

TOWN OF BUCKFIELD
Select Board Meeting Agenda
February 18, 2025, at 6:30 PM
In Person and Remote Participation via Zoom

CALL REGULAR MEETING TO ORDER AND DECLARE A QUORUM

OLD BUSINESS

- 1. FIRE DEPARTMENT BILLING AND RESTITUTION ORDINANCE**
 - a. Review and suggest changes
 - b. Schedule public hearing

NEW BUSINESS

- 1. CONSENT AGENDA**
 - a. Payroll and Accounts Payable Warrants

Payroll Warrant 70	\$21,347.08
Accounts Payable Warrant 71	\$5,687.65
Payroll Warrant 72	\$22,858.34
Accounts Payable Warrant 73	\$33,115.08
Total	\$83,008.15

- b. Fire Department Report
- 2. APPROVAL OF THE MINUTES OF THE FEBRUARY 4, 2025, SELECT BOARD MEETING**
- 3. MAILBOX POLICY FOR THE TOWN OF BUCKFIELD**
- 4. RESCUE BILLING RATE REVIEW**
 - a. Approve proposed billing rates.
 - b. Amend "Rescue Department Ambulance Service Billing Policy"
- 5. POTENTIAL ORDINANCE DEVELOPMENT DISCUSSION**
 - a. Property Maintenance Ordinance
 - b. Unnecessary Noise Ordinance
- 6. 2025-2026 PROPOSED BUDGET**

OTHER BUSINESS

Public Comment Period (*the Board sets aside up to 15 minutes at the end of every meeting for public comment*)

EXECUTIVE SESSION

Pursuant to 1 M.R.S.A. § 405(6)(F) – **Poverty Abatement PA: 2024-2025 1.22.25**

ADJOURN

Upcoming Meetings:

1. Planning Board Meeting – February 25, 2025, at 6:30 PM (Buckfield Municipal Center)
2. Library Committee Meeting – February 27, 2025, at 6:00 PM (Zadoc Long Free Library)

3. Select Board Budget Workshop – March 4, 2025, at 6:00 PM (Buckfield Municipal Center)
4. Select Board Budget Workshop – March 6, 2025, at 1:00 PM (Buckfield Municipal Center)
5. Select Board Budget Workshop – March 9, 2025, at 9:00 AM (Buckfield Municipal Center)
6. Community Events Committee Meeting – March 10, 2025, at 6:30 PM (Buckfield Municipal Center)
7. Select Board Meeting – March 11, 2025, at 6:30 PM (Buckfield Municipal Center)

In Progress Items:

1. Capital Improvement Planning
2. Comprehensive Plan – Revisit
3. Fire and Rescue Department Integration
4. Select Board – Self Evaluations/Goal Setting
5. Old Church on the Hill (**Need volunteers for Committee**)
6. Emergency Plan (**Emergency Management Director**)

Select Board – Committee/Board/Organization Liaison Assignments

Chairman Robert Hand: R.S.U. # 10 School Board, Road Committee, and Budget Committee

Vice Chairman Sandra Fickett: Planning Board and Community Events Committee

Selectman Azalea Cormier: Recreation Committee, Ordinance Development Committee, and Old Church on the Hill Committee

Selectman Heather Henley: Buckfield Village Corporation, Library Committee, and Beautification Committee

Selectman Peter Fickett: Appeals Board, Social Services Committee, and Economic Development Committee

Town of Buckfield

Fire Department Billing and Restitution Ordinance

1. Authority

This ordinance is adopted pursuant to municipal home rule ordinance authority and Title 30-A M.R.S.A. § 3001.

2. Purpose

The Town of Buckfield Fire Department is engaged in providing fire suppression, fire rescue, and fire safety services. The Town of Buckfield is organized as a municipality under the laws of the State of Maine; and in consideration of services rendered hereby desires to set the following billing and restitution ordinance for specific Fire Department services.

3. Definition of Services

The Town of Buckfield will seek payment for the cost of services provided by the Town of Buckfield Fire Department when responding to incidents involving non-residents in the Town of Buckfield, or upon request of mutual aid from other municipalities. Services for which the Town of Buckfield shall seek payment include:

- a. Scene and Safety Control at Traffic Accidents: Positioning of fire apparatus and personnel so as to protect the scene from other traffic and deny entry into the scene of unauthorized personnel. Law Enforcement can move traffic around the area the Fire Departments has deemed as the safe zone for the occupants of the vehicles and the rescuers on the scene. Scene control may also include initial assessment of victims, basic life support, safely staging other incoming agencies responding to this incident. Prioritizing victim for treatment and transport and may also include a pulled hose line for protection of people on scene from possible fires and fumes or residue from such things as gasoline and air bag propellants. The most important function is establishing incident command of the scene, which is the Fire Department's responsibility at emergency incidents of this nature, and to coordinate with other responding agencies for their needs at the scene.
- b. Disentanglement and Extrication Operations from Vehicles: Anytime a person has to be lifted or taken out of an emergency situation or forcible entry is necessary to gain proper access to victims, the Fire Department will assist ambulance or EMS (Emergency Medical Services) personnel in a coordinated effort or on their own. This could include, but is not limited to car accidents, industrial accidents, below grade rescues, or even high angle rescues to name just a few. Ropes, ladder devices, air monitoring equipment, self-contained breathing apparatus, hydraulic equipment, shoring, saws, cribbing, air bags are just a few types of equipment used in extrication operations.

- c. Fluid and Hazardous Substance Mitigation at Traffic Accidents: Anytime the Fire Department has to manage any fluids or hazardous substances through containment or absorption with pads, sand, or other means determined by the Department of Environmental Protection (DEP). Mitigation of all hazardous substances is performed in accordance with DEP regulations.
- d. Vehicle Fires*: Anytime the Fire Department have to contain or extinguish a fire in a motor vehicle. This includes but not limited to passenger cars, trucks, semi-trucks, tractor trailers, construction equipment, farm equipment, all-terrain vehicles, and snowmobiles. This includes the laying of hose lines and positioning a handline for the protection of individuals at the scene because of fire, smoke, or leaking fluids such as gasoline. Vehicle fires may also require the use of a suppression agent such as foam to help extinguish the fire.
- e. Hazard Mitigation Operations: Anytime the Fire Department personnel have to deal with a hazardous substance via containment or absorption with pads for carbon-based substances like gas or oil, or removal via pads and sand or other means permitted by the DEP. This could be a car accident, trucking accident or a fixed facility. The mitigation of all hazardous materials and substances is done in conjunction with the DEP.

** This may also include any lost or damaged equipment as a result of the incident.*

4. Fees for Services Rendered

Upon adoption of this Ordinance, the Buckfield Select Board in their expressed authority is authorized to review and set the fees for Fire Department services as they deem in the best interest of the Town of Buckfield. Fees for services shall be limited to cost recovery.

