15-§0905-15.1...Obedience to Ordinance Required

It shall be unlawful and in violation of this chapter for any person to cause, allow, or suffer any vehicle registered in the name of or operated by such person to do any act forbidden or fail to perform any act required in this Ordinance; provided, the fact that a vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered. Further, any vehicle parked in violation of this ordinance (whether because of length of time, place, or the manner in which said vehicle is parked) is declared to be an obstruction in such street or public way and a menace to the safe and proper regulation of traffic.

15-§0905-15.2... Exception for nonresidents

Anything in this article to the contrary notwithstanding, the Chief of Police is authorized to waive payment on any parking violation ticket issued to a nonresident when in the opinion of the Chief of Police such violation is due to lack of knowledge of the violated provision of this chapter; provided, however, that this benefit shall not be extended to any violation deemed by the police chief to be deliberate, continued or flagrant, and provided that in no event shall this benefit extend to violation of the provision prohibiting parking in front of a hydrant area.

(New Ordinance)

15-§0905-15.3...Removal of Parking Violation Notices from vehicles.

No person shall remove from any vehicle a Parking Violation Notice placed on or in such vehicle by a police officer of the Town, except for the purpose of answering such notice or citation as required therein.

15-§0905-15.4...Police officer's duty upon finding illegally parked vehicle without driver.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the town or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a Parking Violation Notice, on a form provided by the Town.
15-§0905-15.5...Impoundment

A. Members of the police department are hereby authorized to remove a vehicle from a Street or highways to the nearest garage or other place of safety or to a garage designated or maintained by the police department or otherwise maintained by the town under the circumstances hereinafter enumerated:

1. When any vehicle is left unattended upon a bridge, viaduct or causeway, where such vehicle constitutes an obstruction to traffic;
2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody of removal;
3. When a vehicle is parked in a manner obstructing snow removal
4. When a vehicle has been left abandoned and parked on any street in the Town for a period of over 24 hours.

B. Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal the reasons therefor and the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

C. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the state department whose duty it is to register motor vehicles and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include, a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal and the name of the garage or place where the vehicle is stored.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 15-§0905-15

D. In the event of any impoundment under this section, the owner of the vehicle must pay all outstanding charges assessed against him under this Traffic Ordinance: including, but not limited to, reasonable towing and impoundment fees.

15-§0905-15.6....Standing or parking close to the curb

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the roadway, except as provided elsewhere in the Ordinance.

15-§0905-15.7....Stopping, standing or parking prohibited in specified places

No person shall stop, stand, park a vehicle, except when necessary to avoid conflict with other traffic, when there exists an emergency, etc. or in compliance with any direction of a Police Officer or traffic-control device, in any of the following places:

A. On a sidewalk
B. In front of a public or private driveway
C. Within ten (10) feet of a fire hydrant
D. On a crosswalk
E. Within twenty (20) feet of the near corner of the curbs at an intersection
F. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic
G. On the roadway side of any vehicle stopped or parked at the edge or curl, of a street or double parked, so-called
H. Upon any bridge or other elevated structure upon a highway
I. At any place where official signs prohibit parking or slopping
J. Trespassing - Parking of vehicle by trespassing on private or Town-owned property is prohibited
K. Impeding Traffic - No vehicle shall be permitted to remain stationary within the limits of the street or public ways of the Town in such a manner as to constitute a traffic hazard or to impede or to obstruct the free movement of traffic thereon.
15-§0905-15.8...Unlawful parking

No vehicle or combination of vehicles, except when permission of the Chief of Police is granted, in excess of twenty (20) feet in length shall remain parked in controlled or regulated parking areas prohibited in Schedules 5, 6 and 7 for more than twenty (20) minutes on any public way within the urban limits of the Town.

15-§0905-15.9...Signs for Marking Indicating Angle Parking

A. The Traffic Engineer and Board of Selectmen shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any State-Aid or State Highway within the municipality unless the State Department of Transportation has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

B. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

15-§0905-15.10...Obedience to Angle Parking Signs or Markings

On those streets which have been signed or marked by the Traffic Engineer and Board of Selectmen for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway indicated by such signs or markings.

15-§0905-15.11...Parking Penalties

Unless other penalty is expressly provided by state law, every person found guilty of a violation of any provision of this Parking Ordinance shall be punished by a fine of not more than one hundred dollars ($100.00) and not less than Ten dollars ($10.00) for each offense; provided however, for parking violations, a person may elect in lieu of such penalty, to waive his right to a court appearance by paying the applicable parking ticket waiver fee listed below:

1. No Parking Zone.........................................................$10.00
2. Wrong Side of Street...............................................$10.00
3. Too Close to Hydrant................................................$25.00
4. Double Parking.......................................................$15*
5. All Night Parking.....................................................$15.00
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 15-§0905-15

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Blocking Driveway</td>
<td>$10.00</td>
</tr>
<tr>
<td>7</td>
<td>Parking in Crosswalk</td>
<td>$15.00</td>
</tr>
<tr>
<td>8</td>
<td>Improper Parking</td>
<td>$10.00</td>
</tr>
<tr>
<td>9</td>
<td>Overtime Parking</td>
<td>$10.00</td>
</tr>
<tr>
<td>10</td>
<td>Parking in Designated Handicap Spaces</td>
<td>$100.00</td>
</tr>
<tr>
<td>11</td>
<td>Other</td>
<td>$10.00</td>
</tr>
<tr>
<td>12</td>
<td>Snow Emergency</td>
<td>$25.00</td>
</tr>
<tr>
<td>13</td>
<td>Unreasonable Deposit-Snow/Ice</td>
<td>$50.00</td>
</tr>
<tr>
<td>14</td>
<td>Impeding Traffic</td>
<td>$10.00</td>
</tr>
<tr>
<td>15</td>
<td>Vehicular Trespass</td>
<td>$15.00</td>
</tr>
<tr>
<td>16</td>
<td>Fire Lane</td>
<td>$25.00</td>
</tr>
<tr>
<td>17</td>
<td>Parking within 20 feet of an intersection</td>
<td>$10.00</td>
</tr>
<tr>
<td>18</td>
<td>Unlawful Parking</td>
<td>$10.00</td>
</tr>
<tr>
<td>19</td>
<td>Parking greater than 12” from the curb</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

All fines and penalties collected under this Traffic Ordinance shall be paid into the Town Treasury, and the Board of Selectmen is authorized to employ all such procedures authorized by law which they deem prudent to collect the same. Additional fees may include possible court costs if the Town of Paris prosecutes the case. The fee(s) set forth are in accordance with the approval by the Board of Selectman and will double if not paid within 15 days.
Town of Paris Public Safety Ordinance

Article 10 Traffic Code, Chapter 16-§0905-16

Chapter 16-§0905-16.0...Traffic Ordinance Schedules

Schedule 1 - Through Streets

-Reserved-

Schedule 2 - Parking Prohibited

A. One-Way Streets Market Square
   A. Barrows Street- **North** Side - entire length of street
   B. Church Street **West** Side - entire length of street

B. Two-Way Streets
   1. Maple Street Eastbound – North Side of the entire Street
   2. Pine Street Eastbound - Railroad crossing to the Junior High School
   3. Westbound - Market Square corner to the Junior High School
   4. Gothic Street-
   5. Park Street Northbound - Baptist Church parking lot to first driveway past the Post Office

Schedule 3 - Parking Prohibited Certain Hours

-Reserved-

Schedule 4 - Two Hour Parking Zones

A. Market Square all spaces from Church Street to High Street
B. Main Street Fire Station entrance to Barrows Street- All Spaces

