



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the Auburn City Council amend the zoning map in the vicinity of 186 Main Street. Specifically, adjusting the boundary to remove the parcel at 186 Main Street from the T.4.2 Form Based Code District and include the parcel in the T.5.1 Form Based Code District as shown in the attached map labeled Attachment 3 Proposed Zoning.

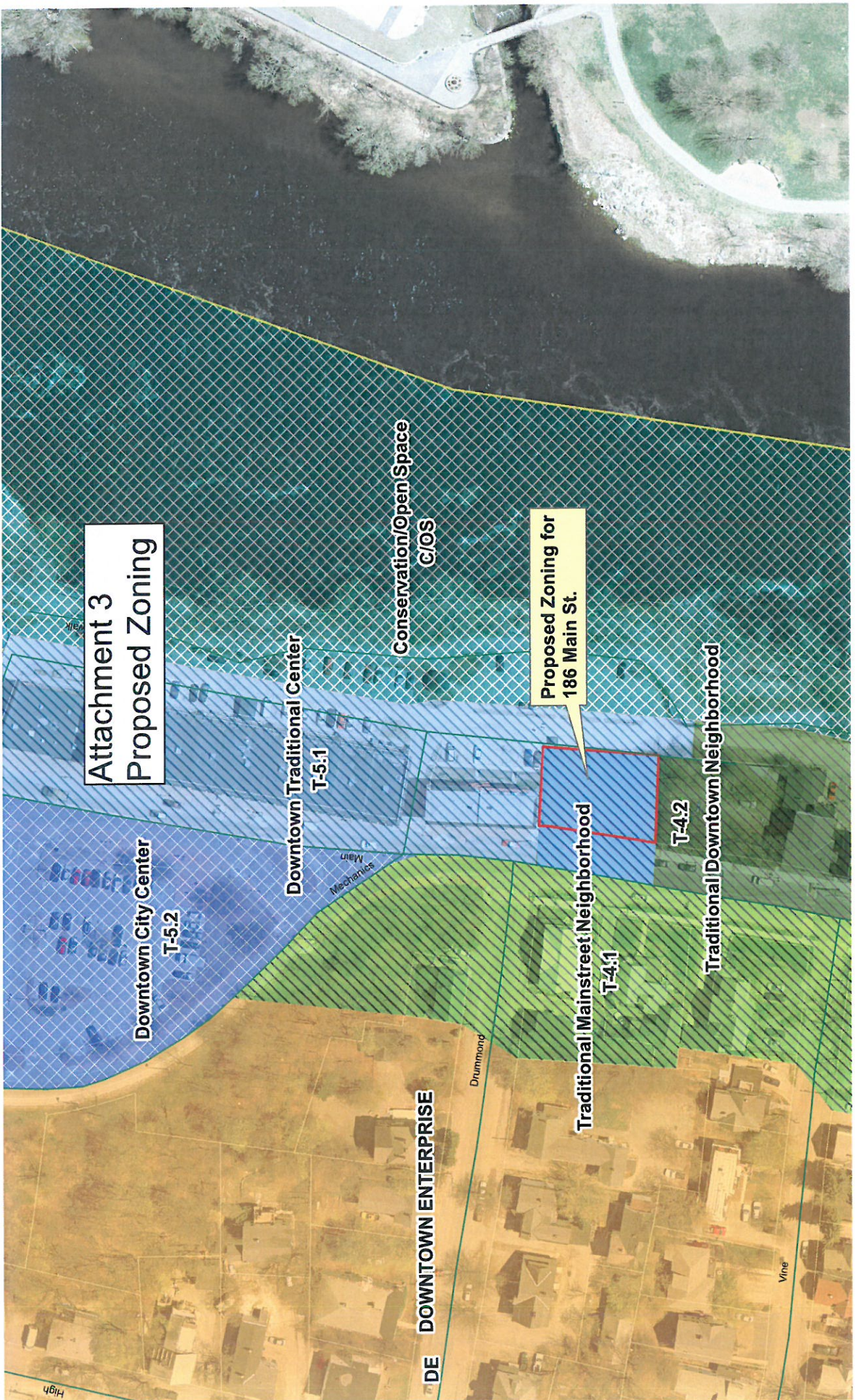
Passage of first reading on 2-1-2021 7-0.
Passage of second reading on 2-16-2021 7-0.

Holly C. Lasagna, Ward One
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**Attachment 3
Proposed Zoning**



**Downtown City Center
T-5.2**

**Downtown Traditional Center
T-5.1**

**Conservation/Open Space
C/O/S**

**Proposed Zoning for
186 Main St.**

**Traditional Mainstreet Neighborhood
T-4.1**

**Traditional Downtown Neighborhood
T-4.2**

DE DOWNTOWN ENTERPRISE

Drummond

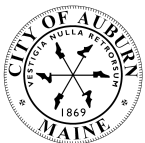
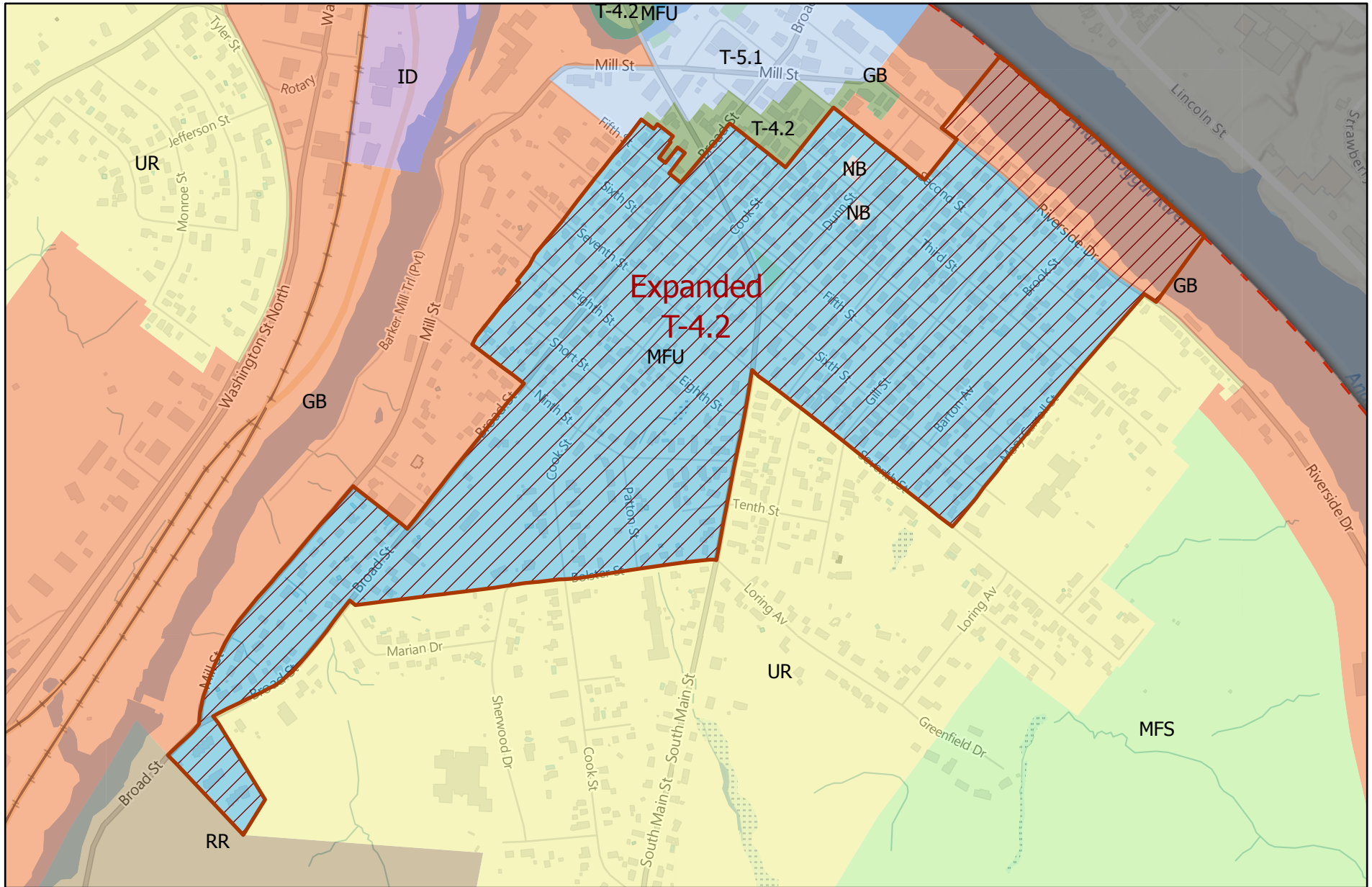
Vine

Mechanics

Main

High

Expand T-4.2 in New Auburn Area



60 Court St
 Auburn, ME 04210
www.auburnmaine.gov

- Proposed Change Area
- ID - Industrial
- MFS - Multi-Family Suburban
- RR - Rural Residential
- GB - General Business
- MFU - Multi-Family Urban
- NB - Neighborhood Business
- UR - Urban Residential
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center



ORDINANCE 02-02012021

City Council Ordinance

IN CITY COUNCIL

Be it ordained, That the Auburn City Council expand the T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in the Multifamily Urban District in the New Auburn neighborhood consisting of the streets from Riverside Drive to Ninth Street and portions of Broad and South Main Street as shown on the attached map.

Passage of first reading on 2-1-2021 7-0.
Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amends Article V. Boards, Commissions, and Committees, Division 1 – Generally, Sec. 2-381 as follows:

Sec. 2-381. - Established.

The city has such boards, commissions, committees, agencies, and other subunits of its governing authority as are established from time to time by the city Charter or the city council. The school committee is established in the city Charter, and information regarding other city boards, commissions, committees, agencies, and similar bodies is available in this article and on the city's official website. The council has created advisory boards to provide oversight and facilitate communication between the various boards, commissions, and committees as well as the elected officials.

Passage of first reading on 2-16-2021 as amended 7-0.
Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 430.

Sec. 2-430. - Membership; ~~compensation of members~~responsibility.

A board of ~~assessment regulatory advisory review~~ shall be appointed by the city council, consisting of ~~five~~ seven members, to serve without compensation. ~~The city council shall also appoint three alternate members.~~

The purpose of the regulatory advisory board is to perform the responsibilities of the Board of Assessment Review, Board of Appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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ORDINANCE 04-02162021

City Council Ordinance

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2-431.

Sec. 2-431. - Term of members.

The initial terms of office of the members of the regulatory advisory board ~~of assessment review~~ shall be staggered terms. The city council shall annually appoint one member to serve on the board for a five~~three~~-year term. ~~The initial terms of the alternate members of the board shall be staggered.~~ Their successors shall be appointed for five~~three~~-year terms.

Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 432.

Sec. 2-432. — Assessment Review Appeals procedure.

When written application is made by a taxpayer for a review of a refusal by the tax assessor to grant a request for an abatement, the board of assessment review shall, within 14 days of the receipt of such request, set a date for hearing, of which the applicant shall receive at least seven days' written notice. In its conduct of the hearing the board shall act as an impartial panel to receive evidence from the appellant and the assessor, advocating for neither party in rendering a decision. The board shall conform that decision to all applicable statutes. At such hearing, the applicant shall have the right to be heard in person, to present witnesses, to examine the tax assessor and any witnesses presented by him, and to be represented by counsel. Upon the evidence presented, the board shall determine whether or not the applicant was over-assessed and may grant such reasonable abatement of his assessment as it determines to be proper. The board shall give notice to the applicant of its decision and of the reasons therefor at the hearing or within a reasonable time thereafter.

Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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ORDINANCE 06-02162021

City Council Ordinance

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 433.

Sec. 2-433. - Quorum.

The regulatory board ~~of assessment review~~ shall take no official action unless at least three members are present; provided, however, that a lesser number may adjourn the proceedings to a later time. When a regular member of the board is unable to participate in an appeal, the chair shall designate one of the alternate members to replace him.

Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 434.

Sec. 2-434. - Rules and regulations for conduct of hearings.

The regulatory board ~~of assessment review~~ may establish such rules and regulations governing the conduct of hearings before it as it may deem necessary consistent with this Code and with state law.

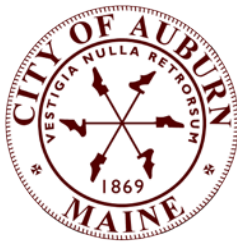
Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 435.

Sec. 2-435. - Legal counsel.

The regulatory board ~~of assessment review~~ may have legal counsel present during any appeal hearing to advise on points of law and to assist the board in drafting its final decision.

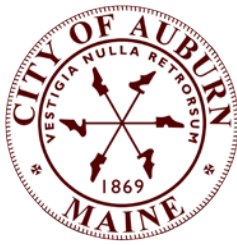
Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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ORDINANCE 10-02162021

City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amend the code of ordinances Article V. Boards, Commissions and Committees, Division 2, Sec. 2- 440.

[Sec. 2-440. – Board of Appeals Review](#)

[See procedures as outlined in Article XV Board of Appeals](#)

Passage of first reading on 2-16-2021 7-0.

Passage of second reading on 3-1-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

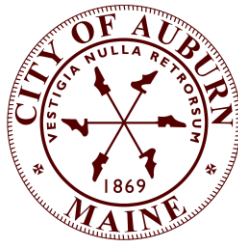
Be it ordained, that the Auburn City Council adopt the suggested code reference corrections along with spelling and grammar revisions in Chapter 60 as follows:

1. Section 60-34: Should reference Division 9 (PUDs) not Downtown Enterprise.
2. Section 60-45(d): The reference to 60-525(b)(13) is Outpatient Addiction Treatment Clinics. It should be referencing new buildings over 5,000 square feet for Special Exception, which is 50-525(b)(14). This section also references 60-547(b)(4) which does not exist; it should reference 60-556(b)(3) which applies to projects over 12,000SF in the Form-Based Code subject to Special Exception. Lastly, it also references 60-578(b)(33) which are Child Day Care Centers; this section should reference 60-578(b)(35) which are Special Exception uses.
3. Section 60-51 references Article II of Chapter 6. Chapter 6 doesn't exist. It should be Chapter 14, Article IX – mass gatherings.
4. Section 60-78 references Article V, Division 10 is Downtown Enterprise. It should reference Division 9, which are the PUD standards.
5. Section 60-145(a)(1) references Sec. 60-173 which doesn't exist. It meant to reference 60-1010, which are the boundaries for manufactured housing and include the siting requirements. Also added division 6, after article XII which are the requirements pertaining specifically to the manufactured housing overlay district.
6. Section 60-145(b)(18) also references 60-174 which doesn't exist. It should reference 60-1010.
7. Section 60-146(1)(b) – Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
8. Section 60-146(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
9. Section 60-201(b)(1) references special exception uses in the Ag-Zone only but includes LDCR in the division references - division 3 of article IV. LDCR references the Ag-Zone, why should it reference its own Zone in here? This is confusing and should be cleaned up by saying division 2, which is the Ag-Zone.
10. Section 60-202(1) – Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
11. Section 60-202(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
12. Section 60-229(a)(4) references PUDs as division 10 again but they are under division 9. Also references division 4 of article XVII which is PB recommendations – should reference subdivision which is division 4 of article XVI. Someone accidentally added an extra I but makes a big difference when interpreting!