5. Restitution and Billing Procedure

The Town may seek restitution for costs for Fire Department services by filing claims with the insurance companies that insure the individuals or companies involved in an incident where Fire Department services are provided. The Buckfield Select Board is authorized to enter into a Cost Recovery Agreement with a third-party billing company for the billing and collection of fees for Fire Department services through the filing of insurance claims. All such claims shall be submitted in the name of the Town of Buckfield. The Town shall only seek restitution for Fire Department services from insured individuals or companies.

The Buckfield Select Board is authorized to institute legal action to collect insurance claims that remain outstanding for more than 60 days. The Buckfield Select Board shall be authorized to write off claims, when a claim is not paid with a valid reason including insured not at fault, or if all attempts to contact the insurance company fail by any common method available.

6. Compensation for Third-Party Collection Services

Terms of compensation to the third-party billing company shall be agreed upon and approved by the Buckfield Select Board and set forth in terms of the Cost Recovery Agreement

7. Reserve Account

All monies collected from the above billing, less costs of collection, shall be deposited into the Fire Department Capital Asset Reserve account.

8. Administration and Enforcement

It shall be the duty of the third-party billing company to effectively pursue the requirements of this Ordinance for payment of services rendered by the Fire Department as specifically outlined above.

9. Validity and Severability

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

10. Conflicts with Other Ordinances

This ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, by law, permit, or provision of law. Where this Ordinance imposes greater restriction upon the use of Fire Department services, the provisions of this Ordinance shall control.

11. Effective Date

This Ordinance shall take effect upon adoption by the Town of Buckfield at its annual Town Meeting on June 10, 2025.



**Buckfield
Fire Department**

40 Turner Street
Buckfield, ME 04220
(207) 336-2999

Chief Adam Dupile



January 26, 2025

Reporting Period: December 5, 2024, through January 26, 2025

Number of Incidents: 41 Calls

Monthly Meetings: 1

Department Trainings: 2

Call Hours Worked: 242 Hours

Jesse Hutchinson has been promoted to Captain. Tucker Tardiff has been promoted to Lieutenant. John Roberts has resigned from the department.

Engine 3 was having air horn issues. The horn would continue to go off while driving. Rebel Truck looked at it on 1/24/25 and fixed the issue. Truck 2 was having intermittent heating issues. The thermostat was replaced.

Sincerely,

Adam Dupile

Buckfield Fire Chief

TOWN OF BUCKFIELD
Select Board Meeting Minutes
February 4, 2025
Location: Buckfield Municipal Center

Present: Robert Hand, Sandra Fickett, Azalea Cormier, Peter Fickett, Cameron Hinkley, Heather Henley (Zoom), Judy Berg (Zoom), Martha Catevenis

1. Call to Order

The meeting was called to order by Robert Hand at 6:32 PM.

2. Old Business

There was no old business to discuss.

3. New Business - Approval of Consent Agenda

Motion: Sandra Fickett moved to accept and approve the consent agenda as written.

Second: Robert Hand

Vote: All in favor (5-0)

Total disbursement warrants approved: \$266,326.43.

Town Manager Report

Auditing Update: Cameron Hinkley reported that RHR Smith, the town's auditing firm, was on site to wrap up the 23-24 audit requirements. The town is expected to be back on schedule soon.

Deputy Clerk Introduction: Rebecca Wunsch was introduced as the new Deputy Clerk.

LED Lighting Project: The town completed the conversion to LED lighting with a cost of \$4,551 after rebates. This included the Fire Rescue Station, Public Works Complex, and Transfer Station.

Budget Preparation: Cameron Hinkley is finalizing the 25-26 budget, to be presented to the Select Board at the next meeting on the 18th.

Rescue Report

January: 44 calls for service in January, with details on timing and locations.

Library Report

January: 389 visitors, 12 programs, and new initiatives including a tech help session.

4. Approval of the January 21, 2025, Select Board Meeting Minutes

Motion: Sandra Fickett moved to approve the minutes of the January 21, 2025, Select Board Meeting as written.

Second: Peter Fickett

Vote: (4-0) Azalea Cormier abstained – not in attendance.

4. Memorandum of Understanding (MOU) Discussion

Motion: Sandra Fickett moved to accept the MOU with amendments.

Second: Azalea Cormier

Discussion: The Board asked for verification of the dam's name. The MOU has it listed as the C. Withington Dam and Son Dam.

Revise the language to reflect that financial assistance was granted by FEMA to aid in reconstruction of Faunce Rd. Strike “*to render aid and evacuation to the road’s residents.*” Modify the language to indicate that the Town supports MMBTU’s efforts to research the impact of the dam’s removal and share information, rather than jointly supporting all efforts.

Ensure the language specifies that MMBTU is responsible for securing funds, with the Town’s support.

Vote: All in favor (5-0)

5. Reschedule March 4, 2025, Select Board Meeting

Motion: Sandra Fickett moved to reschedule the March 4th Select Board Meeting to March 11th at 6:30 PM.

Second: Azalea Cormier

Vote: All in favor (4-0)

6. 2025-26 Budget Process Discussion

Motion: Azalea Cormier moved to hold workshops on March 4th at 6 PM, March 6th at 1 PM, and March 8th at 9 AM.

Second: Sandra Fickett

Vote: All in favor (5-0)

7. Public Hearing Scheduling

Motion: Sandra Fickett moved to hold a public hearing on April 1st at 6:30 PM.

Second: Robert Hand

Vote: All in favor (5-0)

9. Other Business

Nomination Papers: Available starting March 2nd for 1 – School Board Director seat and 2 – Select Board seats.

Planning Board Update: Erica Bufkins to reschedule a presentation on the comprehensive plan.

Emergency Management: Cameron Hinkley is currently handling responsibilities, including updating the Emergency Plan.

10. Executive Session

Motion: Robert Hand moved to enter Executive Session pursuant to 1 MRSA § 405(6)(F) to discuss a poverty abatement.

Second: Azalea Cormier

Vote: All in favor (5-0)

Time: Entered at 7:27 PM, exited at 8:25 PM. No action taken. A letter will be sent to the applicant requesting more documentation.

11. Adjournment

Motion: Robert Hand moved to adjourn the meeting.

Second: Azalea Cormier

Vote: All in favor

Meeting adjourned at 8:26 PM.

Minutes approved at the _____ Select Board Meeting.

DRAFT

Mailbox Policy for the Town of Buckfield

For convenience and practicality, mailbox installations have been allowed within the right-of-way of Maine's public highways; however it is important to recognize that such installations have two very important conditions:

- 1) The mailbox must be installed in accordance with applicable standards to ensure that mail can be delivered and that the mailbox does not create an obstacle or safety hazard to those that use or maintain the highway, and
- 2) The mailbox is installed entirely at the owner's risk. In other words, if the mailbox incurs damage during any sort of highway operations or maintenance, the property owner is not entitled to replacement or compensation. In fact, if the mailbox was not installed in accordance with the applicable standards as stated above, the owner may even be held liable for injuries or damages that may have been incurred as a result.