Schedule 4a - Three Hour Parking Zones

A. Market Square spaces from Maple Street to Bolsters parking lot

Schedule 5 - One Hour Parking Zones

-Reserved-

Schedule 6 - One-Half Hour Parking Zones

-Reserved-

Schedule 7 - Weight Limit Streets

A. Brett Hill Road
Article 10 Traffic Code, Chapter 16-§0905-16

B. Christian Ridge Road
C. Durgin Road East
D. Oxford Road
E. Ellingwood Road
F. Elm Hill Road
G. Halls Pond Road
H. Hooper Ledge Road
I. King Hill Road
J. Military Road
K. Nichol Street
L. Mt. Mica Road
M. East Oxford Street
N. Paris Hill Road
O. Parsons Road
P. Reservoir Road
Q. Streaked Mountain Road
R. Stock Farm Road
S. Sumner Road
T. Swallow Road
U. Thayer Road
V. Twitchell Road
W. Upper Swallow Road

Schedule 8 - Coasters, Roller-skates, Skateboards, etc. Prohibited

A. Route 26 (AKA Main St and Park St)
B. Route 117 (AKA Buckfield Rd)
C. Route 119 (AKA Hebron Rd)
D. High Street
E. Park Street
F. Paris Hill Road
WELLHEAD PROTECTION ORDINANCE

FOR

TOWN OF PARIS

ADOPTED JUNE 18, 1994
TABLE OF CONTENTS
WELLHEAD PROTECTION ORDINANCE

PREAMBLE

A. Purpose 1

B. Applicability 2

C. Establishment of Wellhead Protection Areas 2

D. Land Uses 2

E. Lot Specifications 5

F. Application Requirements for Site Plan Review 5

G. Additional Application Requirements 5

H. Control of Existing Contaminant Threats 11

I. Best Management Practices 12

J. Appeal and Variance Procedures 22

K. Definitions 25

TABLE I Applicable Land Use in Wellhead Protection Areas

FIGURE 1 Paris Utility District Wellhead Protection Areas

FIGURE 2 Norway Water District Wellhead Protection Areas
TOWN OF PARIS, MAINE
WELLHEAD PROTECTION ORDINANCE

PREAMBLE

The purpose of this Ordinance is to provide protection for the municipal water supply for the Town of Paris. The Paris wellfield is located off High Street at the end of the Hathaway Road some 300 feet west of the Little Androscoggin River (LAR). The well-being of the citizens of Paris, particularly those who are serviced by the Paris Utility District, and the viability of economic development within the area, depend upon a safe, reliable drinking water supply. The goal of this Ordinance is to ensure the safety and reliability of the current Paris wellfield by seeking to manage new and existing land uses or other activities which might pose a potential threat to the Town's water supply.

The Towns of Paris, Oxford and Norway are closely linked geographically, economically and by the Little Androscoggin River Valley aquifer runs through all three towns. Therefore, it is also the purpose of this Ordinance to provide protection for the municipal water supply of the Town of Norway by managing the land use activities in those Wellhead Protection Areas of Norway located within the Town of Paris.

In order to protect the public water supplies of Paris, Norway and Oxford, cooperation among the three towns is essential. This Ordinance is the result of such a cooperative effort, and has been based on a model developed by a Committee of citizens and town officials from each of the three towns with consulting assistance under the funding of a Federal grant.

This Ordinance will regulate just those portions of land that lie within the designated Wellhead Protection Areas of the municipal water supplies of Paris and Norway. Because the Town of Paris does not have an overall zoning ordinance, this Ordinance is meant to stand alone, as it applies to those areas, and coordinates with existing ordinances and regulations, including "Town of Paris, Maine Site Plan Review Ordinance", standard appeal and variance procedures, and various existing State of Maine planning and land use laws and regulations. State of Maine Law (Title 22) gives towns broad powers to protect drinking water supplies, and enables the Town of Paris to consider the present Ordinance without a broader zoning or land use planning ordinance. Impetus for wellhead protection at the Federal and State levels resulted from 1986 amendments to the Federal Safe Drinking Water Act.

ADOPTED JUNE 18, 1994
TOWN OF PARIS

WELLHEAD PROTECTION ORDINANCE

A. Purpose

1. The purpose of the Wellhead Protection Ordinance is to protect the public, municipal water supplies from land uses which pose a threat to the quality and quantity of the groundwater being extracted from areas within the Town of Paris.

B. Applicability

1. This Ordinance applies to all land uses located or proposed within the areas delineated as the Wellhead Protection Area in the Town of Paris on maps included in the Ordinance (Figures 1 and 2) and available for inspection at the office of the Paris Utility District. The Wellhead Protection Area consists of WHPA 1, WHPA 2, and WHPA 3, described below in Section C.

C. Definition of Wellhead Protection Areas

1. For wells serving more than five hundred (500) persons and located in unconsolidated (sand and gravel) aquifers, the Wellhead Protection Area (WHPA) consists of three (3) areas (WHPA 1, WHPA 2, and WHPA 3) located within the Zones of Contribution defined by hydrogeological studies. These areas are listed and their hydrological characteristics described below:

   a. **WHPA 1**
      WHPA 1 extends from the wellhead to the 200-day groundwater Time-of-Travel boundary.

   b. **WHPA 2**
      WHPA 2 extends from the outer boundary of WHPA 1 to the 2500 day Time-of-Travel boundary.

   c. **WHPA 3**
      WHPA 3 extends from the outer boundary of WHPA 2 to the outer limit of the Zone of Contribution.

The Zones of Contribution for the Municipal Wells of Paris and Norway were determined in studies carried out and reported by BCI Geonetics, Inc. in 1990.

D. Land Uses

1. Within the Wellhead Protection Area, certain new land uses that may have potential to contaminate groundwater are either permitted, not permitted, or conditionally permitted. The third category of land uses is permitted subject to a

ADOPTED JUNE 18, 1994
Site Plan Review and use of Best Management Practices (BMP) (see section F, G, and I). The Wellhead Protection Area Table, Table I, lists land uses and potential sources of contamination and indicates whether new instances of such uses are permitted, not permitted, or conditionally permitted.

2. Expansion of up to 25% of land uses previously existing at the time of adoption of the Ordinance and which do not conform to Table I is allowed, provided that:

   a. Best Management Practices (Section I of this Ordinance) are followed.
   
   b. The addition or expansion does not increase the non-conformity of the land use.
   
   c. The expansion of the non-conforming land use may not be for the purpose of changing that use to another non-conforming use unless the applicant can demonstrate that the new use poses a lesser threat to groundwater than the current use.

Expansion of greater than 25% of such existing land uses is treated as a new use, i.e., it is (1) permitted, (2) prohibited, or (3) subject to Site Plan Review in accordance with Table I.

3. Many of the land uses in Table I are defined in Section K of this Ordinance. Where a certain volume, weight, or other quantity of a particular substance is involved, but not defined in Section K, the minimum quantity regulated by existing local, State, or Federal regulation shall apply.