City Council Ordinance

13. Section 60-230(1) Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
14. Section 60-230(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
15. Section 60-255(a)(3) references PUDs again, which are in division 9.
16. Section 60-255(a)(8) Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
17. Section 60-255(b)(2)(c) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
18. Section 60-256(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
19. Section 60-277(a)(3) references PUDs again as division 10 but they are under division 9.
20. Section 60-277(b) references division 6 as being the suburban residential district but it is division 5.
21. Section 60-278(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
22. Section 60-306(a)(4) The PUD reference should be division 9.
23. Section 60-306(b)(1) references UR district as division 7 but its division 6.
24. Section 60-307(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
25. Section 60-334(b)(1) MFS is division 7 not 8.
26. Section 60-335(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
27. Section 60-360(b) reference to signs should be article VI not V which is off-street parking and loading.
28. Section 60-382(3) change CB to GBII because we don't call it commercial business in the ordinance its referred to as Minot Ave (GBII).
29. Section 60-385(2)(b) references division 10, which is downtown enterprise. Should reference division 11 which are the neighborhood business standards.
30. Section 60-499(a)(1) MFS is division 7 not 9.
31. Section 60-499(a)(31) marijuana references chapter 11 article 14. Ch. 11 doesn't exist should be chapter 14, article XVIII.



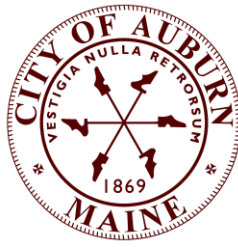
City Council Ordinance

32. Section 60-500(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
33. Section 60-525(a)(1) MFS reference should be division 7 not 9.
34. Section 60-525(a)(29) marijuana reference should be chapter 14, article XVIII.
35. Section 60-578(a)(27)(28) wrong reference update to say Chapter 14, article XVIII in both.
36. Section 60-579(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
37. Section 60-669(4) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
38. Section 60-739(b) change reference to 60-1475 which is notice to abutters. 1476 is reserved, doesn't exist.
39. Section 60-607 (18) remove ADAPT reference and add in FBC.
40. Section 60-526(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
41. Section 60-558(c)(1) waiver requests remove law and review in brackets and just say site plan review.
42. Section 60-843(a) should reference division 3 because division 4 is subdivision.
43. Section 60-923(b)(4) the end references section 60-985(a) which doesn't exist. It means to reference 60-992(a), which lists setbacks for principal and accessory structures.
44. Section 60-923(d) references subsection (c)(2) for converting building, should just reference subsection c.
45. Section 60-990(c)(1)(a): Change reference from 30-990(c)(3) to 60-990.
46. Section 60-990(c)(3) remove I which doesn't reference anything where it says I(3)(b) above.
47. Section 60-991(c)(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
48. Section 60-992(a) central business I, II and III don't exist.
49. Section 60-1004(b) remove reference to 60-1003 – old timber harvesting standards
50. Section 60-1004(b)(2) remove timber harvesting reference
51. Section 60-1004(b)(3) remove timber harvesting reference
52. Section 60-1004(b)(5) remove timber harvesting reference
53. Section 60-1004(e) remove timber harvesting reference
54. Section 60-1039(b)(4) remove article 11 after chapter 14 because it references tattoo licensing, it just meant to reference business licenses in general
55. Section 60-1475 – Definition of abutters should reference 1473 not 1476.



City Council Ordinance

56. **Chapter 60, Article I – In General, Section 60-4(b)**
Correct spelling of “classicfication” to “classification” in zoning district table.
57. **Chapter 60, Article II – General Provisions, Section 60-47**
Capitalize “a” at the beginning of “all other yards...” after first sentence.
58. **Chapter 60, Article IV – District Regulations, Section 60-146(4)**
Under height, change language from “two and one-half stories of 35 feet in height” to “two and one-half stories **OR** 35 feet in height.”
59. **Chapter 60, Article IV – District Regulations, Section 60-307(4)**
Under height, change language from “2½ stories of 35 feet” to “2½ stories **OR** 35 feet.”
60. **Chapter 60, Article IV – District Regulations, Section 60-335(1)(e)**
Capitalize “m” at the beginning of “more than one principal” after the second sentence.
61. **Chapter 60, Article IV – District Regulations, Section 60-386(8)**
Correct spelling of “distrct” to “district” in the sentence beginning with “the requirements of this chapter applicable to the underlying district...”
62. **Chapter 60, Article IV – District Regulations, Section 60-420(e)**
The first sentence says “the planning board may require adequate assurance **in a form consistent in a form acceptable** to the planning board...” should be corrected to say “in a form consistent and acceptable...”
63. **Chapter 60, Article IV – District Regulations, Section 420(g)(3)(d)**
Remove period after “a” and “b” where it says “...under subsection (g)(3)a. and b...” to be consistent with the paragraph above.
64. **Chapter 60, Article IV – District Regulations, Section 60-500(4)**
Correct “commis-sion” in the second sentence starting with “Religious buildings, municipal buildings or buildings...” to remove the dash.
65. **Chapter 60, Article IV – District Regulations, Section 60-548.3**
In the “External Elements T-4.1” table under residential parking, update “ONLYV” to “ONLY.”
66. **Chapter 60, Article IV – District Regulations, Section 60-549.2**
In the “Building Frontages” table under “ground story finished floor elevation” for both residential and commercial, change “STORV” to “STORY.”
67. **Chapter 60, Article IV – District Regulations, Section 60-550.3**
In the “External Elements T-5.1” table under front yard fence (residential) update “VARD” to “YARD.” Under “building projections” remove “stoop” as it is discussed below under encroachments. Under parking (residential) update “STORV” TO “STORY.”
68. **Chapter 60, Article IV – District Regulations, Section 60-551.2**
In the “Building Frontages T-5.2” table under ground story finished floor elevation (residential) update “STORV” to “STORY.”
69. **Chapter 60, Article IV – District Regulations, Section 60-552**
In the “Key Features” bullet list fix “*;enStreetscape elements” to remove the “*;en” from in front of Streetscape.



City Council Ordinance

70. **Chapter 60, Article IV – District Regulations, Section 60-552.2**
In the “Building Frontages T-6” table under Building Envelope Articulation fix “Upper story building frontage “fagade” to “façade”
71. **Chapter 60, Article V – Off-Street Parking and Loading, Section 60-607(6)**
In the sentence starting with “no required parking area or driveways servicing same” add a “the” before “same” for clarification purposes.
72. **Chapter 60, Article V – Off-Street Parking and Loading, Section 60-609**
In the off-street loading space requirements table, under “land use” update the “retail trade, manufacturing and hospital establishment with over 5,000 square feet of gross” to add “floor area” after gross. Under “minimum number of off-street loading spaces” bump the word requirements up onto the same line as loading in the table.
73. **Chapter 60, Article VI – Signs, Section 60-638(a)(10)(d)**
Remove the word sign after “designee” in the sentence “if such a hazard is created the director of planning and permitting or his designee sign may...”
74. **Chapter 60, Article VIII – Excavation Permit Regulations, Section 60-703(f)**
Added an “in” to the first sentence “the Lake Auburn Watershed Protection Commission and gravel pits grandfathered this article...” to say “...grandfathered IN this article...”
75. **Chapter 60, Article X – Access Management Standards, Section 60-772(3)(c)**
Remove the capital “S” in the sentence “uses with a drive-through facility which generateS...”
76. **Chapter 60, Article X – Access Management Standards, Section 60-799, 60-799(1)**
Update “site” under “safe site distance” to “sight”
77. **Chapter 60, Article X – Access Management Standards, Section 60-800(a)**
Capitalize the “t” in “the” at the start of the second sentence.
78. **Chapter 60, Article XI – Wireless Communications Facilities, Section 60-839(b)**
Add an “of” in the first sentence to read “unless subject to the provisions OF subsection (a)...”
79. **Chapter 60, Article XII – Environmental Regulations, Section 60-892(c)**
Capitalize the “t” at the beginning of the second sentence starting with “This division.”
80. **Chapter 60, Article XII – Environmental Regulations, Section 60-921(a)**
In the last sentence where it says it is the policy of the to guide growth, add “city” after the.
81. **Chapter 60, Article XIII – Environmental Performance Standards, Section 60-1070(1)(d)**
Remove the second “and” at the end of the sentence where it says “March 1991, and and all building...”
82. **Chapter 60, Article XVI – Administration and Enforcement, Section 60-1365(2)(a)**
Replace “lost” with “lots” to correct the spelling error.

Passage of first reading on 3-1-2021 7-0.
Passage of second reading on 3-15-2021 7-0.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the Auburn City Council rezone a portion of the following parcels on Trapp Road: PID: 057-003, PID: 057-003-001, PID 057-002, and PID 057-001 from Rural Residential to Agriculture/Resource Protection as shown on the attached map.

Passage of first reading on 3-1-2021 7-0.
Passage of second reading on 3-15-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the Auburn City Council expand the T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in a small portion of the Urban Residential district in the Court/Lake Street neighborhood and the Multifamily Urban/Neighborhood Business District in the area encompassing Lake Auburn Ave to Union Street and Lake Street to Whitney Street as shown on the referenced map.

Passage of first reading on 3/1/2021 7-0.
Passage of second reading on 3/15/2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Amendments to Chapter 52 - Traffic

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Division 1. - Generally, Sec. 52-34. - Parades; funeral processions. as follows:

~~(a) Persons organizing funeral processions may obtain from the chief of police, as provided with respect to parades in subsection (b) of this section, a permit, except that, in the case of funeral processions containing less than 25 cars, no such permit shall be required, but the chief of police shall be given at least one hour's notice of the estimated size of the funeral procession, of the route it is to take, and of the estimated time of the procession's departure.~~

~~(b)~~ It shall be unlawful for any person to parade on the streets of the city unless permission has been obtained from the chief of police, and they shall first present to the chief of police a request in writing for permission to use the streets of the city for the purpose of parading, together with the designated route the parade is to follow, and the time and duration of the parade. The chief of police may grant the permit provided it will not unreasonably interfere with traffic and will not create a disturbance upon the streets. The request for such permit shall be accompanied by a permit fee in the amount provided in the city fee schedule.

~~(c)~~ A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia.

~~(d)~~ 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 chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Division 3. – Traffic Control for Construction, Sec. 52-93 as follows:

(a) This division shall apply to all private contractors, vendors or service providers who operate within the public rights of way noted herein. The city ~~and related public agencies are is~~ exempt from this division. Private contractors, vendors and service providers hired by a

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City Council Ordinance

~~public agency, the city~~ are also subject to the provisions of this division. Private entities working in concert with ~~a public agency, the city~~ may be exempt from this division at the discretion of the ~~hiring public agency, city~~. ~~For the purposes of this division public agencies include, but are not limited to, the city, Auburn Water and Sewer District, and Lewiston Water and Sewer Division.~~

- (b) This division shall apply, but not be limited to, construction, repair, improvement, alteration, adjustment, excavation or demolition of property (private or public) within the publicly owned right-of-way. Examples of these activities include, but are not limited to, telephone, cable television, electrical, water, sewer, gas, or stormwater facilities and infrastructure maintenance or construction.
- (c) This policy shall apply to the following streets, roads and intersections:
- 1) Academy Street (Main to High).
 - 2) Broad Street (South Bridge to South Main).
 - 3) Center Street / Turner Road (Union Street to town_line).
 - 4) Court Street.
 - 5) Elm Street at Spring Street.
 - 6) Great Falls Plaza Drive.
 - 7) Hampshire Street (Turner to Union).
 - 8) High Street (Academy to Minot).
 - 9) Hotel Road at Steven Mills Road.
 - 10) Hotel Road at Young's Corner Road.
 - 11) Hotel Road at Kittyhawk Avenue.
 - 12) Main Street.
 - 13) Manley Road at Rodman Road.
 - 14) Mill Street (Broad to Main).
 - 15) Minot Avenue.
 - 16) Mount Auburn Avenue (Center to GracelawnYoungs Corner).

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City Council Ordinance

17) Turner Street (Court ~~to CenterJoline~~) (~~Mt. Auburn to Auburn Mall~~).

18) Union Street.

19) Washington Street (North & South)

(d) The public works director and police chief or their designees may require the use of police department personnel for activities on streets or roads not specifically designated in or authorized by this division if, in their opinion, the nature of the activity, road characteristics or traffic volumes indicate a need for city supervised traffic control. Conversely, if the public works director or police chief determine that the nature of the activities, road characteristics or traffic volumes do not require city supervised traffic control then they may waive the application of this policy for the streets and roads listed in subsection (c) of this

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Article IV. – Snow Regulations, Sec. 52-150 as follows:

Whenever the chief of police or, in his absence, his designated representative, declares that an emergency exists because of existing snow or ice conditions, or that an emergency is imminent because of developing snow or ice conditions, all parking on city streets except by authorized city or emergency vehicles is prohibited ~~beginning 30 minutes after the emergency is officially declared until the police chief or his designee announces that the emergency is over pursuant to a parking ban issued with specific start and end times.. All local media outlets will be notified of the parking ban. All local radio stations shall be contacted promptly after the emergency is declared and requested to broadcast frequent announcements that the emergency is in effect. Notification will also be sent out on all available social media platforms.~~ In addition to the other penalties provided for violations of this chapter, vehicles which have been parked or have not been removed in violation of this section may be towed away in the same manner and subject to the same conditions as are provided in section 52-204.

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Article V. – Stopping, Standing, Parking, Division 1. - Generally, Sec. 52-174 as follows:

(a) The city council is hereby authorized to establish bus stops, ~~taxicab stands, and combinations thereof on such on~~ public streets, in such places and in such number as it shall



City Council Ordinance

determine to be of the greatest benefit and convenience to the public. The police chief shall cause such spaces to be designated by appropriate signs or curb markings or both.

(b) No person shall stop or park a vehicle other than a bus ~~or a taxicab~~ in any such space when the space has been officially designated and appropriately marked. However, stopping or parking such vehicles in bus zones used exclusively by local city buses, ~~but excepting combination bus and taxi zones, is permissible on Sundays and on other days at the conclusion of the last run by the local buses according to the prevailing schedule, if otherwise permitted by city ordinances~~ is not permitted.

(c) Notwithstanding subsection (b) of this section, the driver of a passenger vehicle may temporarily stop at a bus stop, ~~taxistand, or combination thereof~~ for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus ~~or taxicab~~ waiting to enter or about to enter such zone.

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Article V. – Stopping, Standing, Parking, Division 1. - Generally, Sec. 52-175 as follows:

(a) The driver of a bus ~~or a taxicab~~ is hereby authorized to park the bus ~~or taxicab~~ in any such space established under section 52-174 without restriction as to time.

(b) The driver of a bus shall not stop or park the bus upon any street in any built-up area at any place other than at such a space, when the space has been officially designated and appropriately marked, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(c) The driver of a taxicab shall remain in the driver's seat of the taxicab, except while actually engaged in admitting or discharging passengers or transporting their luggage, while the taxicab is in such a space.