Mailbox design and installation standards are available from several sources, and mailbox owners are expected to consult this information prior to undertaking any mailbox installation or replacement. The following standards have nationwide relevance and were developed in cooperation with one another:

- The United States Postal Service (USPS) Mailbox Guidelines. The USPS defines the standards for mailbox construction, as well as the placement tolerance that must be met to accommodate postal operations. Specifics may be obtained from your local post office or online at: <https://www.usps.com/manage/mailboxes.htm>
- American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide. The AASHTO Roadside Design Guide, Chapter 11: *Erecting Mailboxes on Streets and Highways* deals with the safety and construction of privately owned mailboxes, mailbox supports, and mailbox turnout designs and is less focused on postal operations. This publication may be obtained online through the AASHTO Bookstore at: https://bookstore.transportation.org/Item_details.aspx?id=1807

In addition, if the mailbox is to be installed in an area with sidewalks, it is important to recognize that the sidewalks must continue to comply with ADA requirements:

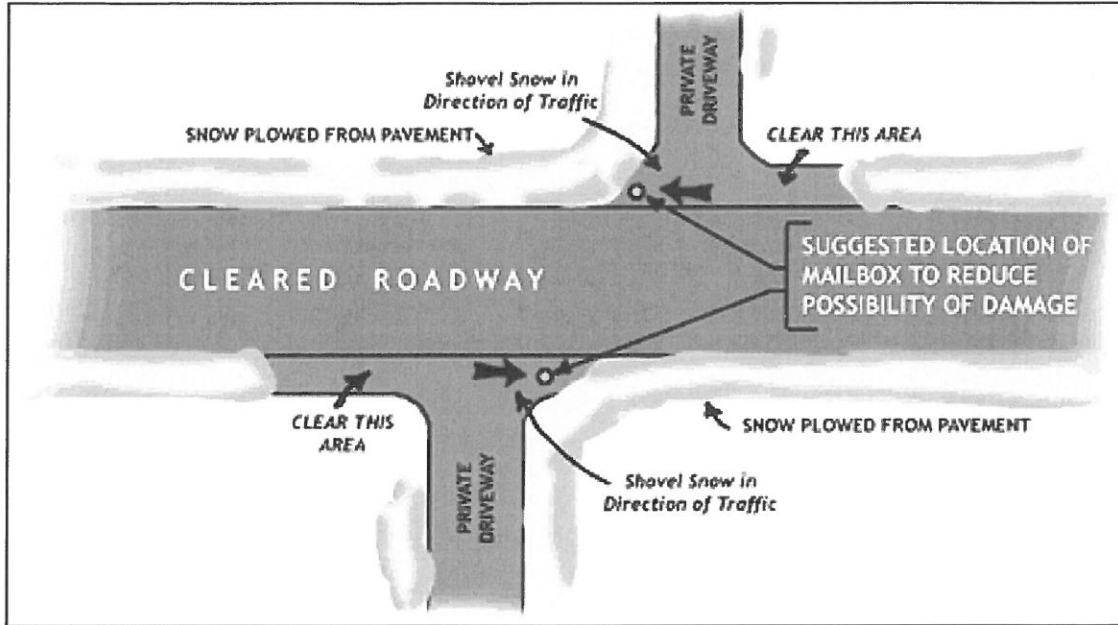
- American Disabilities Act (ADA). The most current version of the ADA Standards for Accessible Design set forth the minimum requirements to ensure facilities are readily accessible to and usable by individuals with disabilities. <http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm#c4>

The municipality has developed this policy to promote compliance with these national standards and to help further clarify the expectations and responsibilities of Maine mailbox owners. Such compliance helps us ensure that we continue to provide safe, efficient and accessible highways for all. The following pages further specify the details associated with mailbox height, location, offset, and post type to minimize the potential hazards and conflicts associated with mailbox installations and to reduce the opportunities for damage to mailboxes.

Mailbox Installation Standards

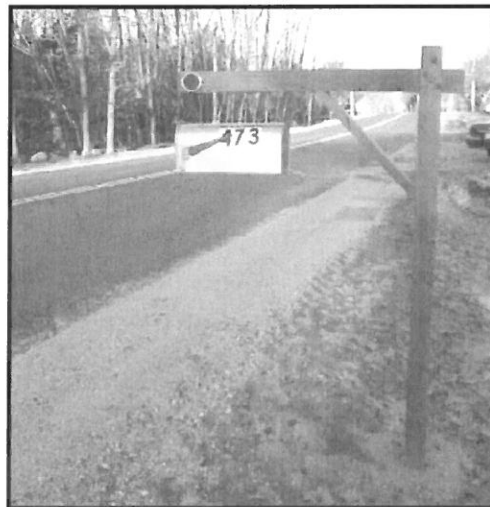
General Location:

Whenever possible, your mailbox should be located after your driveway opening. This location placement improves visibility, minimizes the amount of snow that comes off of the snow plow, and improves the approach for your mail carrier. The diagram below further clarifies this preferred placement:



Mailbox Support Design:

In many cases, it is best to use an extended arm type of post with a free-swinging suspended mailbox. This allows snowplows to sweep near or under boxes without damage to supports and provides easy access to the boxes by carrier and customers. The following picture shows a free-swinging suspended mailbox:



In addition, note the strategic placement of the red reflector on the point closest to the road. This will help your local snowfighter see and avoid your mailbox during winter storms.

Offset:

Mailboxes should be set back from the edge of the shoulder – regardless of whether the shoulder is gravel or paved. In other words, the face of the mailbox should be at least **one foot (1')** back from the edge of **the normally plowed surface** of the highway or the face of curb. Greater offset distances are encouraged whenever possible to allow the mail carrier to get further out of traffic and to further minimize potential damage to your mailbox. The following picture shows a mailbox with a reasonable offset:

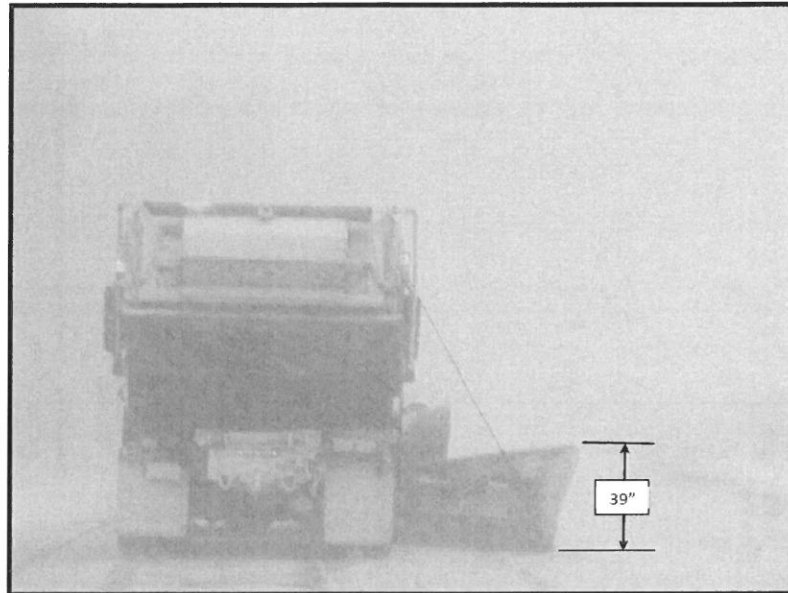


Mailboxes in sidewalk areas should leave at least 36" behind the back of the box or the post, whichever is located the furthest from the road.