4. Household activities which are normal in volume and scope are exempt from this Ordinance.

5. Examples of activities in the 15 categories of Land Uses in Table I are as follows:

   a. Land Uses 1 and 2 shall include, but not be limited to, the following activities: (1) airport maintenance; (2) auto chemical supplies wholesalers; (3) auto repair; (4) auto washes; (5) beauty salons; (6) boat builders, refinishers; (7) body shops; (8) chemical reclamation; (9) chemical bulk storage; (10) dry cleaners; (11) furniture strippers; (12) heat treaters, smelters, annealers, descalers; (13) machine shops; (14) medical, dental, veterinary offices; (15) metal
plating/electroplating; (16) painters, finishers; (17) photo processors; (18) printers; (19) research laboratories; (20) rust proofers; (21) woodpreserving operations.

b. Land Use 3 shall include, but not be limited to, the following activities: (1) airport fueling and training areas; (2) fuel or heating oil distributors, fuel oil storage; (3) other fuel storage; (4) gas stations, service stations; (5) junk, salvage yards, including tire storage; (6) oil pipelines; (7) small engine repair shops; (8) truck terminals; (9) underground storage tanks.

c. Land Uses 4 and 5 shall include, but not be limited to, the following activities: (1) construction sites/demolition activities; (2) landfills, dumps; (3) transfer stations and recycling facilities; (4) wastewater treatment plants.

d. Land Use 6 shall include, but not be limited to, the following activities: (1) construction equipment storage; (2) railroad yards; (3) truck terminals.

e. Land Use 7 shall include, but not be limited to, the following activities: (1) food processors; (2) industrial manufacturers; (3) laundromats; (4) machine shops; (5) mortuaries and graveyards; (6) meat packers, slaughter houses, abattoirs.

f. Land Use 8 shall include, but not be limited to, the following activities: (1) concrete, asphalt, tar, coal companies; (2) salt or sand/salt piles, both covered and uncovered; (3) snow dumps.

g. Land Use 15 shall include, but not be limited to, the following activities: (1) agricultural chemical spreading, spraying; (2) agricultural chemical storage; (3) golf courses; (4) manure piles; (5) nurseries (horticultural); (6) parks; (7) pesticide, herbicide, or fertilizer wholesalers, retailers or bulk storage; (8) silviculture, including clear cutting.

ADOPTED JUNE 18, 1994
TOWN OF PARIS

E. Lot Specifications

1. The lot size shall be as required by other existing Town of Paris Ordinances, including Paris Subdivision Regulations, and State of Maine laws and regulations.

2. The percentage of the lot which can be covered by impermeable surfaces, including parking areas, shall be limited as presented in the following table:

<table>
<thead>
<tr>
<th>WHPA</th>
<th>Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30%</td>
</tr>
<tr>
<td>2</td>
<td>50%</td>
</tr>
<tr>
<td>3</td>
<td>50%</td>
</tr>
</tbody>
</table>

F. Application Requirements for Site Plan Review

1. For new land uses located in WHPA 1, WHPA 2, or WHPA 3 and regulated by the land uses listed in Table I the applicant for a Site Plan Review has the burden of proof that the proposed land use will not adversely affect groundwater. All applications shall be prepared and considered in accordance with current Town of Paris Site Plan Review Ordinance, and shall include written information and plan information. In addition, certain land uses may require Site Plan Review with additional information as described in Section G of this Ordinance and/or as required by the Planning Board (See Section G).

G. Additional Application Requirements

1. Sections G.2 through G.9 present additional information needed for applications for Site Plan Review for certain types of land uses within the wellhead protection areas (WHPA 1, WHPA 2, WHPA 3). These Sections include categories which apply to the land uses in Section D and Table I. Uses are grouped by category. More than one of the categories may apply to a particular use. (Applicants should request assistance from the Planning Board should there be questions as to which categories apply.) In addition to standard information required under the Town of Paris Site Plan Review Ordinance (See Section F), the Planning Board has the authority to request that the applicant include the following items:

   a. On-site sewage disposal report from licensed Site Evaluator or information from the Paris Utility District indicating capacity.

ADOP TED JUNE 18, 1994
b. Special reports such as:
   (1) soils analysis
   (2) engineering design
   (3) erosion and sediment control plan
   (4) stormwater management plan
   (5) long-term maintenance provision
   (6) hydrogeologic assessment

c. Plan of existing water bodies, water courses, wetlands, and other significant natural features

d. Plan of WHPA boundaries

e. Plan of location and design of existing and proposed culverts, drains, and other stormwater control structures

f. Plan of location and design of proposed sewer and water lines

g. Engineering plans, profiles, and cross-sections

h. Plan of locations, dimensions and profiles of underground utilities

The level of effort and detail required by the Planning Board for such additional submissions shall depend upon the size and potential impact to groundwater of the proposed land use.

2. Construction/Demolition Activity: This category applies to the majority of applications. Even though construction activity is generally permitted, the Planning Board requires the following additional information for construction or demolition of the uses listed in Table I:

a. Provisions for solid waste handling, storage, and disposal

b. Provisions for sanitary facilities

c. Report which provides:
   (1) information concerning storage and disposal of waste materials
   (2) provisions for fuel storage and refueling
   (3) provisions for storage of any liquid chemicals used in the construction process
   (4) provisions for storage of any bulk chemicals

ADOPTED JUNE 18, 1994
used in the construction process

3. Stormwater Management
   a. Engineering calculations and plans which provide:
      (1) design and capacity of subsurface collection facilities
      (2) design of dry wells, storage, retention or detention facilities and other surface water impoundments stormwater system outlets
      (3) delineation of post-development drainage areas
      (4) plans for ice control, use of road salt, and snow removal

4. Other Impoundments
   a. Engineering calculations and plans which provide:
      (1) design and capacity of subsurface collection facilities
      (2) design of dry wells, storage, retention or detention facilities and other surface water impoundments
      (3) stormwater system outlets
   b. Delineation of post-development drainage areas
   c. Plans for ice control, use of road salt, and snow removal
   d. Description of source of water, use of water and final water quality of discharge (water quality parameters to be specified by the Planning Board)
   e. Amount of consumptive water use

5. Hazardous Materials and Other Chemicals, Handling and Storage: This section pertains to any commercial site where chemical compounds are handled and/or stored:
   a. Type and volume of chemical compounds handled and/or stored
   b. Site Plan showing all storage, handling, and use areas for raw materials and wastes
   c. For outside areas, details to contain spills, including:

ADOPTED JUNE 18, 1994
(1) drainage and contour information for prevention of flow of runoff from entering the storage area and for keeping leaks or spills from flowing off-site
(2) provisions to collect chemicals should they enter the drainage system
(3) provisions to segregate underground systems to insure that there are no cross connections
(4) statement of emergency measures which can be implemented for surface drainage systems

d. For inside areas, details to contain spills, including:

(1) design of spill containment structures
(2) location of floor drains and floor drain outlets
(3) location of separators, holding tanks and/or drain outlets
(4) the specific location and design of underground storage structures
(5) the location and design of piping systems for wash waters and other waste liquids to insure that inappropriate wastes are not discharged and that wastes are discharged to appropriate sewers or treatment systems

e. A spill prevention and control countermeasure (SPCC) plan detailing:

(1) materials and equipment to be available
(2) a training plan and schedule
(3) a list of emergency contacts (e.g. EPA/DEP/local fire officials) with phone numbers
(4) an inspection schedule

f. A report by an industrial engineer or other competent professional, experienced in such matters, detailing:

(1) steps which have been taken to reduce the use of hazardous materials
(2) actions which have been taken to control the amount of wastes generated
(3) any reports to provide information on the design theory or methodology for the above features

ADOPTED JUNE 18, 1994
6. Petroleum Handling and Storage: This section pertains to sites where petroleum products (fuels, solvents and lubricants) are handled in bulk quantities of over 1,000 gallons. For the use of petroleum products for machinery or equipment maintenance, or for quantities stored in smaller quantities such as 55 gallon drums, reference should be made to Section G.5, (Hazardous and Other Chemicals, Handling and Storage):

   a. Site plan showing storage, handling and use areas for all petroleum products.