City Council Ordinance

Be it ordained, that the City Council hereby amends Chapter 52 Traffic and Vehicles – Sec. 52-5, Sec. 52-33, Sec. 52-62, Sec. 52-121, Sec. 52-148, Sec. 52-172, Sec. 52-173, Sec. 52-178, Sec. 52-205, Sec. 52-238, Sec. 52-239, Sec. 52-240, Sec. 52-259, Sec. 52-260, Sec. 52-261, Sec. 52-262, Sec. 52-263, Sec. 52-264, Sec. 52-265 as follows:

~~Sec. 52-5 - Applicability to nonmotorized vehicles: Every person propelling any pushcart or riding any animal upon a roadway, and any every person driving any animal drawn vehicle, shall be subject to the provisions of this chapter, except those provisions which by their very nature can have no application.~~

~~Sec. 52-33. - Authority of police and fire department officials to direct traffic: Officers of the police department or such officers as are assigned by the police chief 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, officers of the police department may direct traffic as conditions may require, notwithstanding the provisions of this chapter. Members of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic in the immediate vicinity.~~

~~Sec. 52-62. - Obedience; placement required for enforcement of certain provisions:~~

- ~~(a) No provisions of this chapter 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) Whenever official traffic control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been placed by the official act or direction of lawful authority.~~
- ~~(c) Any official traffic control device placed pursuant to the provisions of this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter.~~



City Council Ordinance

(d) ~~The driver of any vehicle, the operator of a bicycle, and pedestrians shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a police officer.~~

~~Sec. 52-121. - Leaving key in unattended vehicle: No person shall leave an unattended vehicle on a public street with an ignition key in the vehicle. In any such case, any police officer may, for the protection of the vehicle, remove the keys and leave written notice in or attached to the vehicle that the keys are being held for the driver at the city police station.~~

~~Sec. 52-148. - Adequate tires: No person shall cause an obstruction to traffic by reason of inability to move a vehicle being operated by him on any public street because of accumulations of snow, ice or freezing rain, when such vehicle has not been equipped with adequate tires.~~

~~Sec. 52-172. - Obstructing traffic: No person shall stop, park or leave his vehicle on any street in such a manner or under such conditions so as to obstruct the free passage of other vehicles in either direction unless specifically permitted by a police officer, or so as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.~~

~~Sec. 52-173. - Parking in alleys: No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.~~

~~Sec. 52-178. - Lights on parked vehicles: Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, and there is not sufficient light to reveal any person or vehicle within a distance of 500 feet, such vehicle so parked or stopped shall be equipped with lights, which lights shall be displayed. Any lighted headlamps upon a parked or stopped vehicle shall be depressed or dimmed.~~

~~Sec. 52-205. - Failure to comply with citation: If a violator of the restrictions on stopping or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to a motor vehicle within a period of seven days, the chief of police may send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that, if such letter is disregarded for a period of five days from the date of postmark, a court summons will be issued.~~



City Council Ordinance

~~Sec. 52-238. - Limitation of 8,000 pounds: No vehicle weighing more than 8,000 pounds, vehicle and load combined, nor any vehicle imparting to the road surface a pressure exceeding 400 pounds per inch of tire width (manufacturer's rating) shall be permitted on the streets, roads and highways of the city listed in a schedule on file and available in the city clerk's office between March 1 and May 31 of each year, except when the surface of the road is solidly frozen, in which case permission from the highway superintendent shall be obtained.~~

~~Sec. 52-239. - Limitation of 16,000 pounds: No vehicle weighing more than 16,000 pounds, vehicle and load combined, nor any vehicle imparting to the road surface a pressure exceeding 400 pounds per inch of tire width (manufacturer's rating) shall be permitted on the streets, roads and highways of the city listed in a schedule on file and available in the city clerk's office, between March 1 and May 31, except when the surface of the road is solidly frozen, in which case permission from the highway superintendent shall be obtained.~~

~~Sec. 52-240. – Posting: Prior to March 1 in each year, a notice shall be in place in a conspicuous location at each end of the roads mentioned in this article, stating the periods of closing and the restrictions imposed.~~

~~Sec. 52-259. - Parent's responsibility: The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provision of this article.~~

~~Sec. 52-260. - Bicycle equipment: No person shall ride or propel a bicycle upon any public street in the city unless the bicycle is equipped in accordance with 29 A.M.R.S.A. §§ 2062 and 2084.~~

~~Sec. 52-261. - 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 manner as to afford the least obstruction to pedestrian traffic.~~

~~Sec. 52-262. - Riding bicycle on sidewalk.—~~

~~(a) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.~~

~~(b) Law enforcement and fire rescue/emergency medical technician (EMT) personnel, while in the performance of their duties with respect to bicycle patrol and EMT/rescue patrol operations, are exempt from the provisions of this section.~~



City Council Ordinance

~~Sec. 52-263. - Applicability of traffic regulations to persons riding bicycles: Every person propelling or riding a bicycle upon a public street in the city shall be subject to the provisions of this chapter applicable to the driver of every vehicle, except those provisions of this chapter which by their very nature can have no application.~~

~~Sec. 52-264. - Speed limitation for persons riding bicycles: No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.~~

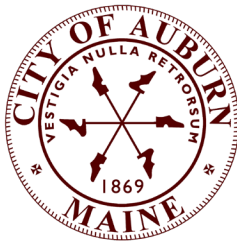
~~Sec. 52-265. - Motorcycles: No person shall operate a motorcycle except in accordance with the provisions of 29-A M.R.S.A. § 2062.~~

Passage of first reading on 3-1-2021 7-0.
Passage of second reading on 3-15-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Ordinance amendment: Chapter 24 - Human Relations and Services, Article II – General Assistance Program. Section 24-19 Definitions

Be it ordained,

Ordinance Section: Chapter 24 – Human Relations and Services, Article II – General Assistance Program. Section 24-19 Definitions:

Lump sum payment means a one-time or typically nonrecurring sum of money issued to an applicant or recipient after an initial application. A lump sum payment includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. The term "lump sum payment" includes only the amount of money available to the applicant after payment of required deductions has been made from the gross lump sum payment. The term "lump sum payment" does not include conversion of a nonliquid resource to a liquid resource if the liquid resource has been used or is intended to be used to replace the converted resource or for other necessary expenses. **Federal stimulus checks may not be included as a "lump sum payment".**

Passage of first reading on 3/1/2021 7-0.
Passage of second reading on 3/15/2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council strike the following language from the Auburn Code of Ordinances:

ARTICLE I. — IN GENERAL

~~Sec. 61-1. — Moratorium on social clubs and retail medical marijuana caregiver storefronts.~~

~~WHEREAS, the Maine Medical Use of Marijuana Act, codified at 22 M.R.S. §§ 2421 to 2430-B, (the "Medical Act") authorizes the possession, cultivation, and furnishing of medical marijuana to qualifying patients by caregivers, as these terms are defined in 22 M.R.S. § 2422; and~~

~~WHEREAS, section 401 of the Marijuana Legalization Act, codified at 28-B M.R.S. ch. 1 (the "Adult Use Act") authorizes municipalities pursuant to home rule authority to regulate adult use marijuana establishments, including cultivation facilities, products manufacturing facilities, testing facilities, and marijuana stores, as these terms are defined in 28-B M.R.S. § 102; and~~

~~WHEREAS, neither the Medical Act nor the Adult Use Act nor any state agency rules promulgated thereunder expressly authorize the operation of retail stores by registered caregivers for the purpose of selling medical marijuana or medical marijuana products to qualifying patients (hereafter, "Retail Medical Marijuana Caregiver Storefronts") or the furnishing or sale of marijuana or marijuana products to consumers for on-premises consumption (hereafter, "Social Clubs"); and~~

~~WHEREAS, during the first regular session, the 128th Maine Legislature considered LD 1539, "An Act to Amend Maine's Medical Marijuana Law," which, if enacted, would amend the Medical Act to expressly authorize the operation of Retail Medical Marijuana Caregiver Storefronts, and LD 238, "An Act to Amend the Maine Medical Use of Marijuana Act," which, if enacted, would expressly authorize municipalities to regulate registered caregiver operations; however, the ultimate disposition of LD 1539 and LD 238 is unknown at this time; and~~

~~WHEREAS, no specific regulations governing Social Clubs or Retail Medical Marijuana Caregiver Storefronts exist under the City's Code of Ordinances; and~~

~~WHEREAS, the City's Code of Ordinances is insufficient to prevent serious public harm that could result from the unregulated siting and operation of Social Clubs or Retail Medical Marijuana Caregiver Storefronts within the City; and~~

~~WHEREAS, the unregulated siting and operation of Social Clubs or Retail Medical Marijuana Caregiver Storefronts within the City raises legitimate and substantial questions about the impact of such facilities and related uses and activities on the City, including questions as to compatibility of such facilities with existing and permitted land uses in the City; potential adverse health and safety effects on the community; the adequacy of the City's infrastructure to accommodate such facilities; and the possibility of unlawful sale of marijuana and marijuana products; and~~



City Council Ordinance

~~WHEREAS, as a result of the foregoing issues, the siting and operation of Social Clubs or Retail Medical Marijuana Caregiver Storefronts and related uses and activities within the City has potentially serious implications for the health, safety, and welfare of the City and its residents and visitors; and~~

~~WHEREAS, an overburdening of public facilities and resources, including public safety resources, is a reasonably foreseeable result of unregulated Social Clubs or Retail Medical Marijuana Caregiver Storefronts and related uses and activities located and operated in the City; and~~

~~WHEREAS, the City has established a working group charged with studying, reviewing, and making recommendations to the City Council regarding the regulation of adult and medical marijuana facilities, uses and activities, including Social Clubs and Retail Medical Marijuana Caregiver Storefronts; and~~

~~WHEREAS, the City and the working group needs time to understand the disposition of LD 1539, LD 238, and any State department rules promulgated pursuant to the Adult Use Act or the Medical Act in relation to its own Code of Ordinances and to evaluate the effects of Social Clubs and Retail Medical Marijuana Caregiver Storefronts and related uses and activities in order to prepare reasonable ordinance provisions governing the siting, licensing, and operation of such facilities, uses, and activities; and~~

~~WHEREAS, 30-A M.R.S. § 4356 authorizes the City to establish a moratorium on the processing or issuance of development permits or licenses; and~~

~~WHEREAS, in the judgment of the City Council, the foregoing findings constitute a necessity within the meaning of 30-A M.R.S. § 4356.~~

~~NOW, THEREFORE, be it ordained by the City Council of the City of Auburn, Maine, as follows:~~

~~1. Moratorium. The City does hereby declare a moratorium on the siting, operation, or licensing of any Social Club or Retail Medical Marijuana Caregiver Storefront within the City. For purposes of this Moratorium Ordinance, these terms shall have the following meanings:~~

~~a. "Social Club" shall mean any premises where marijuana or marijuana products are furnished or sold to consumers for on-premises consumption, excluding the personal adult consumption of marijuana or marijuana products pursuant to 28-B M.R.S. § 1501(2) or the consumption of medical marijuana or medical marijuana products pursuant to 22 M.R.S. § 2422 et seq.~~

~~b. "Retail Medical Marijuana Caregiver Storefront" shall mean a retail store, a retail business, or an establishment that resembles a retail storefront in terms of signage, hours of operation, and accessibility to patrons (including without limitation retail use or retail space, as those terms are defined in Article I, Sec. 60-2 of the City's Code of Ordinances) where a licensed caregiver furnishes or sells marijuana or marijuana products to qualifying patients, as those terms are defined in 22 M.R.S. § 2422.~~

~~2. Date of Applicability. Notwithstanding 1 M.R.S. § 302 or any other law to the contrary, and regardless of the Effective Date, this Moratorium Ordinance shall govern and apply to all proceedings, licenses, and applications for a Social Club or Medical Marijuana Caregiver Storefront that were or are pending before the City Clerk, Code Enforcement Officer, or the Planning Board on or any time after May 31, 2018 and, to the extent allowed by 30-A M.R.S. § 3007(6), shall nullify the issuance of any final approval of the City Clerk, Code Enforcement Officer, or the Planning Board made on or at any time after May 31, 2018 that authorizes the operation of a Social Club or Medical Marijuana Caregiver Storefront (the "Date of Applicability").~~



City Council Ordinance

~~3. Effective Date. This Ordinance shall become effective immediately upon its final passage by the City Council (the "Effective Date") and shall remain in full force and effect for a period of 180 days, unless extended, repealed, or modified in accordance with applicable law.~~

~~4. Conflicts; Savings Clause. Any provisions of the City's Code of Ordinances that are inconsistent with or conflict with the provisions of this Moratorium Ordinance are hereby repealed to the extent applicable for the duration of this moratorium. If any section or provision of this Moratorium Ordinance is declared by a court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.~~

~~5. Violations. If any Social Club or Medical Marijuana Caregiver Storefront is located or operates in the City, in violation of this Moratorium Ordinance, each day of any continuing violation shall constitute a separate violation of this Moratorium Ordinance and the City shall be entitled to all rights available to it pursuant to 30-A M.R.S. § 4452, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.~~

~~(Ord. No. 03-06182018, 6-18-2018)~~

Passage of first reading on 3-1-2021 7-0.

Passage of second reading on 3-15-2021.

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City Council Ordinance

IN CITY COUNCIL

Veteran Relocation and Development Incentive Program Amendment to Appendix A – Fees and Charges

Be it ordained, that the City Council hereby amends Appendix A – Fees and Charges of the Code of Ordinances to include the Veteran Relocation and Development Incentive Program below.

Appendix_A__FEES_AND_CHARGES

Other General Information:

- Applicants are responsible for the cost of all public hearing advertisements and background checks required for various licenses. Failure to list that additional expense in the fee schedule shall not eliminate that requirement from the licensing process.
- Applicants are responsible for providing background checks, not older than 3 days prior to submission of application for all licenses that require such checks or, alternatively, applicants may pay \$100.00 to the city with the application to cover the cost of the background check.
- License fees established in this appendix include two routine or pre-operational inspections and one follow-up inspection. When additional inspections are required, the city may charge an additional \$100.00 per inspection to cover the costs of each additional inspection or visit.
- All first time applications must be made in person, unless otherwise specifically stated herein.
- All on-line licenses will receive a 10% discount unless otherwise indicated herein.
- Residential Construction - A Veteran/Widow of a Veteran or contractor on behalf of a Veteran/Widow of a Veteran seeking to build new construction or to rehabilitate an existing property will have all fees waived/reimbursed at time of permit approval. This applies to owner occupied single family and multifamily unites, up to 3 unit structures. This does not apply to state fees administered by the City of Auburn.
- Commercial Construction - A Veteran owned business* or subcontractor hired by a Veteran owned business*, will be entitled to a 50% fee reduction/ reimbursement for new construction or rehabilitation of an existing property at the time of permit approval. This does not apply to state fees administered by the City of Auburn.