Height:

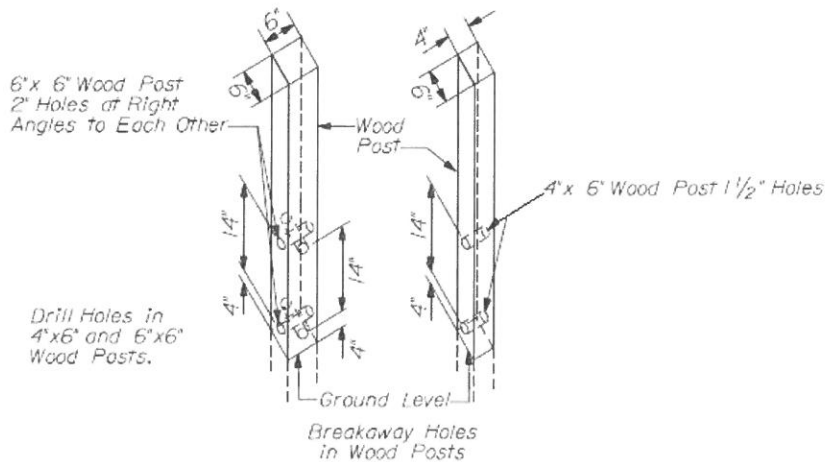
According to USPS standards, a mailbox must be installed with the bottom of the mailbox located between 41” and 45” high above the surface of the highway shoulder. We recommend that this height be closer to the 45” measurement to minimize conflict with the height of the plow truck wing when snow is being pushed back during, or between, winter storms. The following picture further clarifies the height considerations:



Post Size, Type and Embedment:

Mailbox posts must be sturdy enough to hold up the mailbox in all types of weather conditions, however they cannot be so rugged that they present a hazard to vehicles that inadvertently leave the road. If a mailbox support is struck by a vehicle, it must easily break away. Therefore, the following types of posts are deemed acceptable:

- **4” x 4” wooden posts** embedded **2 feet** into the ground. Larger wooden posts (4” x 6” or 6” x 6”) may be used only if the post is drilled through with an appropriate spade bit to create a shear plane. The following diagram indicates the necessary holes and spacing.



- **1” to 2” round diameter steel or aluminum pipe or standard U-channel post** embedded **2 feet** into the ground.

- Unacceptable mailbox supports include: anything that is filled with concrete, masonry and stone structures, heavy steel structures, and most objects that were intended for other uses (e.g. antique plows, I-beams, and various other household tools and objects).

NOTICE: Mailboxes, attachments or support systems not consistent with this policy are considered “Deadly Fixed Objects” (aka. “DFOs”) and are in violation of 23 MRSA §1401-A on state and state aid roads. On local roads, they can be considered as “obstructions” and a number of statutes relate to these obstructions. As such, when these installations are recognized by the municipality, the owner will be informed of the hazard and immediate removal will be requested. If the property owner does not comply with this request, the municipality may elect to remove the installation and seek reimbursement from the property owner for all costs incurred.

**TOWN OF BUCKFIELD
RESCUE DEPARTMENT
AMBULANCE SERVICE BILLING POLICY**

PREFACE

This Policy is the official billing policy to be used for all billable ambulance services of the Buckfield Rescue Department, hereinafter referred to as Department. This Policy shall be reviewed and updated annually by the Board of Selectmen.

The Town, being a licensed and approved Medicare provider, strictly follows the *Federal Government Medicare Billing Guidelines* (FGMBG) as it refers to pre-hospital care billing practices. It is the intent of the Town to maintain a billing system for its services in order to fund as much as possible of its operating costs. The funding is used to offset the cost of the service to the taxpayers of Buckfield.

POLICY

By FGMBG the Town is obligated to a "bill for all services equally" policy. That is if you bill a Medicare patient for a service at a set rate, you must bill a patient with other or no insurance at the same rate. Furthermore, billing only Medicare patients and not other patients is a direct violation of the FGMBG.

The Department provides emergency medical services from many types of emergency scenes. The Department services all of Buckfield as the primary Basic Life Support (BLS) Provider. The Department also maintains mutual-aid agreements with other towns and private entities to insure professional service.

The Department shall bill all patients transported in the Department's ambulance from the origin of the patient's emergency. The Department does not bill for ambulance service for responding to the scene of an emergency and subsequently being cancelled or if the patient is not in need of medical assistance.

The Department shall however bill a patient for non-emergency calls for service without transport if the residence has called for service more than 5 times in a calendar year without transport.

The Town shall maintain a contract with a billing company to handle all aspects of the billing process other than gathering initial insurance information at the scene. The Buckfield Rescue Chief will be the liaison between the billing company and the Department.

RATES

The billing company shall apply the following rates as determined by the Buckfield Select Board for all billable services:

- The flat rate for BLS transport is \$945.00.
- The flat rate for ALS transport is \$1,155.00.
- The flat rate for ALS 2 transport is \$1,680.00.
- The flat rate for BLS Non-Emergency transport is \$473.00.
- The flat rate for ALS Non-Emergency transport is \$683.00.
- The flat rate for On Scene (No Transport) calls exceeding 5 in a calendar year is \$100.
- An additional charge for mileage (all calls) will be billed at \$23.00 per mile.
- An additional charge for other specific treatments shall be assessed based on the current industry standard.

PAYMENTS

The Town shall use the following procedure to collect payments due for services rendered.

In most cases, the patients' insurance will be billed directly by the Town's billing company.

In some cases, the patient may be billed directly by the Town's billing company. In these cases, it may be due to the fact the billing company does not have the correct insurance information. It is the ultimate responsibility of the patient to provide the billing company with the correct insurance information in these situations. Another reason for the patient to be billed directly is when their insurance does not cover emergency medical services and it must be submitted to the patient's major medical insurance.

Patients who do not have insurance or are listed as self-pay shall be billed directly. Patients are required to make payments in full when billed directly. If payment delays are expected, the billing company should be notified immediately and a payment plan established.

All legal attempts to collect outstanding payments due the Town shall be made. This shall include, but not be limited to sending the account to a collection service and further legal action.

Any outstanding balance of the billable service is the responsibility of the patient when all other collection avenues have been exhausted.

We, the undersigned Buckfield Board of Selectmen do hereby adopt this Policy at a meeting duly called on this 18th day of February, 2025.