   b. Provision for heating oil storage.

   c. For outside areas, details which provide drainage and contour information to prevent the flow of runoff from entering the storage areas and to prevent leaks or spills from discharging to surface waters or to areas where they could leach into the groundwater.

   d. Provisions to contain and clean-up petroleum products should they enter the drainage systems, including:

      (1) separators for underground piping systems.
      (2) emergency measures which can be implemented for open drainage systems.

   e. Exact location of tanks, piping and separators so that inspection, detection, clean-up or other emergency measures can be accomplished in a timely and efficient manner.

   f. SPCC plan detailing:

      (1) materials and equipment available.
      (2) training plan and schedule.
      (3) a list of emergency contacts (e.g. local fire officials, DEP) with phone numbers.
      (4) inventory recording method and an inspection schedule.

   g. Design of the containment system for bulk storage tanks prepared by a Professional Engineer registered in the State of Maine.

   h. Hydrogeologic report. The hydrogeologic report may vary in scope depending on the general nature of the geology, the size and design of the...
facility, and the need for groundwater monitoring. A typical hydrogeologic report should characterize the geology, determine the groundwater gradients, and analyze the potential for groundwater degradation from the activity. These elements might be determined from existing data or from new field investigations as available and appropriate. As stated in Section F, the applicant has the burden of proof that the proposed activity will not adversely affect groundwater. The analysis should contain a list of potential threats and recommend methods of controlling those threats.

7. Sewage Disposal and Subsurface Injection. This section pertains to subsurface injection activities as defined by State regulations and includes septic systems and other on-site sewage disposal.

a. Provisions for sewage disposal including:

(1) report and septic system design by a licensed Site Evaluator.

(2) in WHPA 1 and WHPA 2, for sites/uses producing more than 1,000 gallons per day of sewage, a hydrogeologic analysis of predicted nitrate concentrations at the property line.

(3) in WHPA 3, for sites/uses producing more than 2,000 gallons per day of sewage, a hydrogeologic analysis of predicted nitrate concentrations at the property line.

(4) in WHPA 1 and WHPA 2 evaluation of public/private sewer system capacity and integrity of sewer lines serving the development by a Registered Engineer or the sewer system superintendent.

b. Provisions and design for all floor drains, grease traps, and holding tanks.

8. Other Water Supplies. This section pertains to all surface water or ground water supplies other than domestic wells. Other water uses (except domestic) may also be included in this category.

a. Hydrogeologic Report identical to that required for State approval of new water supply.
9. Installation of Monitoring Wells. This section pertains to all monitoring or observation wells.
   a. Location and construction specifications
   b. Intended purpose
   c. Sampling schedule
   d. Provisions for informing appropriate the Town of Paris and Paris Utility District of sampling results

H. Control of Existing Contaminant Threats

1. The Code Enforcement Officer shall have the right to enter, during reasonable hours and after reasonable notice, to inspect all premises which carry on uses listed in Table I and which require site review. The Code Enforcement Officer may be accompanied by a representative of the Paris Utility District, including a consultant employed by it. If the Code Enforcement Officer is denied the right to enter and inspect premises, the Code Enforcement Officer may seek an administrative warrant for entry and inspection.

Further, the Code Enforcement Officer shall have the right, upon 24 hour notice, to conduct such testing as the Paris Utility District may deem appropriate to determine that Management Practices and groundwater pollution control devices are in good condition and are working properly. Such testing shall be at the Town’s or Utility District’s expense. Should such initial testing reveal groundwater contamination, subsequent testing shall be at the expense of the Owner. Also, if contamination is present, the Owner shall reimburse the Town or Utility District for the initial testing.

2. When the Town or District determines that groundwater monitoring in a Wellhead Protection Area is required to protect the public water supply from existing or potential threats from uses requiring a Site Plan Review in Table I, the Town and the Utility District shall have the right to install groundwater monitoring wells on premises. The Town and Utility District shall further maintain the right to sample such wells.

3. Such well installation and sampling shall be at the expense of the Town or Utility District. Should initial testing reveal groundwater contamination, subsequent testing shall be at the expense of the Owner. Also, if
contamination is present, the Owner shall reimburse the Town or Utility District for the well installation, the initial testing, and all other associated expenses.

4. Facilities within the Wellhead Protection Areas which are used to conduct activities listed in Table I and which require a Site Plan Review, shall incorporate the Best Management Practices (BMPs) required in Section I of this Ordinance according to the schedule listed in Section I. For each BMP listed in Section I, a time for implementation is given. This time is generally referenced to the date of the adoption of this Ordinance.

I. Best Management Practices

1. All development located within the Wellhead Protection Area (WHPA 1, 2, and 3) shall comply with the Best Management Practices contained in Sections I.4 through I.12. Best Management Practices, as applied in the State of Maine, are management practices which will minimize the impacts of the activity on water quality and quantity. In some instances, there may be more than one management practice which could be chosen to accomplish the same result. In other instances, depending on the site location and on-site conditions, more than one management practice may be needed to mitigate the problem fully.

2. The Planning Board may adopt, by reference, as part of this section, additional Best Management Practices which have been published by or in conjunction with the Maine Department of Environmental Protection. In so doing, the Planning Board shall hold a public hearing, notice of which shall be posted in the Town Office and advertised in a paper of general circulation at least twice with the first notice being at least seven days prior to the date of the hearing. Buildings and containment structures must comply with the provisions found in the current edition of The Building Officials and Code Administrators (BOCA) National Building Code, in particular, Section 618, which contains the regulations for hazardous materials handling.

3. For existing facilities see Section H.3. For new facilities within the Wellhead Protection Area, the BMP shall be put into effect immediately.

4. Chemicals, petroleum and waste handling on construction sites.
   a. The collection and disposal of petroleum products, chemicals and wastes used in construction shall conform to the following:
TOWN OF PARIS

WELLHEAD PROTECTION ORDINANCE

(1) Collect and store in closed, clearly marked, water-tight containers, which are on raised pallets and protected from the weather. Implement within: upon adoption

(2) Containers shall be removed (as required by State Hazardous Waste Rules or more frequently as may be determined by Planning Board) for disposal to prevent spills and leaks which can occur due to corrosion of containers. A schedule for removal should be contained in the application for Site Plan Review and in any construction specifications for the project. Implement within: upon adoption

b. Fertilizers and landscaping chemicals such as herbicides and pesticides shall be applied following appropriate Best Management Practices developed by the Maine Department of Agriculture in conjunction with the Maine Department of Environmental Protection. Implement within: upon adoption

5. Storm Water Runoff/Snow and Ice Control

a. Drainage systems, including detention basins, drainage ways, and storm sewer systems, shall be maintained in order to insure they function properly, including cleaning storm drains twice a year. Implement within: 6 months

b. Chemicals and wastes shall be stored in such a manner to prevent rainfall from contacting them. Implement within: 1 year

c. Runoff from paved parking lots should be diverted to stormwater drains, if present. Implement within: 1 year

d. Reduced amounts of sand/salt should be used. Implement within: 1 year

e. Snow melt from parking lots should be diverted to stormwater drains if present. Implement within: 2 years

f. Parking lots should be maintained on a yearly basis, including cleaning catch basins and

ADOPTED JUNE 18, 1994

13
sweeping the parking lots on a semi-annual basis. Cracks should be sealed on a yearly basis. Implement within: upon adoption