*Veterans-Honorably discharged from federal service, must present DD-214 to Economic and Community Development office for fees to be waived.

**Veteran owned business as defined by the SBA being a corporation in which 51% of the shares of the company are owned by a Veteran.

Passage of first reading on 3-1-2021 7-0.
Passage of second reading on 3-15-2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Amending the Code of Ordinances, Sec. 60-34 – Buildings per lot

Be it ordained, that the City Council hereby amends the Code of Ordinances, Sec. 60-34 – Buildings per lot as follows:

Sec. 60-34. - Buildings per lot.

No more than one principal building shall be erected on any lot in residential zoning districts except ~~in the case of~~ for:

- (1) Multifamily buildings and/or developments approved under divisions ~~10 and 11~~ 9 of article IV of this chapter;
- (2) An additional one-family detached dwelling in a zoning district where two-families are permitted, and a single-family dwelling currently exists on the lot.

The additional one-family detached dwelling unit shall share a driveway curb cut with the pre-existing dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.

Passage of first reading on 4/5/2021 7-0.

Passage of second reading on 5/3/2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Divisions 7 and 8, Sections 60-307(1)(2) and 60-335(1)(2) Dimensional Regulations for the Multifamily Suburban and Multifamily Urban Districts in the Auburn Code of Ordinances as follows:

Sec. 60-307. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations.

(1) *Minimum lot area, width and depth.* For each building erected, there shall be provided lot areas as follows:

- a) Building housing one family: 10,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
- b) Buildings housing two families: 12,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
- ~~c) Buildings housing three families: 14,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.~~
- ~~d) Buildings housing four families: 16,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.~~
- e) Multifamily buildings: 10,000 square feet minimum lot area for the first dwelling unit and 2,000 square feet minimum lot area for each additional dwelling unit. No lot shall be less than 100 feet width and ~~100~~ **200** feet in depth. More than one principal building per lot is allowed.

(2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	4 units per acre
Two-family	6 units per acre
Three family	9 units per acre
Four family	10 units per acre
Multifamily	17 units per acre



City Council Ordinance

Sec. 60-335. - Dimensional regulations.

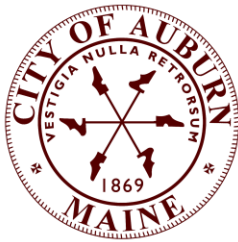
All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* For each building erected there shall be provided lot areas as follows:
 - a. Building housing one family: 5,000 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.
 - b. Buildings housing two families: 6,500 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.
 - c. ~~Buildings housing three families: 8,000 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.~~
 - d. ~~Buildings housing four families: 9,500 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.~~
 - e. Multifamily buildings: 5,000 square feet minimum lot area for the first dwelling unit and 1,500 square feet minimum lot area for each additional dwelling unit. No lot shall be less than 50 feet width and 100 feet in depth. more than one principal building per lot is allowed. Buildings located inside the fire zone (as defined in the city building code) are subject to the requirements of chapter 12, pertaining to buildings and building regulations.
- (2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	8 units per acre
Two-family	13 units per acre
Three family	15 units per acre
Four family	17 units per acre
Multifamily	26 units per acre

Passage of first reading on 5/3/2021
6-1 (Councilor Gerry opposed).

Passage of second reading on
5/17/2021 5-1 (Councilor Gerry
opposed, Councilor Milks absent).



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV of the Auburn Code of Ordinances to strike Division 10. – Downtown Enterprise Zone:

~~DIVISION 10. – DOWNTOWN ENTERPRISE ZONE~~

~~Sec. 60-439. – Purpose.~~

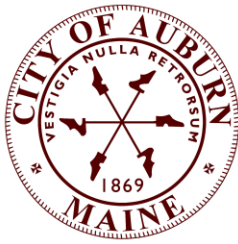
~~To promote the historic, economic, operational, and visual character of the established residential areas within downtown Auburn, by introducing incentives for reinvestment while maintaining the essential physical integrity of the area consistent with Auburn's Downtown Action Plan for Tomorrow.~~

~~(Ord. of 9-21-2009, § 3.52A)~~

~~Sec. 60-440. – Use regulations.~~

~~(a) – Permitted uses. The following uses are permitted:~~

- ~~(1) – One, two and three family homes.~~
- ~~(2) – Townhouses.~~
- ~~(3) – Bed and breakfast homes with four or fewer rooms for rent.~~
- ~~(4) – Restaurants, diners or cafes with up to 50 seats, but not to include drive-in facilities. An additional 25 outdoor seats may also be permitted subject to all municipal health and safety codes.~~
- ~~(5) – Artist studios, up to two such studios per building.~~
- ~~(6) – Art galleries.~~
- ~~(7) – Performing arts centers owned and operated by a public agency.~~
- ~~(8) – Antique shops.~~
- ~~(9) – Clothing stores.~~
- ~~(10) – Furniture stores.~~
- ~~(11) – Bookstores.~~
- ~~(12) – Elderly day care centers.~~
- ~~(13) – Child day care centers.~~
- ~~(14) – Medical and dental clinics.~~



City Council Ordinance

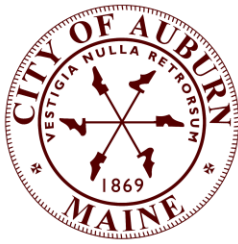
- (15) ~~Grocery stores, up to 1,000 square feet of gross floor area.~~
 - (16) ~~Office space, up to 5,000 square feet.~~
 - (17) ~~Retail bakeries.~~
 - (18) ~~Specialty shops.~~
 - (19) ~~Accessory uses and structures commonly associated with the uses in this subsection (a).~~
 - (20) ~~Municipal uses and government buildings.~~
- (b) ~~Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:~~
- (1) ~~Apartment buildings of four or more dwelling units.~~
 - (2) ~~Bed and breakfast inn with five, but not more than ten rooms for rent.~~
 - (3) ~~Restaurants, dining rooms or lunchrooms with more than 50 seats, but not to include drive in facilities. Up to 25 outdoor seats may also be permitted subject to all municipal health and safety codes.~~
 - (4) ~~Artist studios, more than two such studios per building but not more than four.~~
 - (5) ~~Research or philanthropic institutions.~~
 - (6) ~~Performing arts centers owned and operated by nonprofit and for profit entities.~~
 - (7) ~~Places of worship such as temples, churches or mosques.~~
 - (8) ~~Adaptive reuse of structures of community significance.~~

(Ord. of 9-21-2009, § 3.52B; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-441. ~~Dimensional regulations.~~

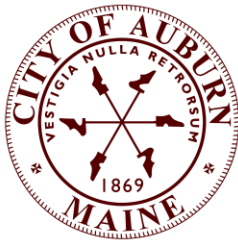
All new structures in this district shall be subject to the following dimensional regulations:

- (1) ~~Minimum lot area, width and depth. For each building erected, there shall be provided lot areas as follows:~~
 - a. ~~Buildings housing one family: 5,000 square feet of lot area, not less than 50 feet in width and 100 feet in depth.~~
 - b. ~~Buildings housing two families: 7,500 square feet minimum lot area, not less than 50 feet in width and 100 feet in depth.~~
 - c. ~~Buildings housing three families: 10,000 square feet minimum lot area, not less than 50 feet in width and 100 feet in depth.~~



City Council Ordinance

- d. ~~Townhouses: 5,000 square feet minimum lot area, 5,000 square feet of lot area plus 1,500 square feet minimum lot area per dwelling and not less than 50 feet in width and 100 feet in depth.~~
 - e. ~~Multifamily buildings: 10,000 square feet of lot area for the first dwelling unit, and 2,000 square feet of lot area for each additional dwelling unit; no lot shall be less than 100 feet in width and 100 feet in depth.~~
 - f. ~~Commercial building: 10,000 square feet of lot area, not less than 100 feet in width and 100 feet in depth.~~
 - g. ~~Mixed use building: 5,000 square feet of lot area, not less than 50 feet in width and 100 feet in depth if at least 50 percent of the total building area is used for residential living space.~~
- (2) ~~Maximum lot coverage.~~ For each new building erected, the maximum combined lot area for the building and all parking areas shall not exceed 75 percent of the total lot area for commercial and 65 percent for residential.
- (3) ~~Yard requirements.~~
- a. ~~Rear.~~ There shall be a rear yard of 25 feet or 25 percent of the average depth of the lot, whichever is less for all structures.
 - b. ~~Side.~~ There shall be a minimum distance of five feet between any portion of a building and the side property line for all structures.
 - c. ~~Front.~~ There shall be a minimum front yard of ten feet.
 - d. ~~Principal building.~~ More than one principal building may be erected on a lot provided all yard requirements listed in this subsection (3) are met.
- (4) ~~Height.~~ The height of all structures shall be limited to 4½ stories or 45 feet. Religious and municipal buildings may have a steeple or tower to a maximum height of 90 feet, if said structure is limited to 15 percent of the footprint of the principal building.
- (5) ~~Parking and loading.~~ All uses shall be subject to the off-street parking and loading regulations as listed in this subsection (5). Sections 60-607(7), (8), (12) and (15) shall also be followed.
- a. ~~For all uses, no portion of the front yard, other than driveways, shall be used for off-street parking.~~
 - b. ~~One unit dwellings: two spaces; two and three unit dwellings: one space per unit.~~
 - c. ~~Residential artist studio: one space for one and two bedroom units; two spaces for residential artist studio with three or more bedrooms.~~
 - d. ~~Townhouses: one space per unit.~~
 - e. ~~Multifamily buildings: same as townhouses.~~
 - f. ~~Retail businesses: one space per 400 feet of net floor area.~~



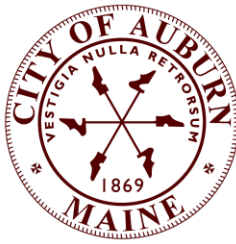
City Council Ordinance

- ~~g.— Office uses: one space per 400 feet of net floor area.~~
- ~~h.— Medical or dental clinics: one space per 200 feet of net floor area.~~
- ~~i.— Restaurants, cafes and diners: one space per four seats or bench equivalent capacity.~~
- ~~j.— Off street parking provided as a private or municipal facility, within 500 feet of any use allowed in the DEZ may be included in the calculation of off street parking requirements, if written documentation is provided indicating the permanent availability of off street parking for the use in question. Parking areas may or may not be within the same zoning district.~~
- ~~k.— One parking space may be eliminated from the total off street parking requirement if two trees and flowering shrubs (or similar planting scheme) are provided and maintained along the lot frontage or within the lot so as to minimize views of the parking area and/or improve the streetscape.~~
- ~~l.— One parking space may be eliminated from the total off street parking requirement if a publicly accessible walkway is provide connecting two streets in the instance where a lot has the minimum required frontage on two parallel streets or where the lots are back to back and have the minimum required frontage on two parallel streets.~~
- ~~m.— One parking space may be eliminated from the total off street parking requirement if a significant and permanent public art contribution is provided.~~
- ~~n.— Subsections (5)j, k, and l of this section may be combined resulting in a reduction of up to two parking spaces. A developer shall be eligible for parking reductions in subsections (5)k, l, and m of this section if all requirements in the subsections are met and the proposal has been reviewed by the city planning department.~~
- ~~o.— For projects subject to special exception review, the planning board may reduce the total required off street parking by up to 30 percent. Off street parking is required to be met on site to the extent practicable based on the characteristics and use of the property. On street parking may be allowed within 500 feet if no other off street parking is available, subject to the approval of the community development department.~~

~~(Ord. of 9-21-2009, § 3.52C)~~

~~Sec. 60-442.— Development review.~~

- ~~(a)— Expansions of existing buildings or new construction in excess of 1,000 square feet shall be subject to the site plan review, division 2 of article XVI of this chapter. Projects of less than 1,000 square feet shall be reviewed by the community development department for a determination of consistency with the intent and standards of this chapter.~~
- ~~(b)— The following requirements and those of division 2 of article XVI of this chapter are intended to foster safe and effective site plans that will result in projects that are consistent with the size and~~



City Council Ordinance

~~scale of the surrounding neighborhoods, and the use of materials or design treatments that protect and highlight the architectural and historic qualities of the area:~~

- ~~(1) All off-street parking areas shall be screened by plantings, wood fencing or a combination of both.~~
- ~~(2) All lighting shall fall within the lot from which it emanates, and all lighting fixtures shall be in compliance with lighting and fixture standards approved by the planning board or the community development department.~~
- ~~(3) All dumpsters or trash receptacles of any kind shall not be permitted in any portion of the front yard setback, and all said facilities shall be screened from public view.~~
- ~~(4) Renovation of structures listed on federal, state or local historic registers shall be consistent, at a minimum, with standards adopted by the state office of historic preservation, common preservation practices, and additional standards which, from time to time, may be adopted or amended by the city.~~
- ~~(5) If not previously existing, at least one tree per 50 feet of frontage shall be required for all development. Said tree shall have a trunk diameter of at least three inches, measured six inches above planting grade.~~

~~(Ord. of 9-21-2009, § 3.52D)~~



ORDINANCE

City Council Ordinance

~~Sec. 60 443. Signs.~~

~~All signs shall be subject to the regulations contained in article VI of this chapter except for the following:~~

- ~~(1) All uses shall be limited to externally illuminated signs.~~
- ~~(2) Standing signs shall not exceed 12 square feet in area. The maximum height shall not exceed six feet above grade. If employed, a standing sign shall be the only sign permitted except for window signs. See subsection (4) of this section.~~
- ~~(3) Signs for all commercial activities, attached to the premises which they advertise, shall not exceed 16 square feet.~~
- ~~(4) Signs attached perpendicular to a building shall be permitted and shall have a maximum area of 12 square feet. Signs shall not extend more than four feet from the building to which they are attached. Further, the lowest portion of the sign shall be seven feet above grade and the highest portion not more than 15 feet above grade. Height minimums and maximums can be altered by the planning board if it is determined an alternate sign location is required by the building configuration, building material, design consistency in the immediate neighborhood, or to protect historic buildings or facades.~~
- ~~(5) Roof signs, internally lighted signs, automatically changing signs and signs or advertising on canopies are prohibited.~~
- ~~(6) Fees. All fees found in appendix A of this Code, shall not apply to developments found in this division.~~

~~(Ord. of 9 21 2009, § 3.52E; Ord. of 9 21 2009, § 3.52F)~~

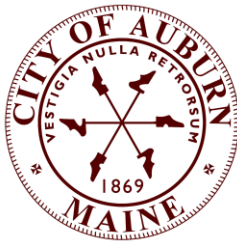
Passage of first reading on 5/3/2021 7-0.

Passage of second reading on 5/17/2021 6-0
(Councilor Milks absent).

~~Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large~~

~~Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor~~

~~Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager~~



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 12. – General Business II, Section 60-525(b)(14) of the Auburn Code of Ordinances as follows:

Chapter 60, Article IV, Division 12, Section 60-525(b)(14): Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under ~~section 60-499(a)~~ section 60-525(a) which will occupy an area of 5,000 square feet or more.

Passage of first reading on 5/3/2021 7-0.

Passage of second reading on 5/17/2021 6-0
(Councilor Milks absent).