Robert Hand, Selectman

Sandra Fickett, Selectman

Azalea Cormier, Selectman

Heather Henley, Selectman

Peter Fickett, Selectman

MEDICAL REIMBURSEMENT SERVICES

PO BOX 1810, WINDHAM, ME 04062

PHONE (800) 734-6677

February 11, 2025

Buckfield Rescue,

Below you will see your current rates along with our recommendation for an increase. The recommendation for the increase is due to the State of Maine's act to protect consumers for surprise emergency medical bills or L.D. 2105. It states if you are **contracted** with an insurance company you will receive 200% of the Medicare allowed amount for the service. It also states if you are under the 200% you can not increase your rates more than 5% each year.

<u>Service</u>	<u>Current Rate</u>	<u>Recommended</u>	<u>200% Medicare</u>
Miles (A0425)	\$22	\$23	\$18.04
BLS (A0429)	\$900	\$945	\$869.76
ALS (A0427)	\$1,100	\$1,155	\$1,032.84
ALS 2 (A0433)	\$1,600	\$1,680	\$1,494.90
BLS Non Emergency	\$450	\$473	\$543.60
ALS Non Emergency	\$650	\$683	\$652.32
SCT (PIFT) (A0434)	\$2,800	\$2,940	\$1,865.18
*On Scene (no transport)	\$100	\$100	*

* On Scene Charge

Currently this code is being reimbursed at 70% or 50% bill charges, depending on if member is in or out of network (for Community Health Options)

Current reimbursement for Anthem BlueCross is \$175

Based on *Maine Legislation- L.D. 1602 1-A. Reimbursement for non-transport services*, that outlines A0998 rate equal to average rate of A0427 and A0429 (with all respective Geographic coefficients)-plus either at plus in network of 200% or out of network of 180%. Legislation requires payor to comply by 1/1/24.

Please let me know if you have any questions.

Shawn McPherson

Examples

Property Maintenance

1. Purpose.

The purpose of this ordinance is to set minimum standards for the maintenance of structures and yard areas to protect public health and safety, property values, and to prevent nuisance conditions.

2. Structure maintenance standards.

All structures shall be maintained in a safe, sanitary, and non-hazardous condition. **Examples of items which may violate these standards include but are not limited to: refuse, household trash, junk, debris, scrap lumber or metal, inoperable machinery or parts thereof, glass, unused or inoperable appliances, and worn or unused furniture.** All means of egress shall be kept in good working order and clear of debris.

Each property owner and mortgagee shall keep all exterior components of every principal and accessory structure in good repair, including but not limited to, walls, roofs, chimneys, cornices, gutters, porches, fire escapes, exterior stairs, windows, doors, and storefronts.

All surfaces shall be maintained free from deterioration, including but not limited to, broken glass, loose, or missing shingles or siding, crumbling brick, stone and mortar, and peeling, scaling, or deteriorated paint.

3. Yard area maintenance standards.

Yard areas include all areas of a lot not covered by a structure. Yard areas shall be maintained in a safe, sanitary, and non-hazardous condition, including but not limited to, steps, walks, driveways, fences, retaining walls, trees, shrubs, and lawn. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced, or removed. All fences, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair. **Examples of items which may violate these standards include but are not limited to: refuse, household trash, junk, debris, scrap lumber or metal, inoperable machinery or parts thereof, glass, unused or inoperable appliances, worn or unused furniture, two or more unregistered, or uninspected vehicles (including campers/RVs), and any unserviceable vehicles (including campers/RVs).**

Materials intended for the private use of the property owner may be stored on the property as long as such material is screened from the public way and from abutting properties and is not in violation with any other part of this chapter or state laws. Private use does not include resale.

A. Grass and Weeds

Premises and exterior property shall be maintained free from grass or weed growth in excess of 10 inches for residential properties and 6 inches for commercial properties. "Weeds" shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs; provided, however, that this term shall not include cultivated flowers and gardens. Hayfields and pastures shall be permitted where the owner demonstrates that the affected area is actively managed. Premises and exterior property that is open lawn or field on lots in excess of 1/2 acre may be allowed to reforest through an actively managed process that includes replanting and seeding by the owner.

1. The grass height maintenance standards shall only apply to properties within the area described below:

Beginning at the Winslow/Waterville Bridge heading north along the east side of the Kennebec River to the Winslow/Benton Town line. Then, East along the Winslow/Benton Town line to the Seabasticook River. Then, South following the west

side of the Sebasticook River, then, continuing south along the west side of the Outlet Stream, commonly known as Mile Brook, to the north side of Veteran Dr. Then, West along the north side of Veteran Dr. and Dunbar Rd. to the intersection of Augusta Road and Carter Memorial Dr. Then, Continuing west to the Kennebec River's east side. Then, North along the Kennebec River to the Winslow/Waterville bridge. In addition to the outlined region, all properties along both sides of the entire length of Augusta Rd. to the Winslow/Vassalboro Town line are included.

B. Rodent Harborage

Structures and yard areas shall be kept free from rodent harborage and infestation. Where rodent infestation is found, it shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

C. Composting

On properties less than one acre in size, all composting shall be confined to approved composting containers. Composting containers must be placed to meet the required property line setbacks for structures based on the zoning in which they are located.

4. Maintenance after casualty damage.

Any building damaged or destroyed by fire or other causes shall be made secure within 24 hours and a permit for demolition or reconstruction shall be obtained within ninety (90) days from the date of the fire or other casualty. Work to either remove or restore a damaged or destroyed building must begin no later than one hundred twenty (120) days from the date of the fire or other casualty. Should the fire or other casualty require further investigation by authorized agencies an extension may be granted by the CEO.

5. Liability for violations and corrective actions.

Owners of properties in violation of this chapter shall be liable for violations and for corrective actions required.

6. Enforcement; violations and penalties; extensions.

- A. The CEO, or his or her designee, shall notify the violator, serving a written notice by certified mail or by hand delivery. Said notice shall explain the nature of the violation and require corrective action within 7 to 30 calendar days from the date of the receipt of the notice dependent upon the nature of the violation as determined by the CEO. For health and safety violations, corrective action must be taken within 7 calendar days. Examples of health and safety violations include but are not limited to: trash/debris containing used medical supplies or drug paraphernalia, rodent harborage, discarded appliances or containers which a child could become trapped in, sharp or otherwise dangerous objects, and any hazardous waste or chemicals. Grass and weed violations must also be corrected within 7 days. Upon request, the CEO may grant an extension of time for compliance due to extenuating circumstances.
- B. The violator may appeal any violation to the Board of Appeals. Appeals must be made within 3 business days of notification by the CEO of a violation. The number of days given for compliance shall start after the Board of Appeals has heard the appeal. The hearing shall be "de novo" and heard within 45 days of the filing of the appeal.
- C. If a violation is not corrected within the time allowed, the Town may pursue all relief available in law or equity. This relief includes a civil penalty of \$100 to \$2,500 per violation, which cannot be suspended, injunctive relief, and abatement. Each day a

violation occurs is a separate violation. If the Town is the prevailing party, it shall be awarded its reasonable attorney's fees, expert witness fees, and costs. In addition, if the violation is not corrected within the time allowed, the Town may abate the violation, and the property owner will be responsible for the cost of abatement. For health and safety violations, abatement by the Town will be permitted during the pendency of any appeal. In any action to recover the cost of abatement, the Town shall be awarded its reasonable attorney's fees and costs.

