

Tizz Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four



Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE #01-01172012

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

Article III Divison 4 City Clerk

Sec. 2-180. - Duties.

Secs. 2-181—2-198. - Reserved.

Sec. 2-180. - Duties.

The city clerk shall perform all duties prescribed by ordinance, the Charter and state statute, which shall include, but shall not be limited to, the following:

(1)

Serve as clerk of the city council and perform such other duties for the city council as it may require, and transmit to the city council all papers requiring its consideration. The clerk shall certify and be responsible for the filing, indexing and safekeeping of all tapes, minutes and related documents the city council has acted upon.

(2)

Perform all duties in regard to elections required by the Charter and 21-A M.R.S.A. § 1 et seq., and secure and maintain all election records and have custody of all property used in connection with elections.

(3)

Publish legal notices as required by city ordinance, the Charter and/or state statutes.

(4)

Be responsible for the issuance of commercial licenses for the city as prescribed in city ordinances and state statutes.

(5)

Be responsible for indexing and maintaining all vital statistic records relating to births, marriages and deaths.

(6)

~~Serve as chair of the registration appeals board and ensure that the registration data is current and accurate.~~

~~(7)-(6)~~

Be the custodian of the official city seal.

(Code 1967, § 17-1.1)

Article V Division 2 Registration Voter Appeals Board

~~Sec. 2-406. -- Membership; chair.~~

~~The registration voter appeals board shall consist of three members as provided by state law. The city clerk shall appoint himself as chair of the board.~~

(Code 1967, § 2-3.1)

~~Sec. 2-407. -- Deputies.~~

~~The registration voter appeals board shall appoint two deputies, who shall be nominated by the chair. The deputies shall be employees of the city. The political party affiliation and duties of the deputies shall be as established by state law. The deputies' performance of their job duties shall be under the direction of the chair of the board.~~

(Code 1967, § 2-3.2)

~~Sec. 2-408. -- Staff assistants.~~

~~If there are one or more vacancies in the position of deputy to the registration voter appeals board, the chair may appoint one or more assistants to provide temporary staff assistance to the board until the vacancy can be filled. The staff assistants shall be supervised by the chair of the board.~~

(Code 1967, § 2-3.3)

~~Secs. 2-409 -- 2-429. -- Reserved.~~

FOOTNOTE(S):

⁽¹⁵⁾ *State Law reference — Municipal registration appeals board, 21-A M.R.S.A. § 103. [\(Back\)](#)*

Language to be deleted is ~~stricken~~; additions are underlined

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IN CITY COUNCIL

ORDINANCE #02-03052012

ORDERED, that the Code of Ordinances be and hereby is amended as follows, replacing current City of Auburn classifications with classifications used by the State of Maine:

State Classifications	Auburn Classifications
Food Establishment On or Off Premises	FSE Class D (includes liquor) incorrect reference to alcohol
Temporary Food Service Establishment	FSE Class F Per event/maximum of 30 days
Class I Spirituous, Vinous and Malt	FSE Class A (based on square footage)
Class III Vinous Only Class III/IV Malt and Vinous	FSE Class B (includes liquor)
Class IV Malt Liquor Only	FSE Class C (includes liquor)
Class V Spirituous, Vinous and Malt Clubs Without Catering Privileges	No Classification
Class X Spirituous, Vinous and Malt Class A Lounge	FSE Class A Lounge (includes liquor)
Class XI Spirituous, Vinous and Malt Restaurant/Lounge	No Classification
Bottle Club/BYOB	FSE Class E
Off-Premise Retailer – Malt Liquor Off-Premise Retailer – Table Wine	FSE Class G Take Out

First reading on 3/5/2012, 6-1 (Councilor Hayes).

Second reading and passage on 3/19/2012 4-2 (Councilors Walker & Gerry, Councilor Hayes was absent).