6. Industrial and Maintenance Operations
   a. A plan detailing the reuse, recycling, or proper disposal of waste chemicals shall be maintained, and updated as needed. Provisions shall be made to implement the plan.
      Implement within: 1 year

   b. Buildings, rooms, and areas where potential pollutants are used, handled or stored shall be designed to contain spills or leaks. Specifically, floor drains shall not be used except as required by fire regulations. A waterproof containment dike shall be placed around areas where potential pollutants are used, handled or stored to contain accidental spills. The dike shall have a containment volume greater than the amount of material stored or used in the room.
      Implement within: 6 months

   c. Spill/leakage prevention and detection programs shall be maintained and updated:
      (1) Plans shall insure the regular collection and transport of chemicals.
      (2) Plans shall provide for inspection of containers and storage areas on a regular basis.
      Implement within: 6 months

   d. A spill clean-up plan shall be maintained and updated annually. The plan shall:
      (1) Insure adequate materials and equipment are available.
      (2) Insure that personnel are trained.
      (3) Insure that the Paris Fire Department is informed of clean-up procedures.
      Implement within: 1 year

7. Septic/Sewage Disposal
   a. Sewer/septic systems and on-site sewage disposal shall be designed by competent professionals, using sound engineering practices, in accordance
with State of Maine Plumbing Rules.
Implement within: upon system replacement

b. Construction of sewers and septic systems shall be carefully inspected by the Code Enforcement Officer to insure proper installation.
Implement within: upon system replacement

c. Sewer systems shall be tested for leakage, according to State rules, or the Paris Utility District Sewer Ordinance, whichever is more stringent.
Implement within: 1 year

d. Provisions shall be made to maintain sewer and septic systems.
Implement within: upon adoption

e. Sewers and drainage systems shall be designed to insure that stormwater does not enter sanitary sewers.
Implement within: upon adoption

f. For cluster systems, 1,000 gallon septic tank capacity shall be provided for each 300 gallons of flow. Design flows for leachfields shall be less than 2,500 gallons per day.
Implement within: upon adoption

g. Chemicals and industrial wastes shall not be discharged to septic system.
Implement within: upon adoption

h. Floor drains and stormwater drains shall not be discharged to septic systems.
Implement within: 6 months

8. Waste Disposal/Handling Facilities

a. Inert Fill

(1) For WHPA 1 and WHPA 2, disposal shall be setback 75 feet from wetlands as defined in the Natural Resources Protection Act (NRPA) and located a minimum of 2 feet above the seasonal high ground water table.
Implement within: 1 year

(2) For wastes other than concrete, stone and brick, the Planning Board shall be provided documentation from a U.S. EPA-certified
b. Transfer Station/Recycling Facilities

(1) All facilities and storage areas shall be located such as to have a minimum of 5 feet above the seasonal high ground water table. Implement within: 1 year

(2) Sanitary wastes shall be disposed into a public sewer or in accordance with State Plumbing Rules. Implement within: upon adoption

(3) If water clean-up of facilities is used, the water shall be discharged to a public sanitary sewer. If no public sanitary sewer is available, dry clean-up procedures shall be used. Implement within: upon adoption

(4) Gravel, asphalt, or concrete pads or steel or aluminum containers shall be used for storage facilities for white goods and tires. Implement within: upon adoption

(5) Facilities shall not be located in a 100 year floodplain. Implement within: upon adoption

(6) An Operating Manual shall insure that only nonhazardous municipal solid waste is accepted. Implement within: upon adoption

(7) For Recycling Facilities, an Operating Manual shall insure that only clean, marketable recyclables are collected. Implement within: upon adoption

(8) For Recycling Facilities, storage of residuals shall be accomplished to prevent spillage and leaking. Implement within: upon adoption

c. Municipal, Commercial, Industrial and other special wastes

(1) All handling, storage and transfer shall comply with Department of Environmental Protection rules. Implement within: upon adoption
d. Hazardous Wastes shall be limited to small quantity generators, as defined by the State Hazardous Waste Rules.
   Implement within: upon adoption

e. Junkyards/Metal Processing
   (1) Fluids shall be removed in a secure area and stored for appropriate disposal, as per State Hazardous Waste Rules.
       Implement within: upon adoption
   (2) Fluids shall be disposed in accordance with state and federal laws.
       Implement within: upon adoption
   (3) Records shall be maintained to indicate the quantities of fluid handled.
       Implement within: upon adoption

9. Chemicals and Petroleum Handling and Storage

   a. Nonhazardous chemicals shall be substituted for hazardous varieties whenever possible.
       Implement within: 1 year

   b. A detailed inventory shall be maintained.
       Implement within: upon adoption

   c. Provisions shall be made to clean up all spills immediately with an absorbent material or other methods and dispose of them properly.
       Implement within: upon adoption

   d. Hazardous materials shall be stored in secure, corrosion resistant containers.
       Implement within: upon adoption

   e. Bulk storage shall comply with all State laws and regulations or within the provisions below, whichever is more stringent.
       Implement within: upon adoption

   f. Bulk storage shall be in above-ground, corrosion resistant tanks in WHPA 1 or WHPA 2. In addition, where feasible, above-ground storage should be used in WHPA 3. The following provisions shall be complied with:

       (1) A diked area shall be provided around tanks to contain spills. The storage volume of diked area shall equal 150% of the volume of
product stored.
(2) A roof shall be provided over containment areas to prevent collection of rain water.
(3) Drains shall not be installed in containment areas.
Implement within: upon adoption

g. If underground storage is necessary in WHPA 3, corrosion resistant double-walled tanks with alarm systems shall be provided and records shall be kept in accordance with State of Maine Regulations. The system including piping shall be tested prior to use. Underground piping and transmission lines shall be inspected and tested upon installation and on an annual basis, thereafter.
Implement within: upon adoption

h. All floors shall be concrete or an impermeable, hardened material.
Implement within: 1 year

i. In WHPA 1 and WHPA 2, non-bulk chemicals shall be stored inside. Such storage areas shall comply with the following:

(1) floor drains shall not be used in WHPA 1 and WHPA 2 and shall only be used in WHPA 3 when required by fire regulations;
(2) storage and handling areas shall have waterproof containment dikes around perimeter to contain spills.
Implement within: 6 months

j. Spill and leak detection programs shall be maintained and updated annually.
Implement within: upon adoption

k. If floor drains are required by the fire regulations, they shall be discharged to a holding tank. Tanks shall be pumped by a licensed oil or hazardous waste hauler, as appropriate. Tanks shall be equipped with gauges to determine used capacity.
Implement within: upon adoption

l. Tanks shall be equipped with automatic shutoffs or high level alarms.
Implement within: 6 months

ADOPTED JUNE 18, 1994
m. Oil and waste separators shall not be used to remove dissolved compounds or oil and greases which have been subjected to detergents.
   Implement within: 6 months

n. In WHPA 1 and WHPA 2, loading areas shall be covered to prevent the mixing of stormwater and spilled chemicals. Concrete or other impermeable pads shall be provided under transfer and handling area.
   Implement within: 1 year

o. Procedures shall be established to catch and store chemicals spilled at loading docks and other transfer areas.
   Implement within: upon adoption

p. Provisions shall be made to inspect and test tanks and lines periodically for leaks.
   Implement within: upon adoption

q. The facility and equipment shall be designed to:
   (1) prevent tank overflow; and
   (2) Prevent line breakage due to collision.

r. Provisions shall be made to have:
   (1) emergency diking materials available;
   (2) emergency spill cleanup materials available.
   Implement within: upon adoption

s. Exterior transfer and handling areas shall be sloped as to prevent runoff from other areas from entering the handling area, but to contain small quantities of spilled product.
   Implement within: 6 months

t. Residential storage tanks shall be located in cellars or on a concrete slab above-ground, if outside.
   Implement within: 6 months