7. Severability.

If any section, subsection, clause, paragraph, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

8. Conflict with other laws.

Whenever a provision of this chapter conflicts with or is inconsistent with another provision of this chapter or any other ordinance, regulation or statute, the provision imposing the greater restriction shall control. The newest version of this chapter shall be the one that is enforced.



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
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114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

ORDINANCE NO. 18-2022

AN ORDINANCE

Providing for: The Town of Winslow to approve an Ordinance for Property Maintenance.

BE IT ORDAINED by the Town Council of the Town of Winslow as follows:

WHEREAS, the Town needs to create an Ordinance for Property Maintenance; and

WHEREAS, the Town Council needs to set minimum standards for the maintenance of structures and yard areas to protect public health and safety, property values, and to prevent nuisance conditions; therefore.

BE IT ENACTED by the Town Council of the Town of Winslow that a Property Maintenance Ordinance be adopted.

SPONSORED BY: Administration

IN THE TOWN COUNCIL

October 11, 2022

First Reading, 6 1

November 14, 2022

Second Reading, 6 1
accepted rejected
adopted rejected

[Signature]
Town Clerk

APPROVED: November 14, 2022

CHAIRMAN:

[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

Hartford calls 2023

MVA ~~III~~ III

Medical assist IIII

Fire Alarm 1

Chimney fire 1

Utility IIII

Other ~~III~~

Woods fire 1

24 total calls

Hartford 2024 calls

MVA ~~III~~ III

Building Fire IIII

Utility ~~III~~ I

Medical assist IIII

Other IIII

Vehicle fire 1

Woods fire 1

28 total calls

Unnecessary Noise Ordinance

Adopted December 23, 2014

Section 1- Findings and Purpose

The Oakland Town Council finds that controlling excessive noise as provided herein is necessary to promote the health, welfare and safety of the citizens of the town of Oakland. It is the purpose of this Ordinance to prevent any person from making, continuing, or causing noise that unreasonably interferes with the comfort, health, or safety of others within the town of Oakland. This ordinance is not designed to impede any person's First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of businesses or citizens of the Town of Oakland. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only.

Section 2- Prohibition

- A. It shall be unlawful for any person in a public or private place to intentionally or recklessly cause annoyance to others by intentionally or unintentionally making loud and unreasonable noises as defined in Section 1 after having been ordered by a law enforcement officer to cease the noise.
- B. For the purposes of this section, the term "noise" shall include, but not be limited to:
 1. Excessive, unnecessary or unreasonable sound created by radios or other electronic or mechanical devices capable of amplifying or projecting ambient noise, including such devices operated within motor vehicles;
 2. Excessive, unnecessary or unreasonable sound created in connection with loading and unloading commercial vehicles between the hours of 9:00 p.m. and 6:00 a.m.;
 3. Excessive, unnecessary or unreasonable sound created from timber harvesting activities between the hours of 9:00 p.m. and 6:00 a.m.;
 4. Excessive, unnecessary or unreasonable sound created by recreational vehicles, including all-terrain vehicles, snowmobiles, motorbikes, watercraft, and other such vehicles between the hours of 9:00 p.m. and 6:00 a.m.;
 5. Excessive, unnecessary or unreasonable sound created by a motor vehicle operated on any public or private way which results in excessive, loud or unusual noise as the result of the tires of said vehicle spinning on dry pavement, loud engine noise, or as the result of cutting out or modifying the exhaust system from its original design.

6. Excessive, unnecessary or unreasonable sound created by a loud report such as from fireworks or from a gunshot or explosive, between the hours of 9:00 p.m. and 6:00 a.m. unless otherwise exempted by State law or the provisions in the fireworks ordinance.

Section 3- Exceptions

The following are exempt from the provisions of Section 2.

- A. Federal, State, and local governmental activities, whether conducted by the governmental agency or by a private contractor acting on the government agency's behalf, including, but not limited to, activities of police, fire, rescue, schools, and public works.
- B. Activities of utility agencies, including, but not limited to, vehicles and activities for the provision of water, electricity, gas and telephone service.
- C. Natural phenomena.
- D. Warning devices required by OSHA or any other State or Federal regulatory agency.
- E. Noise created from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools, or similar devices operated during day light hours.
- F. Noise generated from firearms being used lawfully for target practice or to "sight in" during day light hours.
- G. Noise from trains operating in conformity with or pursuant to all applicable state and federal laws and regulations.
- H. Noises created by plows, trucks and other equipment in the removal of snow.
- I. Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.
- J. Noise generated by machinery being operated during "mud season" (spring time only) beyond the normal permissible hours (9:00 p.m. to 6:00 a.m.).
- K. Emergency or extraordinary situations.
- L. Farm equipment or farming activity.
- M. Noise created by lawful blasting.
- N. Noise created by refuse and solid waste collection.
- O. Noise generated by any stand-by generator operated during a power outage or during an exercise period not exceeding thirty (30) minutes once a week.
- P. Noise generated by engine braking systems used in commercial trucks to safely slow the vehicles momentum on sloped roadways.

Section 4- Violations & Penalties

- A. Any member of the Oakland Police Department is authorized to enforce this Ordinance upon complaint or upon the officer's own observation of a violation in progress.
- B. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of this Ordinance is deemed to be in violation of this ordinance.
- C. Violations of this section will be treated as a civil violation as defined by 17-A M.R.S.A. Section 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. Section 17 and Rule 80H of the Maine Rules of Civil Procedure, punishable by a fine of \$100.00 for the first offense, \$250.00 for the second offense, \$500.00 for the third offense, and \$1000.00 for the fourth and all subsequent offenses. If the Town of Oakland is the prevailing party to an enforcement action, it shall be entitled to attorney's fees and associated costs unless extraordinary circumstances make such an award unjust.
- D. If a violator of this noise ordinance is charged for excessive noise and the violator willfully refuses to comply with this ordinance, the violator may be charged again after one hour and then every subsequent hour until the noise stops.

Section 5- Definitions

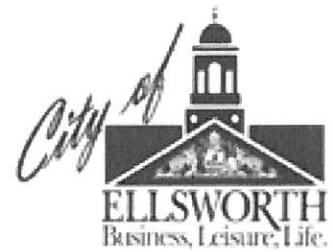
As used in this Ordinance, unless the context otherwise indicates, the following terms have the following meaning:

- A. "Public place" means a place to which the public at large or a substantial group has access, including but not limited to:
 - 1. Public ways; public way means any public highway or sidewalk, private way laid out under the authority of statute, way dedicated to public use, way upon which the public has a right of access or had access as invitees or licensees, or way under the control of park commissions or a body having like powers;
 - 2. Schools and government-owned facilities; and
 - 3. The lobbies, hallways, lavatories, toilets and basement portions of apartment houses, motels, public buildings and transportation terminals.
- B. "Private place" means any place that is not a public place.