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IN CITY COUNCIL

ORDINANCE 03-07162012

ORDERED, that the General Assistance Ordinance be amended to incorporate the following maximum levels of assistance to be effective on and after July 1, 2012 as follows:

GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	550	641	818	1040	1174
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	561	563	676	845	1036
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	471	590	720	912	1010
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	731	868	1124	1416	1517
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	912	918	1100	1603	1746

Cumberland County HMFA: Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	607	715	922	1101	1410
Brunswick	608	727	939	1190	1427

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	723	724	869	1095	1504
York County HMFA: Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	661	688	873	1045	1141
	668	744	938	1190	1407

*Note: Add \$68 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	428	527	631	824	912
Franklin County	530	572	696	832	1079
Hancock County	579	668	822	1094	1125
Kennebec County	459	550	684	933	996
Knox County	524	693	791	1071	1236
Lincoln County	633	680	821	991	1118
Oxford County	442	588	678	902	1130
Piscataquis County	550	627	775	984	1053
Somerset County	440	547	632	914	970
Waldo County	617	662	798	979	1041
Washington County	530	572	683	846	923

* Please Note: Add \$68 for each additional person.

Passage of first reading on 7/16/2012, 6-0
(Councilor Young was absent).
Passage of second and final reading on 8/6/2012, 7-0.

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IN CITY COUNCIL

ORDINANCE 04-07162012

ORDERED, that the City of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Code of Ordinances.

Passage of first reading 7/16/2012, 6-0
(Councilor Young was absent).
Passage of second and final reading 8/6/2012, 7-0.

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IN CITY COUNCIL

ORDINANCE 05-07162012

Ordered that the Official Business Directory Sign (OBDS) ordinance Chapter 42, Division 2, Section 42-44. Location be amended as follows;

DIVISION 2. - DIRECTIONAL SIGNS ^[52]

⁽⁵²⁾ **State Law reference**— Maine Traveler Information Services, 23 M.R.S.A. § 1901 et seq.; official business and directional signs, 23 M.R.S.A. § 1906; authority for municipal regulation, 23 M.R.S.A. § 1922.

[Sec. 42-40. - Purpose and policy.](#)

[Sec. 42-41. - Definitions.](#)

[Sec. 42-42. - Applicability.](#)

[Sec. 42-43. - Eligibility.](#)

[Sec. 42-44. - Location.](#)

[Sec. 42-45. - Design, installation and maintenance.](#)

[Sec. 42-46. - Application.](#)

[Sec. 42-47. - Penalty.](#)

[Secs. 42-48—42-67. - Reserved.](#)

Sec. 42-40. - Purpose and policy.

The purpose of this division is to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services, and other businesses and points of scenic, cultural, historic, educational, recreational, agricultural, and religious interest. To provide this information and guidance, it is the policy of the city:

- (1) To establish and maintain a system of official business directional signs;
- (2) To prohibit and control the proliferation of roadside signs; and
- (3) To provide a uniform procedure and criteria to govern their location and approval consistent with state laws governing official business directional signs.

(Code 1967, § 27-5.1)

Sec. 42-41. - Definitions.

Unless another meaning is given expressly or by clear implication, all terms used in this division shall have the meanings set forth in 23 M.R.S.A. § 1903.

(Code 1967, § 27-5.2)

Sec. 42-42. - Applicability.

The provisions of this division shall apply only to official business directional signs.

(Code 1967, § 27-5.7)

Sec. 42-43. - Eligibility.

Lawful businesses and points of interest and cultural, historic, recreational, educational, and religious facilities are eligible to contract with the state for the placement of up to six official business directional signs within the city, but only at the intersections or locations listed in section 42-44.

(Code 1967, § 27-5.3)

State law reference— Similar provision, 23 M.R.S.A. § 1909.

Sec. 42-44. - Location.