10. Mining, Including Sand and Gravel
   a. Limit depth of excavation
(1) In WHPA 1 and WHPA 2, excavation shall be limited to 5 feet above the seasonal high water table. Implement within: upon adoption

(2) In WHPA 3, if excavation is proposed such that there will be less than 5 feet separation between excavation limits and the ground water table, a hydrogeologic investigation at the expense of the Owner must be done to assess the potential adverse impact including potential contamination and reduction in recharge to the aquifer. Implement within: 1 year

(3) If water supply wells are present within 500 feet of the proposed excavation, groundwater monitoring wells shall be installed at the expense of the Owner. Implement within: 2 years

b. If dust control is needed for haul roads, water shall be used. Salting and oiling of roads is prohibited. Implement within: upon adoption

c. Petroleum Storage

(1) WHPA 1 and WHPA 2, petroleum products shall not be stored in the pit. Refueling shall not occur within the pit unless the refueling occurs on an impervious surface with a berm sufficient to contain spills. Implement within: upon adoption

(2) In WHPA 3, if petroleum storage is proposed, provide above ground fully contained storage and refueling area. Provisions must be made for rain falling in the containment area. A roof is preferable. For large operations, a covered, impermeable refueling/maintenance area shall be provided. Implement within: upon adoption

(3) A spill prevention plan shall be maintained and updated. Implement within: upon adoption

(4) A reclamation plan shall be provided, maintained and used. Implement within: upon adoption

11. Agriculture and Intensive Open Space Uses (These provisions shall apply to WHPA 1 and WHPA 2 only.)

ADOPTED JUNE 18, 1994
a. Soil tests shall be used to determine proper amount of nutrients and pH adjustment (e.g. limestone) to be applied. On the basis of the soil test results a Nutrient Management Plan (NMP) shall be developed by the University of Maine Cooperative Extension, Soil Conservation Service, or Oxford County Soil and Water Conservation District.

b. Nutrients shall be applied uniformly and only at levels required by the NMP.

c. Split fertilizer applications should be used for new planting, where possible.

d. Nutrients shall not be applied to very shallow soils or bedrock.

e. Chemical fertilizer application equipment shall be calibrated.

f. Irrigation shall be scheduled to minimize leaching potential.

g. Nutrients shall not be applied during winter months when ground is frozen or snow covered.

h. Fertilizers and manure shall be stored in properly located and constructed facilities.

i. All federal and state laws regulating pesticides and herbicides shall be followed.

j. Material safety data sheets shall be kept accessible.

k. Application of fertilizers and pesticides shall be accomplished by certified applicators.

l. Secure, safe storage shall be provided for used pesticides containers and disposal of containers shall be in accordance from federal and state law.

m. Records of fertilizer, pesticides and herbicide use shall be kept.

Implement within: upon adoption

ADOPTED JUNE 18, 1994
proposed by the applicant will have no measurable effect on water table levels or recharge to the aquifer, and will either cause no contamination to groundwater or will cause contamination of such minute quantities as to be undetectable at the wellhead for the municipal well.

c. The applicant proposes an activity or land use in WHPA 3 and can demonstrate the technical and financial capabilities to both detect and remediate any groundwater contamination above then current Maximum Contaminant Levels (MCL) before such contamination can reach the outer boundary of WHPA 2. The more stringent of State of Maine and Federal MCL standards shall apply.

d. The applicant can demonstrate that groundwater beneath the site in question flows away from the Paris Utility District wellfield even under the maximum realistically expected pumping rate for the well during a time of drought.

3. Deadline Extension for Best Management Practices, Existing Uses

a. The Board of Appeals may double the time given for implementation of Best Management Practices in Section I of this Ordinance, if any one of the following conditions can be met by the applicant. Only one (1) such extension may be granted. If the Best Management Practice in Section I is to be implemented "upon adoption" of this Ordinance, the Board of Appeals may grant a one-time extension of one year from the time of application or two years from the time of adoption of this Ordinance, whichever occurs first. Criteria for deadline extension are listed below at least one of which must be met:

(1) The applicant meets at least one of the criteria in Section J.2.

(2) The applicant demonstrates that meeting the deadline stipulated necessarily jeopardizes employment levels associated with the business or the existence of the business carrying out the land use or activity.

(3) The applicant demonstrates that he/she has made all reasonable efforts, in good faith,
12. Silviculture

   a. Silvicultural Chemical Handling and Storage

      (1) In case of the spillage or disposal of oils, fuels, coolants or hazardous wastes on the ground during maintenance or repair, collection and appropriate disposal of such substance shall take place.

      Implement within: upon adoption

      (2) The BMP for Chemical Use and Storage should be followed.

      Implement within: upon adoption

      (3) The BMP for Waste Disposal shall be followed.

      Implement within: upon adoption

J. Appeal and Variance Procedures

1. Types of Appeal and Appeal Procedures: Any landowner or other citizen who believes that he or she is adversely affected by the Wellhead Protection Ordinance or by a decision deriving from that Ordinance may make an appeal to the Board of Appeals, Town of Paris. This appeal shall follow established rules and procedures of the Paris Board of Appeals. Further appeals to the Superior Court shall follow established procedures of local and State laws. Two types of appeals may be considered, namely (i) Administrative Appeals and (ii) Variance or Waiver. Administrative Appeals shall be handled in accordance with current Paris Board of Appeals rules and procedures. Variance or Waiver are discussed in Section J.2 below. Also, for existing land uses and activities, delays in the implementation of Best Management Practices may be granted under the conditions outlined in Section J.3.

2. Variance or Waiver: Variance or Waiver shall be granted only when the applicant can show, by means of one or more of the criteria listed below, that the proposed activities or land uses will not adversely affect the groundwater quality or quantity for the Paris Utility District or Norway Water District wellfields. The burden of proof is with the applicant. Criteria are as follows:

   a. Demonstration of an impervious confining layer in the subsurface, but above the water table, sufficient to prevent any activity proposed by the applicant from contaminating the groundwater beneath the confining layer.

   b. Demonstration that the activities or land uses...
to make or finance the necessary changes for Best Management Practices and that these efforts have been or will be unsuccessful within the prescribed deadline, but that these efforts would be successful within the extended deadline.

(4) The strict application of the terms of this Ordinance would result in undue hardship. The term "undue hardship" shall mean:

(a) That the land in question cannot yield a reasonable return unless a variance is granted;

(b) That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

(c) That the granting of a variance will not alter the essential character of the locality; and

(d) That the hardship is not the result of action taken by the applicant or a prior owner.

K. Definitions

1. Construction of Language

a. In the interpretation and enforcement of this Ordinance, all words other than those specifically defined in the Ordinance shall have the meaning implied by their context in the Ordinance or their ordinarily accepted meaning. In the case of any difference of meaning or implication between the text of this Ordinance and any map, illustration or table, the text shall control.

b. The words "shall" and "will" are mandatory, the word "may" is permissive.

c. The word "lot" includes the words "plot" and "parcel".

d. The word "building" includes the word "structure".

ADOPTED JUNE 18, 1994
TOWN OF PARIS WELLHEAD PROTECTION ORDINANCE

2. DEFINITIONS

Aquifer
A permeable geologic formation, either rock or sediment, that when saturated with groundwater is capable of transporting water through the formation.

Best Management Practice
Operational procedures for handling, storage and disposal of regulated substances and procedures which are designed to minimize the impact of certain activities or land uses on groundwater quality and quantity.