**CHAPTER 23
NOISE ORDINANCE
CITY OF ELLSWORTH, MAINE**

A true copy –

Attest: Heidi-Noel Grindle
City Clerk



Adopted 01/12/2009
Amended 12/21/2020

Chapter 23 - Noise

§ 1 - Findings and Purpose

The Ellsworth City Council finds that controlling excessive noise as provided herein is necessary to promote the health, welfare, and safety of the citizens of the City of Ellsworth. It is the purpose of this Chapter to prevent any person from making, continuing, or causing noise that unreasonably interferes with the comfort, health, or safety of others within the City of Ellsworth.

§ 2 - Prohibition

- A. It shall be unlawful for any person in a public place to intentionally or recklessly cause annoyance to others by intentionally making loud and unreasonable noises after having been ordered by a law enforcement officer to cease the noise or similar such noises within the last six months.
- B. It shall be unlawful for any person in a private place to make loud and unreasonable noise after having been ordered by a law enforcement officer to cease the noise or similar such noise within the last six months that can be heard by another person who is in a public place or in another private place.
- C. For the purposes of this section, the term "noise" shall include, but is not limited to:
 - i. sound created by radios or other electronic or mechanical devices capable of amplifying or projecting ambient noise, including such devices operated within motor vehicles;
 - ii. sound created in connection with loading and unloading commercial vehicles between the hours of 10:00 p.m. and 6:00 a.m.;
 - iii. sound created from construction activities between the hours of 10:00 p.m. and 6:00 a.m.;
 - iv. sound created from timber harvesting activities between the hours of 10:00 p.m. and 6:00 a.m.; and
 - v. sound created by recreational vehicles, including all-terrain vehicles, snowmobiles, motorbikes, watercraft, and other such vehicles between the hours of 10:00 p.m. and 6:00 a.m.
 - vi. As a guide, Officers may use a sound meter that has a range of between 40dB to 130 dB as a guide to determine if the noise is above 90 dB for more than 30 minutes. This level was determined taken from the Center for Hearing Conservation and American Academy of Audiology. See documents as attachment A. A dB reading between 90 dB and 130 dB for more than 30 minutes is considered dangerous.¹

§ 3 - Exceptions

The following are exempt from the provisions of § 2:

¹ Added at December 21, 2020 Council meeting.

- A. Federal, state, and local governmental activities, whether conducted by the governmental agency or by a private contractor acting on the government agency's behalf, including, but not limited to, activities of police, fire, rescue, and public works;
- B. Activities of utility agencies, including, but not limited to, vehicles and activities for the provision of water, electricity, telephone service, and sewer service; and
- C. Public assemblies, parades, performances or athletic events held between the hours of 8:00 a.m. and 10:00 p.m.

§ 4 - Violations & Penalties

- A. Any member of the Ellsworth Police Department is authorized to enforce this Chapter upon complaint or upon the officer's own observation of a violation in progress.
- B. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of this chapter commits a civil violation. The owner of a business which is involved in a violation of this chapter commits a civil violation.
- C. Any person who violates this Chapter shall, upon conviction, be fined a civil penalty of not less than \$50 and not more than \$250 for each separate violation. If the City is the prevailing party to an enforcement action, it shall be entitled to attorney's fees and costs unless extraordinary circumstances make such an award unjust.

§ 5 - Definitions

As used in this Chapter, unless the context otherwise indicates, the following terms have the following meanings:

- A. "Public place" means a place to which the public at large or a substantial group has access, including but not limited to:
 - i. Public ways; public way means any public highway or sidewalk, private way laid out under authority of statute, way dedicated to public use, way upon which the public has a right of access or has access as invitees or licensees, or way under the control of park commissioners or a body having like powers;
 - ii. Schools and government-owned custodial facilities; and
 - iii. The lobbies, hallways, lavatories, toilets and basement portions of apartment houses, hotels, public buildings and transportation terminals.
- B. "Private place" means any place that is not a public place.

CHAPTER 22. NUISANCE / NOISE

<p>22.1 <u>Purpose</u></p> <p>22.3 <u>Prohibitions</u></p> <p>22.5 <u>Quite-hours construction permits</u></p> <p>22.7 <u>Appeal or Denial of Special Sound Permit</u></p>	<p>22.2 <u>Definitions</u></p> <p>22.4 <u>Exemptions</u></p> <p>22.6 <u>Special Sound Permits</u></p> <p>22.8 <u>Violations and Penalties</u></p>
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Article 22.1 Purpose

Noise - The purpose of this Ordinance is to protect, preserve and promote the health, safety, welfare and quality of life of the citizens of Rangeley through the reduction, control and prevention of excessive noise. In addition to 29-A M.R.S.A. §§ 1912, 2079, 2079-A, as may be amended from time to time (regarding motor vehicles); 12 M.R.S.A. § 13070, as may be amended from time to time (regarding airmobiles) the following shall apply:

Article 22.2 Definitions:

Unreasonable Noise shall mean any excessive or unusually loud sound that either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensibilities within the Town. Elements to be considered in determining whether noise is excessive in a given situation include, but are not limited to, the following: intensity of the noise, whether the noise is usual or unusual, whether the origin of the noise is natural or unnatural, the intensity of the ambient noise, the proximity of the noise to sleeping facilities, the zoning district within which the noise emanates, the time of the day or night the noise occurs, the duration of the noise, whether the noise is continuous or intermittent, and whether alternate methods are available to achieve the objectives of the sound producing activity.

Person shall mean any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political, administrative or legal entity of any kind.

Plainly Audible shall mean any sound that can be detected by a person using his or her unaided hearing faculties. For example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the enforcement officer need not determine the title of a song, specific words, or the artist performing the song. The detection of the rhythmic base component of the music is sufficient to constitute a plainly audible sound.

Article 22.3 Prohibitions:

General Prohibitions. No person or persons shall make, cause to be made, assist in making or continue any excessive, unnecessary or unreasonable noise or disturbance, or any noise or disturbance that disturbs, destroys, or endangers the comfort, health, peace, or safety of others within the immediate vicinity of the noise or disturbance, especially between the hours of 10:00 PM and 7:00 AM.

Rangeley Town Code

Specific Prohibitions. The commission of one or more of the following acts shall be deemed a violation of this Ordinance and shall be considered a noise disturbance and public nuisance, provided that the instrument, device, vehicle or other noise source is plainly audible from (a) the property line of the premises from which the noise emanates if the noise is from a fixed location; or (b) a distance of fifty feet (50') from the building, structure, location or vehicle from which the noise emanates, whichever distance is greater:

1. **Horns and Signaling Devices.** The repeated sounding of any horn or signal on any automobile, motorcycle or other vehicle except as a danger warning; the creation, by means of any other signaling device, of any unreasonable loud or harsh sound; and the sounding of any such device for unnecessary and/or unreasonable periods of time.

2. **Mobile, Portable or Outdoor Electronic Sound-producing Devices.** The playing or use of a mobile, portable or outdoor electronic sound-producing device in such a manner or with such volume at any time and place as to disturb, destroy or endanger the comfort, repose or peace of persons.