Holly C. Lasagna, Ward One
~~**Brian S. Carrier**, Ward Four~~
Belinda A. Gerry, At Large

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Stephen G. Milks, Ward Three
~~**Katherine E. Boss**, At Large~~
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

**Be it ordained, that the City Council amend Chapter 60, Article VII, Section 60-668(b). –
Mobile homes in floodplain districts of the Auburn Code of Ordinances as follows:**

Sec. 60-668. – Mobile Homes in Floodplain Districts

(a) Mobile homes shall be elevated and anchored to prevent flotation, collapse and lateral movement. Mobile homes shall be anchored as follows:

- (1) By the use of over-the-top or frame ties; or
- (2) As provided for in the FEMA manual, Manufactured Home Installation in Flood Hazard Areas, published in September 1985.

(b) Mobile homes shall be elevated as follows:

- (1) General requirements that the lowest floor of the mobile home be elevated **to one foot** ~~or~~ above the base flood elevation; or
- (2) As provided for in the FEMA manual, Manufactured Home Installation in Flood Hazard Areas, published in September 1985.

Passage of first reading on 5/3/2021 7-0.

Passage of second reading on 5/17/2021 6-0
(Councilor Milks absent).



City Council Ordinance

IN CITY COUNCIL

Amending Chapter 60, Article XVI, Division 4, Subdivision – Remove Mylar Requirements, Reduce Required Number of copies and reference staff consistently.

Be it ordained, that the City Council amend Chapter 60, Article XVI, Division 4, Subdivision of the Auburn Code of Ordinances to remove the Mylar requirement, reduce the number of copies for submissions to 15 and consistently reference Staff as the Director of Planning and Permitting or their Designee.

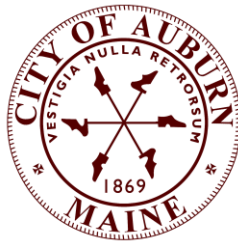
Passage of first reading on 5/3/2021 7-0.

Passage of second reading on 5/17/2021 6-0
(Councilor Milks absent).

Holly C. Lasagna, Ward One
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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV of the Auburn Code of Ordinances to strike Division 8. – Multifamily Urban District:

~~Sec. 60-333. Purpose.~~

~~This district is intended to stabilize and protect high density residential areas by providing for a varied, denser, urban pattern made suitable to the built-up portions of the city. This multifamily zone has a maximum density of 26 dwelling units per net acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.~~

~~(Ord. of 9-21-2009, § 3.44A)~~

~~Sec. 60-334. Use regulations.~~

~~(a) — Permitted uses. All uses permitted in the Multifamily Suburban (MFS) District except section 60-306(a)(5).~~

~~(b) — Special exception uses. The following uses are permitted special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:~~

~~(1) — All uses permitted by special exception in the Multifamily Suburban (MFS) District (division 7 of article IV of this chapter).~~

~~(2) — Medical and dental clinics, provided that:~~

~~a. — Shall be in buildings which are listed on the state resource list and/or federal historic register.~~

~~b. — All renovations to the building either internally or externally or both to accommodate the office use shall be accomplished in conformance with the accepted historic preservation and rehabilitation guidelines.~~

~~c. — A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.~~

~~(3) — Adaptive reuse of structures of community significance.~~

~~(Ord. of 9-21-2009, § 3.45B; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-03012021, § 25, 3-15-2021)~~

Passage of first reading on 6/21/2021 7-0.

Passage of second reading on 7/19/2021 6-0 (Councilor Lasagna absent).

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

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Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 13, Section 60-525(b) of the Auburn Code of Ordinances to add Automobile and Marine Sales and Service Lots to the list of uses allowed by Special Exception:

Sec. 60-525. Use regulation.

(a) *Permitted uses.* The following uses are permitted:

- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 7 of article IV of this chapter).
- (2) Grocery stores and supermarkets.
- (3) Clothing stores.
- (4) Furniture stores.
- (5) Department stores.
- (6) Specialty shops.
- (7) Hotels and motels.
- (8) Funeral homes and mortuaries.
- (9) Child day care centers.
- (10) Medical and dental clinics.
- (11) Retail bakeries.
- (12) Retail laundries and dry cleaners.
- (13) Banks, business and professional offices.
- (14) Public transportation passenger offices.
- (15) Governmental offices.
- (16) Municipal, civic or public service buildings and other utility facilities.
- (17) Restaurants, dining rooms or lunchrooms.
- (18) Bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
- (19) Animal hospitals and pet shops, but not kennels.
- (20) Business equipment repair and business services.
- (21) Radio and television studios.
- (22) Printing shops, but not publishing plants.
- (23) Carwashes.

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City Council Ordinance

- (24) Accessory uses, buildings and structures.
- (25) Greenhouses.
- (26) Seasonal outdoor places of amusement.
- (27) Churches and temples.
- (28) Shelters for abused persons.
- (29) Adult use and medical marijuana stores subject to the requirements of chapter 14, article XVIII of the City of Auburn Ordinances.
- (30) Marijuana cultivation accessory to a licensed retail store on the same property.
- (31) Automobile and marine sales lots limited to eight display spaces and sales and service agencies, provided that the vehicle display spaces are limited to not more than 10 spaces per 1,000 square feet of gross building area permanently constructed on the site with maximum of 100 display spaces.

Passage of first reading as amended 7-0.

Passage of second reading as amended 5-1 (Councilor Gerry opposed, Councilor Lasagna absent).



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 3, Section 60-201(a) of the Auburn Code of Ordinances to add two-family dwellings to the list of permitted uses:

Sec. 60-201. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- 1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (9), (14) and (15).
- 2) One-family detached dwellings.
- 3) **Two-family dwellings.**
- 4) Lawn maintenance services.

Passage of first reading on 6/21/2021 6-1 (Councilor Gerry opposed).

Passage of second reading on 7/19/2021 6-0 (Councilor Lasagna absent).

Holly C. Lasagna, Ward One
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ORDINANCE 27-06212021

City Council Ordinance

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

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Jason J. Levesque, Mayor

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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article V, Section 60-608 of the Auburn Code of Ordinances to remove the minimum number of off-street parking requirements for all land uses except for residential uses:

Sec. 60-608. Parking requirements.

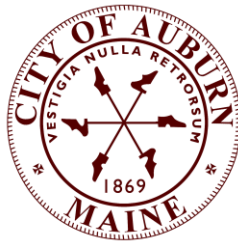
A minimum number of off-street parking spaces shall be provided with each residential use permitted, erected, altered or changed, in accordance with the following standards:

Off-Street Land Use	Minimum Number of Parking Spaces
Residential	
Single-family; farm	Two per each dwelling unit <u>1 dwelling per unit</u>
Multifamily; two-family	1½ per dwelling unit <u>1 dwelling per unit</u>
Elderly**	One-half per dwelling unit
Commercial	
Retail, business or institution	One per 300 square feet of gross floor area
Office, business, medical or dental	One per 200 square feet of gross floor area plus one per each doctor
Wholesale, warehouse	One per 1,200 square feet of storage gross floor area
Industrial or Manufacturing	One-half per employee for combined employment of the two largest overlapping shifts.
Hotel, motel, boarding and lodging and lodginghouses, tourist homes	One per guestroom plus one-half per employee
Places of assembly	
Restaurants	One per each three seats or equivalent bench seating capacity
Stadiums, outdoor amphitheaters	One per each four seats or equivalent bench seating capacity
Churches, temples, synagogues	One per each five seats or equivalent bench seating capacity
Indoor theaters	One per each five seats
Auditoriums	One per each ten seats
Meeting halls, convention exhibition halls	One per 100 square feet of floor area and floor area used for assembly
Hospitals	One per bed
Nursing homes	One-half per bed
Educational institutions	
Elementary/middle	One per classroom

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City Council Ordinance

High school	Four per classroom
College, business, vocational schools	One per 200 gross square feet of classroom area
Dormitories	One third per bed
Home Occupation	One per 50 square feet of gross floor area used for home occupation
Recreational Uses	
Golf course	Six per green
Tennis court	Three per court
Swimming pool	One per 100 square feet of gross area per facility
Skating rink	One per 100 square feet of gross area of facility
Ranges (golf, skeet)	1½
Campgrounds	1½ per campsite
Ski areas	50 percent of the lift capacity
Shopping centers	4½ per 1,000 square feet of gross leasable floor area
Mixed uses	Sum of various uses computed separately unless it can be demonstrated to the planning board's satisfaction that the need for parking by each occurs at different times.
Uses not listed or	The required number of similar to those parking spaces shall be noted above determined by the municipal officer charged with enforcement and shall conform to the number of spaces for similar uses as listed in the latest planning publication on file in the office of community development and planning.
**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.	

Passage of first reading on 6/21/2021 6-1 (Councilor Gerry opposed).

Passage of second reading on 7/19/2021 as amended 5-1 (Councilor Gerry opposed, Councilor Lasagna absent).

Holly C. Lasagna, Ward One
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Phillip L. Crowell, Jr., City Manager



City Council Order

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 14, Section 60-554 of the Auburn Code of Ordinances to remove the minimum number of off-street parking requirements for all land uses except for residential uses:

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU	Dwelling unit
=	

USE(1)	T-4.1	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS 2)
Residential Type Use						
Single Family	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	P	P	P	S	X	1 sp/guestroom plus 1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	None
Medical and Dental Clinics	S	S	P	P	P	None

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Jason J. Levesque, Mayor

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Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

Personal Services	S		P	P	P	None
Retail Type Use						
General Retail	S	S	P	P	P	None
Age Restricted Retail (3)	S	S	S	S	S	None
Specialty Shops	S	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	P	P	P	None
Civic						
Church or Places of Worship	S	S	P	P	P	None
Government Offices	X	X	P	P	P	None
Art Galleries	S	P	P	P	P	None
Transportation Facilities	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	None

Notes:

- (1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.
- (2) *Parking requirements in T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval.
- (3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019)

Passage of first reading on 6/21/2021 6-1 (Councilor Gerry opposed).

Passage of second reading on 7/19/2021 5-1 (Councilor Gerry opposed, Councilor Lasagna absent).

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 14, Section 60-553 of the Auburn Code of Ordinances to add the following Intent/Purpose Statement for the Conservation/Open Space Form-Based Code:

Section 60-553 (Currently Reserved -> Intent/Purpose)

The Conservation/Open Space District is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

Passage of first reading on 6/21/2021 7-0.

Passage of second reading on 7/19/2021 6-0 (Councilor Lasagna absent).

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City Council Order

IN CITY COUNCIL

Be it ordained, That the City Council approve zoning map amendment expanding the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone from the current depth of 450 Feet from center line of the roadway to a depth of 750 Feet from the centerline of the roadway or the rear property boundary, whichever is less, as shown on the provided maps.

Passage of first reading on 7/19/2021 4-2 (Councilors Boss and Gerry opposed, Councilor Lasagna absent).

This item was postponed indefinitely on 12/6/2021 4-3 (Councilors Walker, Milks, and Carrier opposed). NOT PASSED.

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City Council Order

IN CITY COUNCIL

Be it ordained, that the City Council amend the City of Auburn Zoning Map to include 41 Stevens Mills Road(PID 208-043) in the General Business II Zoning District Pursuant to Chapter 60, Article XVII. Amendments, Division 2.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

Passage of first reading on 7/19/2021 6-0 (Councilor Lasagna absent).
Passage of second reading on 8/2/2021 7-0.

Holly C. Lasagna, Ward One
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City Council Order

IN CITY COUNCIL

Be it Ordained, That the Auburn City Council approve the amendment to Chapter 60, Division 5. SHORELAND OVERLAY DISTRICT as follows:

Sec. 60-991. - Establishment of Shoreland Resource Protection District Overlay.

- (a) *Purpose.* The purpose of this overlay zone is 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 natural resource areas.

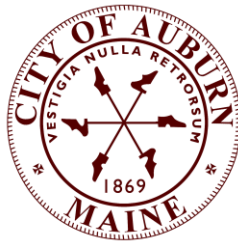
The resource protection district includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas:

- (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 and rivers" are considered to be part of that great pond or river.
 - (2) Areas of two or more contiguous acres with sustained slopes of 20 percent or greater.
 - (3) Areas of two 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.
 - (4) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement.
 - (5) Properties owned by or under development restriction easements controlled by the Lake Auburn Watershed Protection Commission that are deemed to be appropriate for resource protection zoning by a vote of the commission.
- (b) *Use regulations.*
- (1) *Permitted uses.* The following uses are permitted subject to the requirements of article V of this chapter:
 - a. Nonintensive recreational uses not requiring structures.
 - b. Forest management activities except for timber harvesting and land management road.
 - c. Soils and water conservation practices.

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City Council Order

- d. Fire prevention activities.
 - e. Wildlife management practices.
 - f. Surveying and resource analysis.
 - g. Emergency operations.
 - h. Structures accessory to allowed uses.
 - i. Motorized vehicular traffic on existing roads and trails.
 - j. Mineral exploration.
 - k. Individual private camp sites.
 - l. Filling and earth moving of less than ten cubic yards.
 - m. Uses similar to allowed uses.
 - n. Conversion of seasonal residences to yearround residences.
- (2) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of article XVI, div. 3, and article XII [of this chapter]:
- a. Mineral extraction including sand and gravel extraction.
 - b. Agriculture.
 - c. Aquaculture.
 - d. Principal structures and uses including driveways.
 - e. Filling and earth moving of greater than ten cubic yards.
 - f. Uses similar to uses requiring special exception approval.
- (c) *Dimensional requirements.* All structures in this district except as noted shall be subject to the following dimensional regulations:
- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than the minimum lot size or measuring less than the minimum lot width or lot depth required for the underlying zoning district identified for the property where any activity is proposed.
 - (2) *Density.* The density of dwelling units shall not exceed the required density for the underlying zoning district identified for the property where any activity is proposed.
 - (3) *Yard requirements.* The rear, side and front yard requirements shall not be less than that required for the underlying zoning district for the property where any activity is proposed.
 - (4) *Height.* The height of all principal or accessory structures shall be limited to 35 feet in height. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height.** This provision also shall not apply to structures such as transmission towers, windmills, antennas and similar structures having no floor area.
 - (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article IV of this chapter.

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City Council Order

Sec. 60-992. - Principal and accessory structures.

- (a) All new principal and accessory structures shall be set back at least 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 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 general development areas the setback from the normal high-water line shall be at least 25 feet, horizontal distance. Lots less than 120 feet deep measured at right angles to the shoreline which were in existence on or before December 17, 1973, shall have a shoreline setback requirement of 50 percent of the lot depth. 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.

For the purpose of this section the term "general development areas" includes all areas where the underlying zoning is identified as General Business, General Business II, Central Business I, Central Business II, Central Business III, Industrial or Multi-Family Urban districts, except where these districts fall within the Taylor Pond or Lake Auburn Watersheds or on the east shore of Bobbin Mill Brook.