Chemical Bulk Storage
Storage of a chemical or chemicals in a container or containers larger than those intended for normal homeowner or retail purposes. Proper, noncommercial, homeowner use of chemicals is not included.

Code Enforcement Officer
A person appointed by the municipal officers to administer and enforce this Ordinance.

Conforming
A building, structure, activity or land use which complies with the provisions of this Ordinance.

Construction
Includes building, erecting, moving or any physical operations on the premises which are required for construction. Excavation, fill, paving and the like shall be considered part of construction.

Construction and Commercial Equipment and Vehicle Storage
Storage of construction equipment or other commercial vehicles in excess of 30 consecutive days in which the equipment is not used.

Demolition of Uses Listed in This Table
Demolition of facilities, buildings, etc. associated with the land uses or activities listed in the Wellhead Protection Area Table, Table I, by a contractor or commercial operation. Expansion of existing land uses,
activities, or structures is defined and governed by Section D.2.c of this Ordinance.

Dump
(see landfill)

Floor Drain
An opening in the floor that leads to the ground and/or is not permitted under other State, Federal, or local regulations; work sinks which lead to such drains are included.

Fuel Oil Distributor; Fuel Oil Storage
The storage of fuel for distribution or sale. Storage of fuel oil not for domestic use, i.e., not in tanks directly connected to burners.

Gas Station, Service Station
Any business at which gasoline, other motor fuels or motor oil are sold to the public for use in motor vehicles regardless of any other business on the premises.

Groundwater
The water contained within the interconnected pores, cracks or fractures located below the water table of a confined or unconfined aquifer.

Groundwater Contamination
Presence of any substance, designed by the U.S. EPA or the State of Maine as a primary or secondary water quality parameter, in excess of the Maximum Contaminant Level (MCL).

Hazardous Material
Any gaseous, liquid or solid materials, or substances designated as hazardous by the U.S. Environmental Protection Agency and/or the Maine Department of Environmental Protection.

Hazardous Waste
Any substance identified under Chapter 850, Identification of Hazardous Wastes, of the rules of the State of Maine, Department of Environmental Protection, effective date July 1, 1980, including revisions or amendments thereto, and any radioactive waste materials which mean any solid, liquid, or gas residue, including but not limited to spent fuel assemblies prior to processing, remaining after the primary usefulness of the radioactive material has been exhausted and
containing nuclides that spontaneously disintegrate or exhibit ionizing radiations.

Heating Oil Storage (Consumptive Use)
Storage of heating oil in excess of 660 gallons. (Tanks with capacity of 50 gallons and 660 gallons are regulated by the Oil and Solid Fuel Board.)

Industrial
Any activity which includes the assembling, fabrication, servicing, manufacturing, storage, packaging or shipping of goods, or the extraction of minerals.

Industrial Waste
Wastes running from the processes employed in industrial manufacturing, trade, or business establishments.

Inert Fill
Materials placed on or into the ground as fill; the material will not react chemically with soil, geologic material, or groundwater that may be present at the site.

Intensive Open Space Uses
Uses if open space, such as golf courses and power lines, which have the potential, because of their duration, frequency, or nature to significantly alter the environment, particularly the groundwater quality and quantity, associated with the open space.

Junk, Salvage Yard
A yard, field or other area used as a place of storage for:
1. Discarded, worn-out or junked plumbing, heating supplies, household appliances and furniture.
2. Discarded, scrap and junked lumber.
3. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber or plastic debris, waste and all scrap iron, steel and other scrap or ferrous or non ferrous material.
4. Used tires, discarded tires, or worn-out tires which may or may not be useable now or in the near future.
5. Town garbage dumps, waste dumps and sanitary fills will not be considered junkyards for the purposes of this Ordinance.
6. Three or more unserviceable, worn-out vehicles.

ADOPTED JUNE 18, 1994
Landfill
An area used for the placement of solid waste, liquid waste or other discarded material on or in the ground.

Leachable Material
Material, including salt and certain components of concrete, asphalt, tar, coal, etc., which is readily soluble in water and thus easily removed and transported in solution by meteoric and/or groundwater.

Mining or Mineral Extraction
The removal of geologic materials such as soil, topsoil, loam, sand, gravel, clay, metallic ores, rock, peat, or other like material from its natural location and transportation of the product removed, away from the extraction site.

Nonconforming Use
A building, structure, use of land, or portion therefore, existing at the effective date of adoption or amendment of this Ordinance which does not conform to all applicable provisions of this Ordinance.

Open Space
Land that is largely free of building or other permanent structures.

Parking Lot
Lot designed or used for the short or long-term parking of vehicles, when lots are 1/2 acre in size or greater.

Pesticide, Herbicide Bulk Storage
Storage of herbicides or pesticides intended for sale or intended for application on commercial premises or intended for application on cash crops. Homeowner storage or storage related to noncommercial gardeners is not included.

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

Salt or Sand/Salt Piles (covered)
Storage of salt or sand/salt mix intended for municipal, commercial or other use except for homeowner sidewalks, steps, or driveways beneath a roof or other structure capable of preventing precipitation from reaching the salt or sand/salt.

ADOPTED JUNE 18, 1994
Salt or Sand/Salt Piles (uncovered)
Storage of any amount of salt or sand/salt, for any purpose, without a roof or other structure capable of preventing precipitation from reaching the salt or sand/salt.

Site Plan Review
An applicant-prepared document and associated procedure for certain proposed new or expanded developments as per Town of Paris existing Site Plan Review Ordinance.

Sludge
Residual material produced by water or sewer treatment processes, industrial processes, or domestic septic tanks.

Sludge Utilization
The spreading of sludge on the ground or other use of sludge which might expose surface or groundwater to the sludge.

Snow Dump
A location to which snow is transported and dumped by commercial, municipal, or State snowplowing operations.

Solid Waste
Discarded solid material with insufficient liquid content to be free flowing. This includes but is not limited to rubbish, garbage, scrap materials, junk, refuse, inert fill materials and landscape refuse. For the purpose of this Ordinance, solid waste includes recyclable materials.

SPCC Plan
Spill Prevention Control and Countermeasure Plan as described in 40CFR, Part 112 of Federal Oil Pollution Prevention Regulations.

Storm Water Drainage
A sewer or other system for conveying surface runoff due to storm events and unpolluted ground or surface water, including that collected by cellar drains, but excluding sanitary sewage and industrial waste.

Stormwater Impoundment
Any structure designed and constructed to contain stormwater runoff.

Subdivision
A subdivision shall mean the division of a tract or

ADOPTED JUNE 18, 1994 29
parcel of land as defined in Title 30, M.S.R.A., section 4401 and subsequent. The term subdivision shall also include such developments as mobile home parks, multiple-family dwelling(s), shopping centers, condominiums, and industrial parks where there are three or more units involved.

Subsurface Disposal System
A collection of treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspool(s), well(s), surface ditch(es), alternative toilet(s), or other devices and associated piping designed to function as a unit for the purpose of disposing of wastes or wastewater on or beneath the surface of the earth. The term shall not include any wastewater discharge system licensed under 38MRSA Section 414, any surface wastewater disposal system licensed under 38 MRSA section 413, Subsection 1-A, or any public sewer.

Time of Travel Boundary
A boundary, beyond which, groundwater will take more than a set period of time (i.e. 200 days) to travel to a given point (i.e. a pumping well). Pumping conditions for defining a time of travel are defined in the proposed Maine Wellhead Protection Program (November, 1991).

