



City Council Workshop & Meeting  
Agenda  
January 20, 2026  
Auburn Hall, Council Chambers

**5:30 PM Workshop**

- **Executive Session** pursuant to 1 M.R.S.A. Section 405(6) (E) to discuss a matter with the City's attorney concerning the City's legal rights and duties related to Maine Waste-to-Energy.
- Proposed ordinance updates to Article II. Licenses & and Article VIII. Citation System of Code Enforcement

**7:00 PM Meeting**

Pledge of Allegiance & Roll Call - *Roll call votes will begin with Councilor Walker*

- I. **Consent Items** – *All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Passage of items on the Consent Agenda requires majority vote.*
- 1) **ORDER 13-01202026** – Comprehensive Plan Committee appointments.
  - 2) **ORDER 14-01202026** – Appointing City Manager Phil Crowell as Representative to the Maine Service Centers Coalition, and Assistant City Manager Denis D’Auteuil as Alternate.
  - 3) **ORDER 15-01202026** – Confirming Chief Moen’s appointment of John Nguyen as Constable with Firearm for the Auburn Police Department.

**II. Minutes** – January 5, 2026 Regular Council Meeting

**III. Communications, Presentations and Recognitions**

**IV. Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

## V. Unfinished Business

- 1) **ORDINANCE 01-01052026** - Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone Airport-owned land from Suburban Residential (Parcel ID: 156-015) to the Industrial zoning district. **Second reading/public hearing. ROLL CALL VOTE.**
- 2) **ORDINANCE 02-01052026** - Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone Airport-owned land from Low-Density Country Residential (Parcel ID: 107-011) to the Industrial zoning district. **Second reading/public hearing. ROLL CALL VOTE.**

## VI. New Business

- 1) **ORDER 16-01202026** - Initiating a Chapter 60 (Zoning Ordinance) amendment for Planning Board consideration to increase protections for important farmland and natural resources.
- 2) **ORDINANCE 03-01202026** – Granting a 180 day moratorium extension regarding Needle Exchange Services. **First reading. ROLL CALL VOTE.**
- 3) **ORDINANCE 04-01202026** – Granting a 180 day moratorium prohibiting rent or fee increases at Mobile Home Parks. **First reading. ROLL CALL VOTE.**

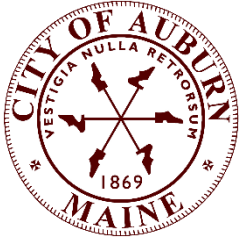
## VII. Reports

- a. Mayor's Report
- b. City Councilors' Reports
- c. Student Representative Report
- d. City Manager Report
- e. Quarterly Finance Report – Kelsey Earle, Finance Director

VIII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

## IX. Executive Session

## X. Adjournment



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** January 20, 2026

**Subject:** Executive Session

**Information:** Executive Session pursuant to 1 M.R.S.A. Section 405(6) (E) to discuss a matter with the City's attorney concerning the City's legal rights and duties.

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

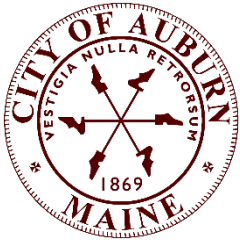
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**Author:** Kris Beaudoin, Code Enforcement

**Subject:** Ordinance updates to Article II. - Licenses, and Article VIII. Citation System of Code Enforcement

**Information:** Proposed amendments to Article II to reassign enforcement authority from the Auburn Police Department to the Code Enforcement Division, thereby authorizing Code Enforcement Officials to investigate and enforce licensing violations on behalf of the City Clerk's Office. This realignment enhances administrative efficiency, clarifies departmental roles, and ensures consistent enforcement of licensing and land use/building requirements.

Proposed amendments to Article VIII to eliminate outdated, and potentially conflicting provisions within the ordinance. These revisions promote internal consistency, improve regulatory clarity and strengthen current practices and enforcement standards.

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**City Budgetary Impacts:** There is no net budgetary impact to the city as a whole; however, implementation of these changes will transfer some work to code enforcement.