In addition:

- (1) 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.
- (2) On a nonconforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the code enforcement officer may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure shall not exceed 80 square feet in area nor eight feet in height, and shall be located as far from the shoreline or tributary stream as practical and shall meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case shall the structure be located closer to the shoreline or tributary stream than the principal structure.
- (b) Principal or accessory structures and expansions of existing structures which are permitted in the underlying zoning district, shall not exceed 35 feet in height. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height**. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.
- (c) The lowest floor elevation or openings of all buildings and structures, including basements, shall be elevated and constructed in accordance with provisions of this chapter, art. XII, div. 2, Floodplain Overlay District. Accessory structures may be placed in accordance with the standards of that division and need not meet the elevation requirements.
- (d) The total footprint area of all structures, parking lots and other non-vegetated surfaces, within the SLO district shall not exceed 20 percent of the lot or a portion thereof, located within the SLO district, including land area previously developed, except in the general development areas adjacent to rivers that do not flow to great ponds classified GPA, where lot coverage shall not exceed 70 percent.

Passage of first reading on 7/19/2021 6-0 (Councilor Lasagna absent).

Passage of second reading on 8/2/2021 7-0.

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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the Auburn City Council amend Chapter 14, Section 14-659 as follows:

Sec. 14-659. Standards for license.

(a) *General.*

- (1) All marijuana businesses shall comply with applicable state and local laws and regulations.
- (2) Marijuana businesses shall only be located within the zoning districts permitted in the Auburn Zoning Ordinance.
- (3) Marijuana businesses may not be located on property within 750 feet of the property line of a preexisting public or private school (K-12). For the purposes of this ordinance, "school" includes a public school, private school, or public preschool program as defined in 20-A M.R.S.A. § 1, or any other educational facility that serves children from prekindergarten to grade 12.

Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the school property line and the property line of the parcel of land on which the marijuana business is located. If the marijuana business is located within a commercial subdivision, the required setback shall be measured from the front door of the marijuana business to the property line of the school. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

- (4) Marijuana businesses may not be located on property within 1,000 feet of the property line of a parcel containing one or more marijuana businesses. Adult use marijuana stores, dispensary retail stores and registered caregiver retail stores may not be located on property within 2,000 feet of the property line of a parcel containing one or more marijuana businesses. Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the property lines of the parcels of land on which the marijuana businesses are located. If the marijuana business is located within a commercial subdivision, the required setback shall be measured from the front door of each of the marijuana businesses. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.



City Council Ordinance

Notwithstanding the foregoing, more than one marijuana businesses may be located on the same parcel, provided all state and local requirements are met.

Adult use and medical marijuana cultivation facilities and adult use and medical marijuana manufacturing facilities operating within the industrial zoning district are exempt from this setback requirement.

This setback requirement does not apply to properties with more than one marijuana business that are subdivided, as long as the marijuana business(es) located on the property were operating with city approval prior to December 13, 2018.

Passage of first reading on 8/2/2021 7-0.
Passage of second reading on 8/16/2021 6-0
(Councilor Carrier absent).

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City Council Ordinance

IN CITY COUNCIL

Amendment to Appendix A – Fees and Charges

Be it ordained, The City of Auburn, Maine is hereby amending as follows Appendix A Fees and Charges.

Administrative

Notary fee 10.00

Copy fee, per page (8.5 x 11 black and white) .10

Animals

Dog license fees:

Unaltered dog—annually 11.00

Spayed/neutered dog—annually 6.00

Late fee after January 31 25.00

Impoundment fee—each 50.00

Additional per day for boarding fee TBD

Dangerous dog registration fee—annually 100.00

Buildings and Building Regulations

Building Permit—Single-family:

New construction, additions and mobile homes \$25.00

Accessory structure \$25.00

Renovation < \$4,000.00 - \$25.00

Renovation > \$4,000.00 - 25.00 base + 5.00 per \$1,000.00 value

Building Permit—Multi-family:

New construction and additions 30.00 base + 0.30 per sf

Renovations 30.00 base + 5.00 per \$1,000 value

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City Council Ordinance

Building Permit—Commercial:

*New construction for agricultural building for the storage of crops, housing of livestock are excluded from the Building Permit fees. This exclusion does not apply to marijuana.

New construction 30.00 base + 0.35 per sf (per floor)

Renovation 30.00 base + 7.00 per \$1,000 value

Foundation only 30.00 base + 5.00 per \$1,000 value

New construction of agricultural buildings for the storage of crops or housing of livestock, excluding marijuana 25.00 base + 0.07 per sf

Building Permit—Swimming pools:

*This includes electrical inspection.

Above ground and In- ground pools: 50.00

Building Permit—Other:

Fences 25.00 (6 ft or higher)

Underground storage tanks 50.00 (first tank) + 15.00 (additional tanks)

Moving building 100.00

Driveways 25.00

Change of use 40.00

Certificate of occupancy Included in permit (\$260 penalty)

Signs 25.00 base + 0.50 per sf

Banners, for seven-day period not to exceed 14 days 250.00

Demolition:

Interior demolition not in conjunction with a construction project 50.00

< 5,000 sf – 50.00

> 5,000 sf 250.00

Related fee:

Holly C. Lasagna, Ward One
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City Council Ordinance

The customary permit fee shall double where work commences prior to the issuance of the appropriate permits.

Building permit fee reimbursement policy:

In the event that the recipient of a building permit does not undertake any of the building activity associated with a given permit, he/she may submit a written request to the director of planning and permitting for the reimbursement is made within six months of the issuance of said permit, and if no work associated with said permit was commenced, 75 percent of the permit fee will be reimbursed. The city shall retain 25 percent of the permit fee to provide compensation for the costs associated with issuance of said permit and to process reimbursement.

Plumbing fees:

Internal plumbing:

Per fixture (subject to minimum below) 9.00

Minimum 36.00

Subsurface wastewater TBD

Nonengineered systems 150.00

Field only 100.00

Treatment tank only (non-engineered) 75.00

Engineered system 300.00

Treatment tank only (engineered) 120.00

Holding tank 150.00

Other system components 50.00

Separate laundry disposal field 50.00

Seasonal conversion 75.00

Variance 50.00

Primitive system (including 1 alt wc) 150.00

Alternative toilet only 75.00

Electrical inspections:

Holly C. Lasagna, Ward One
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City Council Ordinance

Minimum TBD

Residential 32.00

Commercial 42.00

Single and multifamily dwellings—per unit (includes service/openings)—each 58.00

All temporary services 3 0.00

Services—single phase—panel and meter:

Base fee—up to 100 amps (includes cable hookup) 12.00

Plus-per each additional 100 amps or fraction 7.00

Plus-per each additional meter 7.00

Plus-subpanels—up to 100 amps 7.00

Plus-subpanels—each additional 100 amps or fraction 10.00

Services—three phase—panels:

Base fee—up to 100 amps (includes cable hookup) 30.00

Plus-per each additional 100 amps or fraction 7.00

Plus-per each additional meter 7.00

Plus—subpanels, up to 100 amps 10.00

Plus-subpanels—each additional 100 amps or fraction 10.00

Wiring openings (total outlets, lights and switches—120 volt):

1—20 openings 15.00

21 to 50 openings 20.00

51+ openings .50 per opening

Appliances in New Locations—120 volts—Compactors, dishwashers, disposals, air conditioners, etc. 5.00

Appliances in New Locations—240 volts TBD

Ranges, ovens, water heaters, dryers, air conditioners, etc. 10.00

Domestic heat:

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City Council Ordinance

Electric—per kilowatt 3.00

Gas, oil, central air, other 12.00

Manufactured dwellings—per unit (includes service equipment) 42.00

Circuses, carnivals, fairs, festivals, etc.:

75.00 Flat fee

Transformers, generators and UPS (battery backup):

Flat fee - 25.00

Alarm system (copper or fiber):

Fire, burglar—base fee 18.00

Plus—per outlet over first 10 outlets 0.50

Other low voltage system (computer, phone, cable, satellite dish, sound, closed circuit television, etc.)—
base fee 18.00

Plus—per outlet over 10 outlets 0.50

Motors:

< 25 HP – 12.00

Plus—for each 5 HP or fraction thereof over 25 HP 2.00

Signs (One Time Fee:

Portable, mobile, permanent—each sign 25.00

Emergency lighting battery pack unit—each 7.00

Water, sewer, gas or wall pump—each 10.00

State business licensing inspections—each 40.00

Annual industrial electrical permit—does not include new structures or additions 250.00

Fire alarm box connection—annually:

DET electronic units 400.00

Mechanical box connections 425.00

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City Council Ordinance

Belated electrical permit fee—within one calendar year:

First offense 100.00

Second offense 200.00

Third offense 400.00

Fourth offense 800.00

Fifth and subsequent offenses—each 1,600.00

Inspections and department call outs after normal business hours—minimum (additional time beyond three hours shall be calculated at time plus one-half for the on call electrician) 150.00

Notice of intent to sell, transfer or rent property subject to order:

Violation of section 12-199:

Not less than 50.00

Not more than 100.00

Lodginghouse, Boardinghouses, rooming houses, hotels, motels, etc.—annually:

100.00 Flat Fee

Outpatient addiction treatment clinic—annually 200.00

Closeout sales (30-A M.R.S.A. § 3781)—Maximum of one per business up to 60 days 20.00

Massage licenses—annually:

Establishment (more than one therapist)—annually 150.00

Therapist—annually, plus cost of background check) 150.00

Solicitation permit (issued by police department)—each 0.00

Mobile or itinerant vendor permit (door-to-door sales):

One year 100.00

Mobile food distribution unit (roving diner):

Twelve months 100.00

Vendor use of city property (each three-month period) 50.00

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City Council Ordinance

Peddlers:

Per event 75.00

30-day permit 100.00

Agricultural barn sales—each (maximum of one three-day permit per month between the months of April and October) 15.00

Garage sales—each (maximum of two three-day permits within six months):

On-line issuance 0.00

In office issuance 0.00

Secondhand dealer license—annually 100.00

Pawnbroker license—annually plus actual cost of advertising hearing 100.00

Junkyard/automobile graveyard (no on-line license)—annually plus actual cost of advertising hearing: 100.00

Taxicabs:

Taxicab business license (police department inspection required)—annually per cab 55.00

Taxicab driver's license (Lewiston permit required)—annually 25.00

Call-out inspection fee (establishment requested outside normal hours)—each, plus inspector's overtime hourly rate 100.00

Re-inspection fee 100.00

Flea market, craft fairs, swap meets, and bazaars:

One day event:

0.00 Application only

Three months:

0.00 Application Only

Alcohol beverage establishments:

Class A Lounge (liquor)—annually (plus actual cost of advertising hearing) 1,000.00

1,300.00 Flat Fee

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City Council Ordinance

Tavern license—annually:

Up to 2,999 square feet 150.00

250.00 Flat Fee

Liquor service approval (off-premises catering)—per event 10.00

Food service establishments (plus actual cost of advertising hearing):

Class I (Liquor—beer, wine and spirits, and mixed drinks)—annually:

500.00 Flat Fee

Class III/IV (Liquor—beer and wine)—annually:

400.00 Flat Fee

Class IV (Liquor—beer)—annually:

400.00 Flat Fee

Class On or Off Premises (No liquor)—annually:

200.00 Flat Fee

Bottle Club/BYOB—annually:

200.00 Flat Fee

Temporary Food Service Establishment—per event—maximum of 30 days 60.00

Off Premises Retailer—annually:

200.00 Flat Fee

Adult amusement devices—each device annually 1,100.00

Beano/Bingo (EnerGov—No online license):

No Fee

Carnival, circus, or other traveling amusement—per day 150.00

Coin-operated amusement device—annually—per device:

Per unit up to 10 devices 0.00

Per unit for 10 or more devices 0.00

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City Council Ordinance

Jukeboxes—each device—annually 0.00

Motion picture theater—per screen—annually 0.00

Pool halls—annually per table 0.00

Roller skating rinks—annually:

With partial or full kitchen 90.00

Dances and dancehalls—per event 35.00

Mass gathering permit application fee—determined for each event. (EnerGov—No on-line license)N/A

Tattoo (background check required):

Tattoo artist license fee—annually 100.00

Tattoo exhibitions or shows—per event 250.00

Race track N/A

Special amusement (background check required)—annually plus cost of advertising hearing: 125.00

Game of Chance (EnerGov—No on-line license):

Six months 10.00

Up to three-year blanket approval 20.00

Relicensing upon late renewal by any existing licensed business:

Relicensing upon late renewal by any existing licensed business:

30—45 days late 50.00

More than 45 days late 100.00

Reoccurring 200.00

Emergency Management and Services

Security (alarm) system permit:

Initial issuance 30.00

Annual renewal fee, if paid on or before December 315.00

Annual renewal fee, if paid after December 3130.00

Environment

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City Council Ordinance

Fill permit—original issuance:

Up to 7,000 square feet of fill area 25.00

7,001 to 22,500 square feet of fill area 35.00

Over 22,500 square feet of fill area 50.00

Fill permit renewal-annually-if not delinquent 0.00

Fire Prevention and Protection

Fire department services:

Oil, propane or gas burner permits:

Issuance—each 30.00

Reinspection—each 30.00

Reports—per copy 10.00

Research—per hour 20.00

Old hose—per foot 1.00

Coverage of a fire/EMS event—per person 45.00

Accident or fire photos—each—unless otherwise determined by fire chief 10.00

Photos printed outside of agency—each—plus actual costs 20.00

Environmental reviews—each 10.00

Fireworks standby—per hour 200.00

Demolition burn s2,500.00

Fire investigations—per hour 100.00

Hazard material incidents:

First hour 200.00

Per each addition hour 400.00

Illegal/unauthorized burning response—per hour 200.00

Out of control burn response—per hour 200.00

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City Council Ordinance

Vehicle accidents—per hour 200.00

Salvage calls—residential:

Labor—per hour 150.00

Sump pump—each—per hour 50.00

Salvage calls—commercial—per hour 500.00

Life safety code:

Inspection citations—per violation 50.00

Each inspection revealing continued violation 100.00

False alarms—received in one calendar year:

First 100.00

Increase in first alarm fee for each subsequent alarm 100.00

Fireworks:

Use or possession with intent to use in the city:

First offense (plus costs):

Not less than 200.00

Not more than 400.00

Second and subsequent offenses (plus costs):

Not less than 300.00 per violation

Not more than 600.00 per violation

Sale or possession with intent to sell in the city:

First offense (plus costs):

Not less than 500.00

Second and subsequent offenses (plus costs):

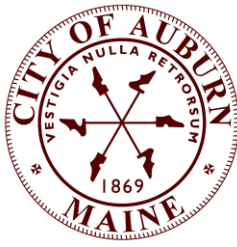
Not less than 1,000.00 per violation

Solid Waste

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City Council Ordinance

Solid waste fees shall be as determined annually by the city council base on prior years' financial information.