Transfer Station; Recycling Facility
Facility designed for temporary storage of discarded material intended for transfer to another location for disposal or re-use; facility which processes discarded material for re-use.

Utility Corridor
Right-of-way, easement, or other corridor for transmission wires, pipes or other facilities for conveying energy, communication signals, fuel, water, wastewater, etc. Municipal water supply distribution mains, operational, or maintenance facilities, are excluded from restrictions in the Wellhead Protection Table.

Underground Storage Tank
As defined by the State of Maine regulations.

Waste Disposal, Industrial/Commercial
See Industrial Waste
Wastewater
Any combination of water-carried wastes from institutional, commercial and industrial establishments, and residences together with any storm, surface or groundwater as may be present.

Wastewater Treatment Plant
Any arrangement of devices and structures used for treating wastewater.

Watershed
Land lying adjacent to water courses and surface water bodies which creates the catchment or drainage area of such water courses and bodies; the watershed boundary is determined by connecting topographic high points surrounding such catchment or drainage areas.

Wellhead
The specific location of a well (a hole or shaft dug or drilled to obtain water) and/or any structure built over or extending from a well.

Wellhead Protection Area (Map)
An area, consisting of 3 portions, WHPA 1, WHPA 2, and WHPA 3, delineated according to Section C of this Ordinance. WHPA 1, WHPA 2, and WHPA 3 are shown on a map at the Paris Utility District Office.

Well, New
A shaft or pipe placed in the ground for extraction or monitoring of groundwater. Extractions of less than one thousand (1000) gallons per day are exempt.

Zone of Contribution
The area from which groundwater flows to a pumping well.

END OF ORDINANCE
### TABLE I

**APPLICABLE LAND USE IN WELLHEAD PROTECTION AREAS**

**KEY:**
- Y - permitted
- N - not permitted
- SP - permitted, subject to Site Plan Review and use of Best Management Practices

<table>
<thead>
<tr>
<th>USES</th>
<th>WHPA 1</th>
<th>WHPA 2</th>
<th>WHPA 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Use, storage, or manufacture of hazardous materials or waste¹</td>
<td>N</td>
<td>N</td>
<td>SP</td>
</tr>
<tr>
<td>2. Use, storage, or manufacture of hazardous materials or waste - small quantities¹²</td>
<td>N(¹)</td>
<td>N(¹)</td>
<td>SP</td>
</tr>
<tr>
<td>3. Use, storage, or manufacture of petroleum products</td>
<td>N</td>
<td>N(²)</td>
<td>SP</td>
</tr>
<tr>
<td>4. Storage, handling and processing of solid waste, including sludge and ash utilization</td>
<td>N</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>5. Disposal of solid waste, sludge, ash</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>6. Storage, maintenance, refueling of commercial vehicles and equipment</td>
<td>N</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>7. Discharge of commercial or industrial wastewater or washwater to a septic system⁴</td>
<td>N</td>
<td>N</td>
<td>SP</td>
</tr>
<tr>
<td>8. Bulk storage of leachable material, including concrete, asphalt, tar, coal, and salt</td>
<td>N</td>
<td>N</td>
<td>SP(³)</td>
</tr>
<tr>
<td>9. Discharge and impoundment of wastewater and stormwater</td>
<td>N</td>
<td>N(⁴)</td>
<td>SP(³)</td>
</tr>
<tr>
<td>10. Transportation, including rail, and utility corridors</td>
<td>N(¹)</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>11. Demolition of uses listed in table</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>12. Sand and gravel mining; other mining</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>13. Wells, abandoned or new¹⁶</td>
<td>SP(⁵)</td>
<td>SP(⁵)</td>
<td>Y(¹⁹)</td>
</tr>
<tr>
<td>14. Parking lots¹³</td>
<td>N</td>
<td>SP</td>
<td>Y</td>
</tr>
<tr>
<td>15. Use, storage, or manufacture of fertilizers, herbicides, pesticides</td>
<td>SP</td>
<td>SP</td>
<td>Y</td>
</tr>
</tbody>
</table>

ADOPTED JUNE 18, 1994
WELLHEAD PROTECTION ORDINANCE

NOTES TO TABLE I

(1) Refers to large quantities used, stored, or manufactured, e.g., 1 Kg/month (2.2 lb/month) or greater.

(2) Less than 1 Kg/month (2.2 lb/month).

(3) Allowed only if facility is connected to the District sewer system and hazardous materials are legally stored and disposed of.

(4) Storage of petroleum products in underground storage tanks is allowed in WHPA 2 only if the tanks are dual-walled, with alarm systems as per State of Maine underground storage tank regulations.

(5) Storage of a vehicle is defined as storage without use for more than thirty consecutive days.

(6) Includes any discharge which could enter the ground.

(7) Subject to Best Management Practices. Specifically, salt and sand/salt mixtures must be covered so that precipitation cannot reach them during storage or loading.

(8) Stormwater, but not wastewater, discharges and impoundments in WHPA 2 may be considered, subject to Site Plan Review and Best Management Practices.

(9) Municipal water and sewer lines are allowed if constructed and tested according to all regulations and codes, including Paris Utility District Sewer Ordinance.

(10) Abandoned wells must be filled with inert, compact natural soil material or as stipulated by National Groundwater Association regulations. Wells must be abandoned according to such regulations, and all piping must be removed. New wells must be constructed and secured so that contamination cannot enter groundwater via either the inside or the outside of the well. Wells must be constructed according to State of Maine regulations. Properly constructed new wells with withdrawals of less than 1000 gallons per day are exempt from this regulation. All properly constructed new wells are allowed in WHPA 3.

(11) Lots designed or used for the short or long-term parking of vehicles, when such lots are 1/2-acre in size or greater.
In accordance with the foregoing warrant the voters of the Town of Paris, assembled at the time and place, and for the purposes therein mentioned. The meeting was called to order by Elizabeth M. Larson, Town Clerk. The reading of the warrant was omitted. The Town Clerk then proceeded to act on the first article.

Article 1. To choose a moderator to preside at said meeting.

Chosen by written ballot, Albert B. Soule of South Paris. Mr. Soule was sworn in by the clerk. Mr. Soule appointed Elizabeth Larson to oversee the elections.

Article 2. To choose by secret ballot the following:

One Selectman, who shall also be an assessor to serve for three years.
One Selectman, who shall also be an assessor to serve for one year.
Two Directors for School Administrative District #17 to serve for three years.
One Director for School Administrative District #17 to serve for one year.
Two Trustees for the Paris Utility District to serve for three years.

Gerald D. Kilgore for Selectman and Assessor for 3 years. Sworn to office by moderator.
Armond E. Norton for Selectman and Assessor for 1 year. Sworn to office by moderator.
Victor A. Hodgkins for Director for S.A.D. 17 for 3 years.
Edward W. Whittier for Director for S.A.D. 17 for 3 years. Sworn to office by moderator.
Barbara R. Farrar for Director for S.A.D. 17 for 1 year. Sworn to office by moderator.
Dennis R. Fournier for Trustee for Paris Utility District for 3 years. Sworn to office by moderator.
Edward P. Phillips for Trustee for Paris Utility District for 3 years.

Total votes cast: 505

The meeting then recessed until one o'clock in the afternoon of Saturday, June 18, 1994. The meeting was reconvened by moderator, Albert Soule at the Oxford Hills High School to act on the remaining articles.

Article 3. Shall an ordinance entitled "Wellhead Protection Ordinance for the Town of Paris" be enacted?

It was voted to have an ordinance entitled "Wellhead Protection" for the Town of Paris.