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**Previous Meetings and History:** None

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**City Manager Comments:** *Phillip Crowell Jr.*

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**Attachments:**

## **ARTICLE VIII. CITATION SYSTEM OF CODE ENFORCEMENT<sup>1</sup>**

### **DIVISION 1. GENERALLY**

#### **Sec. 2-605. Applicability; enforcement officials.**

- (a) This article shall apply to enforcement proceedings under the following:
- (1) Chapter 12, article III, the building code.
  - ~~(2)~~ Chapter 14, article II, licenses
  - ~~(23)~~ Section 18-1, pertaining to prohibited activities in Lake Auburn watershed.
  - ~~(34)~~ Chapter 18, article II, pertaining to soil disturbance and fill standards.
  - ~~(45)~~ Chapter 18, article III, pertaining to post-construction stormwater management.
  - ~~(56)~~ Chapter 20, article III, the fire code.
  - ~~(67)~~ Chapter 12, article III, division 2, the electrical code.
  - ~~(78)~~ Chapter 12, article IV, the housing code.
  - ~~(89)~~ Chapter 44, pertaining to solid waste.
  - ~~(910)~~ Chapter 46, pertaining to streets, sidewalks and other public places.
  - ~~(1011)~~——Chapter 60, pertaining to zoning.
- (b) The inspectors under the various codes are referred to in this article collectively as enforcement officials.  
(Code 1967, § 33-1.1)

#### **Sec. 2-606. Effect of article on other ordinances.**

This article does not supersede or repeal other enforcement procedures or preclude the initiation of other enforcement proceedings under state law or other municipal ordinances except to the extent that enforcement proceedings are inconsistent with this article.

(Code 1967, § 33-2.10)

#### **Sec. 2-607. Investigation of violation.**

Upon receipt of information indicating the likelihood of a violation subject to this article, the enforcement official or ~~a his~~ duly authorized agent shall investigate the facts and may ~~make an inspection of~~ inspect the premises when legally authorized to do so.

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<sup>1</sup>State law reference(s)—Enforcement of civil violations, 17-A M.R.S.A. § 17.

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(Code 1967, § 33-1.2)

**Sec. 2-608. Notice of violation.**

- (a) If the investigation reveals that a code violation has occurred, the enforcement official shall give written notice of such violation to the person having control of the land, building, structure or sign involved in the violation, referred to in this section as "the violation," and demand that the violation be corrected.
- (b) Notice of the violation may be delivered in hand to the violator or left ~~for him~~ with a person of suitable age and discretion living in the same household or mailed to ~~him~~ the violator by certified mail to ~~his~~ their last known address.
- (c) Such notice shall describe the violation, including a reference to the ordinance section violated, specify a reasonable period as to each violation within which corrective action must be completed, and state the potential consequences if the violation is not corrected. The notice shall also advise the property owner of his right to appeal to the appropriate authority if he disagrees with the enforcement official's determination that he is violating the ordinance.

(Code 1967, § 33-1.3)

**Sec. 2-609. Civil proceedings.**

If appropriate action to correct the violation has not been taken within the period established in this article, the enforcement official or the city solicitor may initiate appropriate court proceedings to prevent, correct or abate the violation. Such court proceedings may include the initiation of a land use complaint pursuant to rule 80K of the Maine Rules of Civil Procedure.

(Code 1967, § 33-1.4)

~~**Sec. 2-610. Penalties.**~~

~~The following penalties shall apply to citations issued pursuant to this division:~~

~~First citation \$105.00~~

~~Second citation \$210.00~~

~~Third citation \$420.00~~

~~Fourth and subsequent citations \$840.00~~

~~{Ord. of 5-3-2010}~~

**Secs. 2-611—2-636. Reserved.**

*DIVISION 2. ALTERNATIVE ENFORCEMENT PROCEDURE*

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**Sec. 2-637. Issuance of citation.**

If appropriate action to correct the violation has not been taken within the period established by the enforcement official pursuant to this article, he may, as an alternative to initiating court action, issue a citation to the violator.