Streets, Sidewalks and Other Public Places

Display of goods permit—each 0.00

Excavation permits:

Minimum charge—single continuous work area 10.00

Maximum charge—single continuous work area 500.00

Street openings—per square foot:

Newly constructed, reconstructed or repaved street 6.00

Paved streets 5.00

Gravel streets and shoulders 3.00

Construction areas (streets scheduled for full-depth construction 5.00

Sidewalk openings—per square foot:

Concrete, Brick, Bituminous 1.50

Other openings:

1.00 for all other materials

Entrance permit—each 20.00

Private property N/C

Inspection of improvements in developments:

Streets to be accepted by city—as percentage of estimated costs of required public improvements 2%

Private streets—as percentage of estimated costs of required public-type improvements 2%

Special exceptions—the greater of:

Minimum 200.00

Percentage of public type improvements 2%

Traffic and Vehicles

Parade or procession permit—each 0.00

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City Council Ordinance

Parking in city owned parking lot and Mechanics Row parking garage—monthly 45.00

Zoning

Zoning text amendments:

Base fee—each application 400.00

Additional for required advertising—each application 300.00

Zoning map amendments:

Base fee—each application 400.00

Additional for required advertising—each application 300.00

Zoning board—appeals, interpretation, variance, conditional use permit, etc.:

Base fee—each application 150.00

Additional for required advertising—each application 200.00

Site plan review:

Minor projects—interdepartmental/staff review—each application 200.00

Major projects and subdivision of existing structures—planning board review/special exceptions:

Base fee—each application 500.00

Additional for required advertising 200.00

Site plan amendment:

Minor projects—staff approved amendments—each 100.00

Major projects—planning board approved—amendments:

Base fee—each application 100.00

Additional for required advertising 200.00

Subdivision review—new lots and structures:

First three lots 750.00

Each additional lot over three 100.00

Delegated review (in addition to site plan or subdivision fees when required)—includes one or all areas (stormwater, TMP, site law, etc.) 25% of the fee that would be charged by Maine Department of

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City Council Ordinance

Environmental Protection and Maine Department of Transportation for the same permits based on State Adopted Fee Schedules at the time of application.

Zoning conformance/rebuild letter—each 50.00

Independent professional review fees TBD

Engineering inspection fees TBD

Required advertising (unless otherwise specifically provided above) 100.00

Other General Information:

- Applicants are responsible for the cost of all public hearing advertisements and background checks required for various licenses. Failure to list that additional expense in the fee schedule shall not eliminate that requirement from the licensing process.
- Applicants are responsible for providing background checks, not older than 3 days prior to submission of application for all licenses that require such checks or, alternatively, applicants may pay \$100.00 to the city with the application to cover the cost of the background check.
- License fees established in this appendix include two routine or pre-operational inspections and one follow-up inspection. When additional inspections are required, the city may charge an additional \$100.00 per inspection to cover the costs of each additional inspection or visit.
- All first time applications must be made in person, unless otherwise specifically stated herein.
- All on-line licenses will receive a 10% discount unless otherwise indicated herein.
- No on-line renewal of liquor licenses, special amusement licenses, or tattoo or massage licenses is permitted.
- Residential Construction - A Veteran/Widow/Widower of a Veteran or contractor on behalf of a Veteran/Widow/Widower of a Veteran seeking to build new construction or to rehabilitate an existing property will have all fees waived/reimbursed at time of permit approval. This applies to owner occupied single family and multifamily units, up to 3 unit structures. This does not apply to state fees administered by the City of Auburn.
- Commercial Construction - A Veteran owned business* or subcontractor hired by a Veteran owned business*, will be entitled to a 50% fee reduction/reimbursement for new construction or rehabilitation of an existing property at the time of permit approval. This does not apply to state fees administered by the City of Auburn.

* Veterans - Honorably discharged from federal service, must present DD-214 to Economic, and Community Development office for fees to be waived.

** Veteran owned business as defined by the SBA being a corporation in which 51% of the shares of the company are owned by a Veteran.

Passage of first reading as amended on 10/18/2021, 5-1 (Councilor Walker opposed, Councilor Boss absent).

Passage of second reading on 11/1/2021 7-0.

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City Council Ordinance

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City Council Ordinance

IN CITY COUNCIL

ARTICLE III. STREET ADDRESSING, Sec. 46-59 through Sec. 46-69

Be it ordained, that the City Council hereby adopts the following Ordinance (attached), Article III Street Addressing, Sec. 46-59 through 46-69.

Passage of first reading on 11/1/2021 7-0.

Passage of second reading on 11/15/2021 6-0 (Councilor Milks absent).

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1 **ARTICLE III. STREET ADDRESSING**

2 The purpose of this ordinance is to conform to state 9-1-1 standards, as established by
3 the Maine Public Utilities Commission, and enhance the rapid location of properties in
4 an emergency or call for law enforcement, fire, rescue, and emergency medical services
5 in Auburn.

6 **Sec. 46-59. Authority**

- 7 a. The Addressing Officer, as designated by the City Manager, is authorized to
8 assign road names and street numbers to all properties, both on existing and
9 proposed roads in accordance with this ordinance. The City Manager may
10 designate a second addressing officer as needed.
- 11 b. The Addressing Officer is responsible for and authorized to provide all required
12 addressing information to the state agency responsible for the implementation of
13 9-1-1 service.

14 **Sec. 46-60. Definitions**

- 15 a. For the purpose of this chapter only, the following definitions apply:
- 16 1. **Addressable structure** means any permanent building used for human
17 habitation or gathering or any commercial or industrial structure.
 - 18 2. **Road** means any highway, road, street, avenue, lane, fire lane, private way, a
19 Planning Board approved right-of-way or similar paved, gravel, or dirt ways.
 - 20 3. **Street Numbers** means addresses assigned for the purpose of physical
21 location and Enhanced 9-1-1
 - 22 4. **Building** means a residential, commercial or industrial building that will be
23 occupied by one or more persons. This excludes sheds and accessory
24 structures that do not contain dwellings or businesses and are not places
25 where the general public gather.

26 **Sec. 46-61. Naming System**

- 27 a. All roads that serve three or more addressable structures will be named
28 regardless of whether the ownership of the road is public or private.
- 29 b. Assignment of a road name does not constitute or imply acceptance of the road
30 as a public way.
- 31 c. The following criteria will govern the naming system:
- 32 1. No two roads will be given the same or similar name (Ex. Pine Road and
33 Pine Lane).
 - 34 2. No two roads will have similar sounding names (Ex. Beech Lane and Peach
35 Lane, Beech Lane and Beach Lane).
 - 36 3. Each road will have the same name throughout its entire length.

- 37 4. Special characters such as hyphens, apostrophes, periods, or decimals will
38 not be allowed.
- 39 5. Single family dwellings and single lot access driveways will not be named
40 unless road naming is required as part of a Planning Board condition of
41 approval (if required), or if the Addressing Officer deems it necessary for
42 emergency response purposes.
- 43 6. No road name may duplicate or be similar sounding to road names in the
44 City of Lewiston or the Town of Poland.

45 **Sec. 46-62. Road Name Signs**

- 46 a. Road name signs must be in compliance with the following:
- 47 1. Road name signs are to be furnished and installed by the developer of a new
48 public or private road, and by the private road owner(s) for existing private
49 roads.
- 50 2. The material, size, and location of road name signs are to be approved by the
51 Commissioner of Public Works.
- 52 3. Road name signs for private roads will include “private” or an abbreviation
53 thereof on the sign.
- 54 4. Road name signs must be posted at intersections.
- 55 5. Private road owners must maintain the sign as well as surrounding vegetation
56 to allow for proper visibility of the signs from all directions.
- 57 6. Road name signs must have a name that is approved by the Addressing
58 Officer.
- 59 7. No person shall injure, damage, deface, break, take down or remove or in any
60 manner interfere with any street name sign placed in a street under authority
61 of the city council, except a public official or employee for repair or
62 replacement purposes. No person shall place any street name signs on any
63 street except by authority of the city council.

64 **Sec. 46-63. Numbering System**

- 65 a. The following criteria will govern the street numbering system:
- 66 1. Odd numbers will appear on the right side of the road, in ascending order.
67 Even numbers will appear on the left side of the road, in ascending order.
- 68 2. All numbers will radiate from the center of the city, beginning from the
69 intersection of Court Street, Union Street, and Minot Avenue. Numbering will
70 begin at the intersection nearest to the point of origin.
- 71 3. For dead end roads, numbering will originate at the intersection of the
72 adjacent road and terminate at the dead end.
- 73 4. For all new subdivisions and developments where possible, street numbers
74 will be assigned every 25 (twenty-five) feet along both sides of the road.
- 75 5. Street numbers may not be based on zoning or lot road frontage.

- 76 6. In cases where using a numbering interval is not possible, the Addressing
77 Officer will assign the building the most appropriate street number relative to
78 its location and the street numbers of neighboring buildings.
- 79 7. The number assigned to each building will be that of the numbering interval
80 falling closest to the center of the driveway or to the location of the front door.
- 81 8. Street numbers for buildings that have a front door facing one road and the
82 driveway accessing another will be determined based on the ease of location
83 for emergency responders.
- 84 9. Every building with more than one principle use or occupancy, except
85 Apartment or Accessory Dwelling Unit, will have a separate number for each
86 use or occupancy. Duplexes will have two separate numbers. Apartment
87 buildings and accessory dwelling units will have one street number with
88 apartment numbers (Ex. 235 Maple Road, Apt 1 and 2).
- 89 10. Alpha-numeric (Ex. 4A) and fractional numbers (Ex. 4½) are prohibited.
- 90 11. If new numbers are required on a road that does not conform to 9-1-1
91 standards, the road will be renumbered subject to approval of the City
92 Manager.
- 93 b. Numbering in Special Developments
- 94 1. Cul-de-sacs will be dissected from the middle of the road. Buildings on the left
95 of the cul-de-sac will be numbered with even numbers. Buildings on the right
96 will be numbered with odd numbers. Numbers must not wrap around the cul-
97 de-sac in case of future road extension (Ex. all even numbers around the cul-
98 de-sac are prohibited).
- 99 2. Single family homes with attached secondary dwelling units will use the
100 primary residence address and a unit designation following. (Ex. 76
101 Somewhere Road, Units 1 and 2).
- 102 3. Two single family homes with a shared driveway will use the primary
103 residence address and a unit designation following. (Ex. 76 Somewhere
104 Road, Units 1 and 2), unless Addressing Officer deems it necessary for
105 emergency response purposes to issue a second number. In cases where
106 the structures are more than 75 feet from, or not visible from the road, an
107 approved sign or post bearing the street number will be installed and
108 maintained out of the right of way, at the intersection of the at the road
109 servicing the property.
- 110 4. Unit numbers will driveway entrance and be placed on both structures. If the
111 structures are more than 75 feet from, or not visible from any driveway
112 intersection, an approved sign or post bearing the unit number will be
113 installed and maintained at the intersection.
- 114 5. A detached Secondary Dwelling unit located on a shared lot of record with a
115 separate driveway will be issued a separate street number.

- 116 6. Apartment Buildings will be numbered with one street number followed by
117 apartment numbers. The apartment building number must be clearly
118 displayed on the building exterior. For multi-unit buildings with more than one
119 entrance and/or common area, a sign must be provided at each entrance and
120 must indicate what units are served by the entrance.
- 121 7. Commercial Buildings or Offices located in one primary building will be
122 numbered with one number followed by suite or unit numbers.
- 123 c. Street Number Display
- 124 1. All owners of buildings will display and maintain in a conspicuous place on
125 said building, or near the paved road, the assigned street numbers in the
126 following manner:
- 127 i. All buildings must bear a distinctive street number in accordance with the
128 number assigned by the City Addressing Officer.
 - 129 ii. No person may affix, or allow to be affixed, a different street number
130 from the one designated on the street-numbering map.
 - 131 iii. The number must be plainly visible from the road.
 - 132 iv. The number must be displayed on the front of the residence or building
133 in the vicinity of the front door or entry and/or the side facing the road.
 - 134 v. Numbers must be of a color that contrasts with the background color and
135 must be a minimum of 4 inches in height. Numbers must be visible at all
136 times of the year, night or day, and in all weather conditions.
 - 137 vi. Where the building is over 75 (seventy-five) feet from the edge of the
138 road, the assigned number must be displayed:
 - 139 (1) on a post, fence, wall, mailbox, or on some structure at the
140 property line adjacent to the walk or access drive to the building.
141 The post/sign is not considered a structure which must conform
142 to zoning ordinance setbacks.
 - 143 (2) in a visible location outside of the Town's right-of-way unless for
144 unique visibility reasons the sign may be located within the outer
145 right of way limits with the written permission of the Public Works
146 Director prior to installation.
 - 147 (3) such that vegetation surrounding the sign is maintained to allow
148 for visibility of the sign from all directions.
 - 149 vii. Street number and unit number must be displayed on Secondary
150 Dwelling units that are located on the same lot as the primary dwelling
151 unit.
 - 152 viii. For multi-unit buildings, the building number must be displayed on the
153 exterior of the building. If more than one entrance and/or common area
154 exists, a sign must be provided at each entrance and must indicate what
155 units are served by each entrance.

156 **Sec. 46-64. New Construction and Subdivisions**

- 157 a. A Road Naming application must be submitted to the Addressing Officer with the
158 proposed road name prior to a sub-division approval being granted. The
159 applicant will show the approved road name on the subdivision final plan. The
160 applicant will mark on the plan every 25 (twenty-five) feet, using lines or dots, in
161 the center of the roadway to aid the assignment of street numbers to buildings
162 subsequently constructed.
- 163 b. Whenever any building is constructed or developed it will be the duty of the
164 property owner to obtain a street number from the Addressing Officer as soon as
165 the driveway is constructed, and construction of the building starts.
- 166 c. A number will be displayed on a temporary post outside of the right of way but
167 visible from the road within 30 days of receiving the street number.
- 168 d. Final numbers must be installed prior to issuance of a Certificate of Occupancy.
- 169 e. If new construction on an unnamed road creates two or more principal buildings
170 on the road, the roadway must be named in accordance with **Section 46.61**. and
171 a Road Naming application must be filed to the Addressing Officer.

172 **Sec. 46-65. Lot Splits.**

- 173 a. When a lot split causes a Secondary Unit to become the Primary Unit on a newly
174 created lot, it will be the duty of the property owner to request a street number
175 from the Addressing Officer.
- 176 b. In cases with a shared driveway if the Addressing officer deems it necessary for
177 emergency response purposes, the shared driveway may be named as a private
178 road, and both units re-addressed in accordance with **Section 46.63**

179 **Sec. 46-66. Unnamed Existing Private Roads.**

- 180 a. The Addressing Officer may require private unnamed roads to be named for
181 emergency response purposes. The Addressing Officer will notify road owner(s).
182 Upon notification the road owner(s) will have 30 days to apply for a road name. If
183 the owner(s) fail to file a Road Naming application the Addressing Officer will
184 assign a name to the road in accordance with the provisions of this ordinance.
- 185 b. The owner(s) of a private, unnamed road may voluntarily apply to the Addressing
186 Officer to name the road.

187 **Sec. 46-67. Road Name Change.**

- 188 a. The owner(s) of a private road may apply to change a road name. The property
189 owner(s) must notify all property owners with frontage on the private road of the
190 application.