Official business directional signs shall be located in accordance with the provisions contained in 23 M.R.S.A. §§ 1911 and 1912 and chapter 200 of the state department of transportation administrative guidelines on approaches to or at the following intersections designated by the city council:

- (1) Turnpike Connector/Lewiston Junction Road.
- (2) Turnpike Connector/Washington Street.
- (3) Turkey Lane/Washington Street.
- (4) Route 122/Hotel Road.
- (5) Beech Hill Road/Washington Street.
- (6) Old Danville Road/Danville Corner Road.
- (7) Merrow Road/Hotel Road.
- (8) Turnpike Connector/Hotel Road.
- (9) Rodman Road/Washington Street.
- (10) Rodman Road/Poland Road.
- (11) Rodman Road/Manley Road.
- (12) Rodman Road/Hotel Road.
- (13) Hotel Road/Minot Avenue.
- (14) Upper Court Street/Minot Avenue.
- (15) Fairview Avenue/Minot Avenue.
- (16) Rotary.

- (17) High Street/Minot Avenue.
- (18) Broad Street/Mill Street.
- (19) Riverside Drive/Mill Street.
- (20) Court Street/Union Street Bypass.
- (21) Court Street/Goff Street.
- (22) Court Street/Western Avenue
- (23) Court Street/Turner Street.
- (24) Turner Street/Union Street Bypass.
- (25) Center Street/North River Road.
- (26) Park Avenue/Mt. Auburn Avenue.
- (27) Gracelawn Road/Mt. Auburn Avenue.
- (28) Center Street/Mt. Auburn Avenue.
- (29) Youngs Corner Road/Hotel Road.
- (30) Youngs Corner Road/Perkins Ridge Road.
- (31) Lake Shore Drive/Route 4.
- (32) West Hardscrabble Road/Lewiston Junction Road.
- (33) Minot Avenue/Hatch Road (northerly direction only).
- (34) High Street/Academy Street.
- (35) Main Street/Academy Street.
- (36) South Main Street/Mill Street.
- (37) Lake Shore Drive/North Auburn Road.
- (38) Center Street/Fair Street, Martin Street.
- (39) Washington Street southbound Miami Avenue.
- (40) Washington Street northbound Miami Avenue.
- (41) Washington Street southbound Phil-O-Mar Street.
- (42) Washington Street northbound Phil-O-Mar Street.
- (43) Washington Street northbound Chasse Street.
- (44) Washington Street southbound Chasse Street.

- (45) Washington Street northbound Hackett Road.
- (46) Park Avenue/Gamage Avenue.
- (47) Perkins Ridge Road/Hatch Road (Welcomb's Corner).
- (48) Center Street/Stetson Road.
- (49) Fair Street/Oak Hill Road.
- (50) Hotel Road/Manley Road.
- (51) Summer Street/Youngs Corner Road.
- (52) Riverside Drive/Penley Corner Road.
- (53) Rodman Road/Twin Road.
- (54) Washington Street northbound Adams Street.
- (55) First Ave/Rotary Reverse Direction Connectors.
- (56) Hackett Road/Broad Street.
- (57) Center Street/Stanley Street.
- (58) Center Street/Cross Street.
- (59) Riverside Drive/Dunn Street.
- (60) Turner Street/Gracelawn Road.
- (61) Drummond Street/Main Street.
- (62) Court Street/Pleasant Street (both directions).
- (63) Minot Avenue/Elm Street.
- (64) Pleasant Street/Elm Street.
- (65) Millett Drive/Court Street.
- (66) Minot Avenue/Millett Drive.

(Code 1967, § 27-5.4; Ord. of 3-2-1998; Ord. of 12-6-1999(2); Ord. of 11-19-2001(2); Ord. of 5-2-2005(02))

State law reference— Permitted locations, 3 M.R.S.A. § 1912.

Sec. 42-45. - Design, installation and maintenance.

Official business directional signs shall be designed, installed and maintained in accordance with the provisions of 23 M.R.S.A. §§ 1901 through 1925 and chapter 200 of the state department of transportation administrative guidelines. Signs shall be nonreflectorized and no larger than 12 by 48 inches, except that a reflectorized sign of any permissible size may be permitted on an existing sign assembly displaying a reflectorized sign of the same size if such sign assembly was legally erected

prior to October 7, 1985.

(Code 1967, § 27-5.5)

Sec. 42-46. - Application.