(Code 1967, § 33-2.1)

**Sec. 2-638. Contents of citation.**

- (a) ~~The citation provided for in this division shall be in writing, describe the nature of the violations, including the ordinance sections violated, and state the dates by which the violations were to have been corrected, that a civil penalty of \$50.00 has been imposed for the violation, the date by which the penalty must be paid and to whom, and the consequences of failing to pay within the period stated.~~

The citation provided for in this division shall be in writing, describe the nature of the violations, including the ordinance sections violated, and state the dates by which the violations were to have been corrected, that a civil penalty as established in the fee schedule set forth later in this chapter has been imposed for the violation, the date by which the penalty must be paid and to whom, and the consequences of failing to pay within the period stated.

- (b) The number of days allowed by the enforcement official within which corrective action must be taken shall be reasonable given the notice period previously given to the violator, the nature of the violation to be corrected, and the time which the code enforcement official estimates will be required to perform the corrective work.
- (c) The citation shall also advise the violator of his right to request an extension of time to correct the violation as provided in this division. The citation shall state that an additional civil ~~penalty of \$100.00~~ penalties will be imposed and that further citations may be issued if the violation has not been corrected within the time specified.

(Code 1967, § 33-2.2)

**Sec. 2-639. Time limits for corrective action.**

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Immediate risk or nuisance* means a condition or circumstance which poses an immediate threat to the health or safety of individuals or their property.

*Long term risk or nuisance* means a condition or circumstance which does not pose an immediate threat to the health or safety of individuals or their property, but could cause a hazard or create a physical or aesthetic nuisance if not corrected.

*Short term risk or nuisance* means a condition or circumstance which, while posing a serious threat to the health or safety of individuals or their property, is not likely to occur so soon as to be an immediate danger.

- (b) *Time periods which corrective action taken.* The following time periods within which corrective action must be taken shall be presumed to be reasonable for purposes of this article:

Description of risk	Corrective action time period
Immediate risk or nuisance	Zero hours to 24 hours

Short-term risk or nuisance	24 hours to one week
Long-term risk or nuisance	One week to 30 days

(Code 1967, § 33-2.3)

**Sec. 2-640. Service of citation.**

- (a) Citations issued pursuant to this division may be delivered in hand to the violator or left ~~for him~~ with a person of suitable age and discretion living in the same household. If the violator is a corporation, citations may be served on an authorized official, or, if none is available, upon any employee of the corporation.
- (b) Citations may also be served by certified mail, return receipt requested. If the return receipt is not signed, the citation shall be presumed to have been served if also sent by ordinary mail which has not been returned by the postal service.

(Code 1967, § 33-2.4)

**Sec. 2-641. Amount of penalty.**

- (a) The penalties for violations punishable by citations under this division shall be as follows:

First citation ~~\_~~\$105.00

Second citation ~~\_~~\$210.00

Third citation ~~\_~~\$420.00

Fourth and subsequent citations ~~\_~~\$840.00

- (b) The fines imposed shall be cumulative.

(Code 1967, § 33-2.5; Ord. of 5-3-2010)

**Sec. 2-642. Further citations.**

~~If the corrective action required has not been taken within the time specified in the first citation issued under this division, the code enforcement official may issue a second citation. The second citation shall contain the same information set forth in the first citation regarding the nature of the violation, but may do so by reference to the first citation in the discretion of the code enforcement official. It shall also state that, in addition to the previous civil penalties, a civil penalty of \$200.00 will be imposed and that further citations may be issued if the violation has not been corrected within the specified time. The time limit indicated may be the same as the time allowed in the first citation or may be altered if there has been a change in circumstances. The same procedure may be repeated by the issuance of a third citation punishable by a civil penalty of \$500.00 if the corrective action has not been taken within the time specified.~~

If the corrective action required has not been taken within the time specified in the first citation issued under this division, the code enforcement official may issue a second citation. The second citation shall contain the same information set forth in the first citation regarding the nature of the violation but, may do so by reference to the first citation in the discretion of the code enforcement official. It shall also state that, in addition to the previous civil penalties, a civil penalty of two hundred ten dollars (\$210) will be imposed and that further citations may be issued if the violation has not been corrected within the specified time. The time limit indicated may be the same as the time allowed in the first citation or may be altered if there has been a change in circumstances. The same

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procedure may be repeated by the issuance of a third citation punishable by a civil penalty of four hundred twenty dollars (\$420) if the corrective action has not been taken within the time specified. Any fourth and each subsequent citation shall be punishable by a civil penalty of eight hundred forty dollars (\$840).