191 **Sec. 46-68. Effective Date of Street Address**

- 192 a. The Addressing Officer will notify in writing each affected property owner and the
193 US Postal Service, Emergency Services, and City Departments of a new or
194 changed road name or street number.
195 b. The road owner(s) and/or property owner(s) assigned a new road name or street
196 number address must post or display the new road name and/or street numbers,
197 within 30 (thirty) days of issuance of the notification.

198 **Sec. 46.69. Enforcement**

- 199 a. Any person who, after being notified by the Addressing Officer, any law
200 enforcement officer of the City, or the Code Enforcement Officer fails to comply
201 with any of the provisions of this chapter will be subject to a fine of \$150.00 (one
202 hundred fifty dollars) per violation, per day.

DRAFT



City Council Ordinance

IN CITY COUNCIL

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2021 through September 30, 2022, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

- (a) Each year the Maine Municipal Association provides the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:
- (1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.
 - (2) Appendix B, a listing of maximum levels of assistance for food.
 - (3) Appendix C, a listing of maximum levels for heated and unheated housing.
- (b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the Office of the City Clerk.

Passage of first reading on 11/1/2021 7-0.

Passage of second reading on 11/15/2021 6-0

(Councilor Milks absent).



City Council Ordinance

For Appendix A: The overall maximum was increased slightly this year (see chart below). This is the maximum amount that General Assistance can assist for a 30-day period.

Current Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1	2	3	4	5
	\$741.00	\$798.00	\$1,025.00	\$1,287.00	\$1,633.00

New Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1	2	3	4	5
	\$754.00	\$811.00	\$1,042.00	\$1,335.00	\$1,652.00



City Council Ordinance

For Appendix B: The overall food maximums have increased (see chart below). These amounts are set by the USDA Thrifty Food Plan and take into effect on October 1st, 2021.

Number in household	Old SNAP amount	New SNAP amount
1	\$204.00	\$250.00
2	\$374.00	\$459.00
3	\$535.00	\$658.00
4	\$680.00	\$835.00
5	\$807.00	\$992.00
6	\$969.00	\$1,190.00
7	\$1071.00	\$1,316.00
8	\$1224.00	\$1,504.00

For Appendix C: The housing maximums had a slight increase this year (see chart below). The Department of Housing and Urban Development (HUD) sets these new guidelines based on the fair market value of property in our area.

Current housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
Bedroom Size				
0	\$137.00	\$587.00	\$160.00	\$688.00
1	\$140.00	\$603.00	\$171.00	\$736.00
2	\$181.00	\$779.00	\$222.00	\$953.00
3	\$230.00	\$990.00	\$280.00	\$1203.00
4	\$295.00	\$1267.00	\$356.00	\$1530.00

New housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
Bedroom Size				
0	\$140.00	\$601.00	\$163.00	\$701.00
1	\$143.00	\$616.00	\$174.00	\$749.00
2	\$185.00	\$796.00	\$226.00	\$970.00
3	\$241.00	\$1,038.00	\$291.00	\$1,251.00
4	\$299.00	\$1,285.00	\$360.00	\$1,549.00

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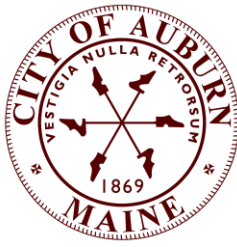
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City Council Ordinance

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City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article I., Sec. 2-25 – Salaries, (1) Mayor.

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Chapter 2, Article I, Sec. 2-25 (1) as follows:

Sec. 2-25. Salaries of the Mayor and Council.

Elected officials shall receive the following annual salaries, payable as listed:

(1) *Mayor*. The mayor shall receive an annual salary of ~~\$4,000.00~~ \$7,000, payable quarterly.

This becomes effective 1/1/2022.

Passage of first reading on 11/15/2021 5-1 (Councilor Gerry opposed, Councilor Milks absent).

Passage of second reading as amended 4-3 (Councilors Gerry, MacLeod, and Milks opposed).

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City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division I, Sec. 2-382 – Salaries of School Committee Members

Be it ordained, that the City Council hereby approves the amendment of Auburn’s Code of Ordinances, Chapter 2, Article V, Division I, Sec. 2-382 as follows:

Sec. 2-382. Salaries of School Committee Members.

Elected School Committee Members shall receive the following annual salaries, payable as listed:

- (1) *School committee.* Each member of the school committee, shall receive an annual salary at the rate of \$25.00 ~~per meeting for up to 26 meetings per year~~ payable monthly.
- (2) *The Mayor or his/her designee shall receive an annual salary of \$4,000 payable monthly.*

Passage of first reading on 11/15/2021 6-0 (Councilor Milks absent).

Passage of second reading as amended on 12/6/2021 6-1 (Councilors Gerry opposed).

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Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division 4, By adding Sec. 2-466 (f) – Compensation of Planning Board

Be it ordained, that the following ordinance be adopted:

Chapter 2, Article V, Division 4, Sec. 2-466 (f) – Compensation of Planning Board

All members of the Planning Board, Regular and Associate, shall receive annually \$650, payable quarterly.

effective date of 1-1-2022 and the full amount of \$1,200 annually

Passage of first reading on 11/15/2021 4-1-1 (Councilor Gerry opposed, Councilor Walker abstained, Councilor Milks absent).
Passage of second reading as amended on 12/6/2021 6-1 (Councilor Gerry opposed).

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division 2, adding Sec. 2-441 – Compensation of the Regulatory Board

Be it ordained, that the following ordinance be adopted:

Chapter 2, Article V, Division 2, and adding Sec. 2-441 – Compensation of the Regulatory Board

All members of the Regulatory Board shall receive annually \$600, payable quarterly.

Passage of first reading on 11/15/2021 6-0 (Councilor Milks absent).
Passage of second reading on 12/6/2021 6-1 (Councilor Gerry opposed).

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
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Timothy B. MacLeod, Ward Two
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City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article I., Sec. 2-25 – Salaries, (2) City Council.

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Chapter 2, Article I, Sec. 2-25 (2) as follows:

Sec. 2-25. Salaries of the Mayor and Council.

Elected officials shall receive the following annual salaries, payable as listed:

(2) *City council.* Each of the councilors shall receive an annual salary of ~~\$1,800.00~~
\$4,000.00 payable monthly.

This Ordinance change will take effect on 1-1-2022.

Passage of first reading on 11/15/2021 5-1 (Councilor Gerry opposed, Councilor Milks absent).

Passage of second reading as amended on 12/6/2021 4-3 (Councilors Milks, Gerry, and MacLeod opposed).

Holly C. Lasagna, Ward One
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Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
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City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division I, Sec. 2-382 – Salaries of School Committee Members

Be it ordained, that the City Council hereby approves the amendment of Auburn’s Code of Ordinances, Chapter 2, Article V, Division I, Sec. 2-382 as follows:

Sec. 2-382. Salaries of School Committee Members.

Elected School Committee Members shall receive the following annual salaries, payable as listed:

- (1) *School committee.* Each member of the school committee, shall receive an annual salary at the rate of \$25.00 \$1,800 \$4,000.00 per meeting for up to 26 meetings per year payable monthly.
- (2) The Mayor or his/her designee shall receive an annual salary of ~~\$1,800~~ \$4,000.00 payable monthly.

This Change will become effective on December 18, 2023.

Passage of first reading on 11/15/2021 6-0. Councilor Milks absent.

Failed second reading on 12/6/2021 for lack of a second on the motion. NOT PASSED.

Holly C. Lasagna, Ward One
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City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division 4, By adding Sec. 2-466 (f) – Compensation of Planning Board

Be it ordained, that the following ordinance be adopted:

Chapter 2, Article V, Division 4, Sec. 2-466 (f) – Compensation of Planning Board

All members of the Planning Board, Regular and Associate, shall receive annually ~~\$650~~ \$1,200.00, payable quarterly.

This becomes effective on December 18, 2023.

Passage of first reading on 11/15/2021 4-1-1 (Councilor Gerry opposed, Councilor Walker abstained, Councilor Milks absent).

Failed second reading on 12/6/2021 for lack of a second on the motion. NOT PASSED.

Holly C. Lasagna, Ward One
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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Chapter 20, Article III, Sec 20-55 as follows:

(a)

Appeals from determinations of the code enforcement officer that violations of the fire prevention code or the life safety code have occurred shall be submitted in writing within 10 business days of notification of violations or ruling on appeals. The first appeal shall be made to the Fire Chief, with subsequent appeals to ~~taken~~ the city manager, then to the board of appeals, and then to a court of competent jurisdiction as provided by state law.

(b)

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

Passage of first reading on 12/6/2021 7-0.

Passage of second reading on 12/20/2021 7-0.

Richard Whiting, Ward One
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City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Chapter 20, to add Sec. 20-84 as follows:

SEC: 20-84

Permits; requirements.

A person may not conduct a display without a permit. The Fire Chief shall issue a permit to possess and conduct a firework or flame effects display to an applicant who meets all safety requirements and:

A. Applies in writing to the fire department for a permit at least 14 days in advance of the proposed display;

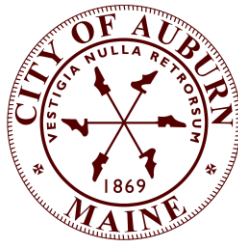
B. Applies on forms furnished by the department. An application for a permit must include:

(1) A certificate of public liability insurance in the amount of \$1,000,000 to cover loss, damage or injuries to persons or property that might result from the display; and

(2) A site plan for the proposed display depicting a diagram of the grounds or facilities at which or in which the display will be held. The diagram must show points of discharge, fallout areas, any buildings or other structures in proximity to the display site and the location of any audience that may be present. Distances of and distances between the points of discharge and any buildings or structures must be stated on the diagram.

Passage of first reading on 12/6/2021 7-0.

Passage of second reading on 12/20/2021.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Chapter 20, Sec. 20-32 as follows:

Sec. 20-32. - Fees for service.

Fees for fire department services shall be as provided in the city fee schedule. The fire chief shall have the authority to waive all or any portion of a fire department service fee for good cause shown. Fire department services for which fees are charged include, but are not limited to, the following:

(1) *Salvage calls.* Those calls that require the department to actively remove or mitigate those instances that could be harmful such as removal of water, smoke, odor, etc., not caused by department functions.

(2) *Stand-by at fireworks.* Two firefighter at all fireworks displays (not sponsored by the municipality) from one half-hour before the show to one half hour after the show.

(3) *False alarm.*

a. A visual and/or audible signal including an automatic telephone dialing alarm transmitted by an alarm system, which indicates the existence of an emergency situation, when in fact, no such emergency exists. The term "false alarm" includes any activation of an alarm system by whatever means, but does not include alarms resulting from any of the following causes:

1. Severe weather conditions such as high winds, lightning, rain, freezing rain, snow or flooding;
2. Electrical service interruptions;
3. Broken city water main.

b. A fire alarm user, however, will be charged a service charge for false alarms resulting from any of the following causes:

1. Testing, repairing, alteration or addition to the fire protection or detection system without prior notification;
2. Faulty equipment or substandard installation of equipment;

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City Council Ordinance

3. Lack of maintenance to fire protection or detection system;

4. Negligence that constitutes a public nuisance or jeopardizes the public welfare or safety.

c. Provisions must also be made to protect alarm systems from activating during construction. Service charges will activate on the second time a false alarm is received and will escalate with each subsequent response to a false alarm as outlined in the charges as provided in the city fee schedule.

(4) *Vehicle accidents/hazardous materials incidents.* Providing command and control, scene safety, extrications, fire suppression, hazard mitigation, etc., at vehicle accidents.

(5) *Hazardous materials incident.* A hazard that poses a potential threat to life, health, environment or property. It may require limited or large scale evacuation of nearby residents or facilities; involvement of two or more jurisdictions; and/or the fire department to supply water, breathing air, air monitoring, ventilation, and medical monitoring, as well as operational level mitigation such as diking, diverting or denying entry.

(6) *Training burn resulting in demolition.* The burning of structure in lieu of raising it and transporting building materials to a solid waste facility. This is only allowed for bona fide fire training. Requests will be processed, when the fire chief or his designee determines that it is safe to do so, that there is sufficient value in the training, and the property owner has provided documentation of having met all of the DEP compliance requirements.

(7) *Out of control burns.* Persons allowing open burning to get out of control, requiring the response of the fire department, shall be charged a fee as listed in this chapter.

(8) *Illegal or unauthorized burning.* Any type of burning that is identified as illegal or unauthorized will be charged a fee as listed in this chapter.

Passage of first reading on 12-6-2021 7-0.

Passage of second reading on 12-20-2021 7-0.



City Council Ordinance

Be it ordained, that the City Council hereby approves the amendment of Auburn's Code of Ordinances, Appendix A, Section: Fire Prevention and Protection as follows:

APPENDIX A: FEES AND CHARGES

Fire Prevention and Protection

Fire department services:

~~Oil, propane or gas burner permits:~~

~~Issuance—each30.00~~

~~Reinspection—each30.00~~

Reports—per copy10.00

Research—per hour (1 hour minimum)20.00

Old hose—per foot1.00

Coverage of a fire/EMS event—per person ~~per hour~~~~45.00~~ 50.00 plus apparatus rate

Accident or fire photos—each—unless otherwise determined by fire chief10.00

Photos printed outside of agency—each—plus actual costs20.00

Environmental reviews—each~~40.00~~ 20.00

Fireworks standby—per hour200.00

Training burns resulting in Demolition ~~burns~~2,500.00

Fire investigations—per hour100.00

Hazard material incidents: Cost of response – see apparatus costs- plus cost of materials and supplies used.

~~First hour200.00~~

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City Council Ordinance

~~Per each addition hour400.00~~

Illegal/unauthorized burning response—per hour~~200.00~~ 250.00

Out of control burn response—~~per hour200.00~~ cost of response – see apparatus costs

Vehicle accidents—per hour~~200.00~~ 250.00

Extrication of patients from vehicle – 300.00

Spill control and clean-up – 100.00

Salvage calls—residential:

Labor—per hour150.00

Sump pump—each—per hour50.00

Salvage calls—commercial—per hour500.00

~~Life safety code:~~

~~Inspection citations—per violation50.00~~

~~Each inspection revealing continued violation100.00~~

False alarms—received in one calendar year:

~~First~~ Second.....100.00

Increase in first alarm fee for each subsequent alarm100.00

Fireworks:

Use or possession with intent to use in the city:

First offense (plus costs):

Not less than200.00

Not more than400.00

Second and subsequent offenses (plus costs):

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ORDINANCE

City Council Ordinance

Not less than300.00 per violation

Not more than600.00 per violation

Sale or possession with intent to sell in the city:

First offense (plus costs):

Not less than500.00

Second and subsequent offenses (plus costs):

Not less than1,000.00 per violation

APPARATUS RATES: Includes normal crew assignment

Engine – per hour – 250.00

Aerial Device – per hour – 350.00

Rescue – per hour – 150.00

Boat – per hour – 150.00

Command Unit – 100.00

Forestry/Brush Truck – 150.00

Passage of first reading on 12-6-2021 7-0.
Passage of second reading on 12-20-2021 7-0.

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