3. **Radios, Musical Instruments and Phonographs.** The playing, using or operating of any radio, musical instrument, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, comfort or repose of any other persons in the vicinity with a volume louder than is necessary for the reasonably convenient hearing for the person or persons or voluntary listeners thereto who are in the immediate vicinity, vehicle or chamber in which such machine or device is operated between the hours of 10:00 PM and 7:00 AM or at any time so as to annoy or disturb the quiet, comfort or repose of any persons located within or upon the premises of any office, dwelling, hotel or other type of residence or business.

4. **Vocal disturbances.** Yelling, shouting, singing, hooting and whistling between the hours of 10:00 PM and 7:00 AM or at any time which makes an unreasonable noise which annoys or disturbs the quiet, comfort or repose of any persons located within or upon the premises of any office, dwelling, hotel or other type of residence or business.

5. **Vehicular Noise.** Vehicles used, operated, or revved in such a manner as to create loud and unnecessary noise that is audible above background sounds and that disturbs the peace and quiet of others.

6. **Exhaust.** The discharge into the open air of the exhaust of any steam engine, internal combustion engine, motorboat, or motor vehicle, except through a muffler or other device that will effectively prevent loud or explosive noises therefrom.

7. **Parties and Other Social Events.** It shall be unlawful for any person in charge of a party or other social event to allow that party or event to produce unreasonable noise. A person shall be deemed to be in charge of a party or social event when that event occurs on private property and the person is present at the event and

Rangeley Town Code

resides on the premises involved or is a person who lives in or on the premises involved and who has authorized the use of the premises for such event.

Animal Noise Prohibitions. Except as provided in subparagraphs 1 and 2 below, no owner shall permit or allow any animal to bark, howl or make other sound common to its species if such sounds recur in steady, rapid succession for 20 (twenty) minutes or more or to recur intermittently for one hour or more.

1. Shall not apply if any animal is provoked by trespassing people or animals on private property on which the animal is situated or by other legitimate cause for provocation.
2. Shall not apply to farm animals kept on property the principal use of which is the production of farm products, or to commercial kennels.

Article 22.4 Exemptions:

The following shall be considered exempt from this Ordinance:

1. Any person who has obtained a Special Sound Permit from the Town.
2. All signaling devices, safety signals and warning devices required by state, federal, or local law; all signaling devices, safety signals and warning devices installed pursuant to manufacturer's specifications; or any other device used to alert persons to any emergency or used during the conduct of emergency work including, but not limited to, police, fire and medical/rescue vehicle sirens.
3. Any vehicle owned by and operated by federal, state or local government or a utility in the performance of its duties.
4. Any government or utility emergency repair.
5. Noise associated with a bona fide response to an emergency situation that poses a threat to the public health, safety or welfare.
6. Musical, recreational and athletic events conducted by and on the site of a school or municipal facility.
7. Equipment for maintenance of lawns and grounds during the hours of 7:00 A.M. to 10:00 P.M. (including, but not limited to, lawn mowers, hedge trimmers, weed trimmers, chain saws and leaf-blowers).
8. Noise associated with routine snow removal activities where customary practices and equipment are used and where the snow removal equipment is operated within the manufacturer's specifications and in proper operating condition.

Rangeley Town Code

9. Any activity or conduct, the regulation of which has been preempted by federal or state law.

10. Logging and commercial trucking companies.

Article 22.5 Quiet-Hours construction permits

The Code Enforcement Officer may issue or renew a quiet-hours construction permit only upon finding that:

1. The public health and safety will not be impaired by said construction between the hours of 10:00 p.m. and 7:00 a.m.
2. All quiet-hours construction permits shall meet the following provisions:
 - a. The permit shall expire when the urgent necessity ceases to exist, regardless of the term of the permit.
 - b. The length of any one permit may not exceed three days.
 - c. Permits may be renewed in additional three-day increments.
3. The Board of Selectmen may set permit fees from time to time. No permit shall be issued except upon payment of the applicable fee, if any.

Article 22.6 Special Sound Permits

Any person may apply to the Town Manager for a Special Sound Permit to authorize the production or generation of noise that would otherwise be in violation of this Ordinance prior to engaging in such activity. Any request for such a permit must be made at least forty-eight (48) hours before the time the intended noise-producing activity will commence. The Town Manager or his designee has the authority to grant or deny a Special Sound Permit, but the decision shall be made subject to the following standards:

1. The activity producing the noise must be an event that occurs infrequently on the premises for which the Special Sound Permit is requested.
2. The applicant may not receive more than two (2) Special Sound Permits for any particular premises in any twenty-eight (28) day period.
3. Reasonable conditions may be imposed on the Special Sound Permit.

Article 22.7 Appeal of Denial of Special Sound Permit

Rangeley Town Code

An applicant may appeal the denial of a Special Sound Permit to the Board of Selectmen. Such an appeal must be filed within ten (10) days of the denial of the permit. The Board of Selectmen shall conduct an administrative hearing on the appeal. In the event such an appeal is not satisfactorily resolved before the Board of Selectmen, the applicant may appeal the Board of Selectmen's decision to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

Article 22.8 Violations and Penalties

A violation of this Ordinance shall be a civil violation.

Any municipal officer or their designee or any sworn law enforcement officer of the Rangeley Police Department or their designee may issue a civil violation complaint, in the same manner as would be the case with a parking violation, to the individual responsible for any such device emitting sound in violation of this Ordinance, including the driver of a motor vehicle, or the registered owner of the vehicle, the owner of record of a residence, the proprietor of a business or the person who is in physical control of the device responsible for the unreasonable or excessive noise. Actions shall be prosecuted in Maine District Court located in Farmington in accordance with Rule 80H of the Maine Rules of Civil Procedure.

For any first violation of this Ordinance, there shall be imposed a civil fine or penalty in such amount as specified in the Rangeley Fee Schedule, as established by order of the Board of Selectmen and as amended by the Board of Selectmen from time to time. Each subsequent violation within a two (2) year period from the date of the first violation shall carry with it a civil fine or penalty of double the prior penalty. A violation-free period of two (2) years shall return the penalty to the minimum.

In addition to civil penalties for any violation hereof, the District Court shall require the violator to pay the Town's reasonable attorney's fees and costs incurred in connection with prosecution of the enforcement action.

A person charged with a violation of this Ordinance may admit the violation and avoid the necessity of further legal action by payment of a waiver fee to the Town in the amount of the minimum fine for the violation; provided, however, that the violation(s) alleged in the civil violation complaint shall be deemed admitted for the purpose of assessing any future penalties under this section. Upon receipt of such payment to the Town, the Town shall cause the complaint to be dismissed. Failure to pay the waiver fee within seven (7) days from the date of issuance of the complaint shall result in further enforcement action, including, without limitation, liability for the full amount of the fine for the violation and any other appropriate relief.

Approved at Town Meeting on June 16, 2016.

Rangeley Town Code