(Code 1967, § 33-2.6)

### **Sec. 2-643. Interest on unpaid penalties.**

All civil penalties imposed by citation under this division shall be due within five days after the date the corrective action specified was to be taken. Interest computed at the rate of 18 percent per annum shall be added to all unpaid civil penalties beginning five days after the date that the civil penalty became due. The code enforcement official or the city solicitor may initiate appropriate proceedings to collect any civil penalties which are not promptly paid, together with all outstanding interest.

(Code 1967, § 33-2.7)

### **Sec. 2-644. Extension of time to correct violation.**

In any case in which the violator asserts that there is good cause for extending the period during which the violation can be corrected under this division, he may request such an extension from the enforcement official in writing, setting forth the reasons for the request. The filing of such an application shall not suspend the running of the time limit specified. The enforcement official shall act upon the request within two working days of its being presented. The decision of the enforcement official shall be final.

(Code 1967, § 33-2.8)

### **Secs. 2-645—2-661. Reserved.**

## **ARTICLE II. LICENSES**

### **Sec. 14-26. Compliance with state and local law and rules required.**

- (a) Except as otherwise provided, no person shall engage in any business or activity, nor maintain any equipment or device, for which a license or permit is required, without having first complied with all applicable rules and regulations and having paid the proper fee and obtained a license therefore.
- (b) Specifically, 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 rules include and are not limited to:
  - (1) State of Maine Food Code 2013 as adopted by the Maine Department of Health and Human Services, Health Inspection Program, 10-144 CMR 200 and the Maine Department of Agriculture, Conservation and Forestry, 01-01 CMR 331, October 1, 2013.
  - (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 Administration and Enforcement of Establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201, last Amended on October 7, 2012.

(Ord. No. 38-02072011-05, att. § 24-26, 2-7-2011; Ord. No. 07-12172012, § 24-36(a), 1-7-2013; Ord. No. 08-09222014, 10-6-2014)

### **Sec. 14-27. Penalty.**

~~The violation of any provision of this division shall be punished by a civil penalty, payable to the city, of not less than \$100.00 and not more than \$2,500.00 for each offense, based on the severity of the offense and number of occurrences. Each act of violation and every day upon which any such violation occurs shall constitute a new and separate offense. In addition to such penalty, if the court finds for the city, the city shall recover its costs of suit, including reasonable experts' fees, reasonable attorneys' fees and reasonable and necessary investigative costs.~~

The violation of any provision of this division shall be addressed and enforced in accordance with ARTICLE VIII. CITATION SYSTEM OF CODE ENFORCEMENT. Each act of violation, and each day that a violation continues, shall constitute a separate and distinct offense. All enforcement actions, procedures, and associated processes shall follow the citation system established in Article VIII.

(Ord. No. 38-02072011-05, att. § 24-27, 2-7-2011)

### **Sec. 14-28. License for each location required.**

A license is required for each place or premises where a business regulated by this chapter, or any part thereof, including storage, is conducted. No licensee shall engage in such business in any manner at any place without first obtaining such license. The provisions of this section shall not apply to the following licenses, except

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that a separate license shall be required for each cart, vehicle, conveyance or other carrier employed by such licensees: peddler, solicitor, sound amplification and taxicab.

(Ord. No. 38-02072011-05, att. § 24-28, 2-7-2011)

**Sec. 14-29. Written application to be on approved form; submitted with appropriate fee.**

Except when otherwise provided by the ordinances of the city, every application for a license shall be made in writing to the city clerk or designee upon a form to be provided by the clerk. Such application shall be signed by the applicant. The proper fee shall be paid to the clerk at the time of filing the application.

(Ord. No. 38-02072011-05, att. § 24-29, 2-7-2011)

**Sec. 14-30. Business beginning after application date.**

The license fee for any business shall be due and payable before such business is begun, provided, that when the licensee begins such business after the expiration of six months of the current license year, then such licensee shall be required to pay one-half the applicable yearly license fee prescribed, except as provisions otherwise require payment of the full license fee.

(Ord. No. 38-02072011-05, att. § 24-30, 2-7-2011)

**Sec. 14-31. Fees; waiver.**

The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the city council. The city council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the city council at its next available meeting.