Application for an official business directional sign shall be made on forms furnished by the state department of transportation. Completed applications shall be submitted to the department of planning and permitting services for review. Upon receipt of the completed application, the department shall review the request to ensure that it conforms to the provisions of this article and shall approve, conditionally approve or reject the request based on its findings. If disapproved by the department, the reasons for disapproval shall be communicated to the applicant in writing. Any person aggrieved by the decision of the department may appeal to the county superior court within 30 days of receipt of the department's decision. If approved, the applicant may then forward the approved application and the license fee prescribed by the state law to the state commissioner of transportation for approval or disapproval.

(Code 1967, § 27-5.6)

Passage of first reading on 7/16/2012, 6-0 (Councilor Young was absent).
Passage of second and final reading on 8/6/2012, 7-0.

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IN CITY COUNCIL

ORDINANCE 06-09172012

ORDERED, that the City of Auburn amend the Official Zoning Map in the area of South Witham Road from Low Density Country Residential District (LDCR) to Low Density Rural Residence District, including a strip of land 450' deep from the centerline of and parallel to South Witham Road on the east side of the road and the full depth of the existing LDCR zoning district and parcels on the west side of the road on the parcels at 96 S. Witham Rd (Parcel Identification - PID 137-019), 126 S. Witham Rd (Parcel Identification-PID 137-020), 224 S. Witham Rd (Parcel Identification - PID 137-022), 272 S. Witham Rd (Parcel Identification - PID 137-023), 336 S. Witham Road (Parcel Identification - PID 137-024), 384 S. Witham Rd (Parcel Identification - PID 137-025), 386 S. Witham Rd (Parcel Identification - PID 137-025-001), 349 S. Witham Rd (Parcel Identification - PID 137-014-001), 275 S. Witham Rd (Parcel Identification - PID 137-014 / 137-014-002) and 177 S. Witham Rd (Parcel Identification - PID 137-015) pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.

Public hearing and passage of first reading on 9/17/2012,
5-2 (Councilors Crowley and Gerry).
Passage of second and final reading on 10/01/2012, 4-3
(Councilors Crowley, Walker, and Gerry).

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IN CITY COUNCIL

ORDINANCE 07-12172012

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

Chapter 24 Article II. Licenses

Sec. 24-36. Compliance with Rules and Regulations Required; Approval, Disapproval by City Officials, Council

- a. All licensees and applicants for licenses are required to comply with State statutes and Rules, City Ordinances and rules and regulations of City Departments which pertain to the business or activity for which a license is desired. State of Maine Rules include and are not limited to:
 1. State of Maine Food Code 2001 as adopted by the Maine Department of Human Services 10-144 CMR 200 and the Maine Department of Agriculture, Food and Rural Resources 01-001 CMR 331 May 1, 2001
 2. Rules Relating to Lodging Establishments, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health 10-144 CMR 206 January 1, 2003.
 3. Rules relating to the Administrative and Enforcement of establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201 Last Amended on October 7, 2012
- b. In any case where the City requires the approval of the Building Inspector, Code Enforcement Officer, Police Chief, Fire Chief or any other City Official prior to issuance of the license, it shall be the duty of the City Clerk or designee to notify in writing the officials whose approvals are required. The officials so notified, or their duly delegated representatives, shall approve or disapprove the application without delay and shall note their approval or disapproval thereon, stating the reasons for any disapproval. When required by the City Council, a hearing will be held at which time the Council shall decide whether to approve or disapprove any application for a license or permit. It shall be the duty of the City Clerk or designee to notify the applicant of the time and place of the hearing. Such notice shall be mailed by the City Clerk, postage prepaid, to the applicant at his last known address at least 48 hours prior to the date set for such hearing. The decision and order of the Council on such hearing shall be final and conclusive. Except as set forth in subsection (c) below, a license under this chapter shall be denied if the council makes a finding that:

**Passage of first reading on 12-17-2012, 6-1 (Councilor Crowley)
Passage of second and final reading on 1-7-2013, 5-0 (Councilors
LaFontaine and Shea absent).**