(Ord. No. 38-02072011-05, att. §§ 24-31, 2-7-2011)

**Sec. 14-32. Applicants required to furnish information.**

- (a) Every applicant for a license shall furnish to the city the following information:
  - (1) Complete and exact name under which the business is proposed to be operated;
  - (2) If the business is proposed to be operated by an individual under any assumed name, the name of such individual and his address;
  - (3) If the business is a partnership, the name and address of each partner;
  - (4) If the business is a corporation, the name and address of the officers of the corporation, and the location of the principal office;
  - (5) Nature of the business for which a license is desired;
  - (6) Proposed physical location; and
  - (7) Proof of ownership or legitimate interest in property where business is to be conducted.
- (b) In addition to the foregoing, the applicant shall furnish to the city clerk or designee such other information as may be required by him in order to enable him to determine the proper classification of the applicant and

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the appropriate license fee and any other associated costs directly related to the application for a license, such as, but not limited to, the costs of public hearing ads and background check.

(Ord. No. 38-02072011-05, att. § 24-32, 2-7-2011)

### **Sec. 14-33. Investigation of applicants.**

Wherever his approval is required or upon the request of the city clerk, the police chief may cause an investigation of any applicant for a license to be conducted prior to approval of such application for a license or permit.

(Ord. No. 38-02072011-05, att. § 24-33, 2-7-2011)

### **Sec. 14-34. Certification from city officials.**

- (a) Before an applicant receives a license, the city clerk shall submit the application for certification to the code enforcement officer, fire chief, police chief and city treasurer or their designee.
- (b) Each city official has the authority to use back ground investigations, city records and any other means necessary to review each application in the course of the approval or denial process.
- (c) The code enforcement officer shall inspect the premises to determine whether the facilities are sanitary and in compliance with the provisions of land use regulations, building standards and codes as well as all state and city rules and regulations for the type of business activities intended to be conducted.
- (d) The fire chief shall determine whether the premises are free of a health safety and fire hazards and in compliance with all applicable standards.
- (e) The police chief shall certify that the applicant has not had a history of complaints or problems on the proposed business, applicants, owners or managers; where the approval of the license would be adverse to the public health, safety and welfare of the citizens of the city.
- (f) The city treasurer shall certify that all taxes and any monies due to the city have been paid or are current.
- (g) 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.
- (h) 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.

(Ord. No. 38-02072011-05, att. § 24-34, 2-7-2011; Ord. No. 07-12172012, § 24-36, 1-7-2013)

### **Sec. 14-35. Hearing before city council; notice.**

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.

(Ord. No. 38-02072011-05, att. § 24-34, 2-7-2011; Ord. No. 07-12172012, § 24-36, 1-7-2013)

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### **Sec. 14-36. Inspection of applicant's premises and merchandise.**

Whenever required by state law, the ordinances of the city, the regulations of any city department, or upon the request of the city clerk, an inspection may be made of the applicant's premises or merchandise by the city assessors, police chief, fire chief, code enforcement officer, building inspector or other duly authorized city official prior to approval of any application for a license or permit. In addition, the premises or merchandise of every licensee shall be subject to such inspection at any time during the current license year; and the results of such inspections may be grounds for the suspension or revocation of any license issued by the city.

(Ord. No. 38-02072011-05, att. § 24-35, 2-7-2011)

### **Sec. 14-37. Disapproval by city officials; appeal to city council.**

- (a) 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.
- (b) 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.
- (c) The decision and order of the council on such hearing shall be final and conclusive.

(Ord. No. 38-02072011-05, att. § 24-36, 2-7-2011)

### **Sec. 14-38. Grounds and procedure for denial of license applications; exceptions.**

- (a) Except as otherwise specifically provided in this section, a license under this chapter shall be denied if the council makes a finding that:
  - (1) The applicant is a corporation that is not licensed to do business in the state;
  - (2) The applicant is a corporation, of which, at any time during the previous five years, a principal officer, or a person having an actual or beneficial ownership interest or management authority therein has been convicted of (a) any Class A, Class B, or Class C crime, or (b) a crime committed under the laws of the United States of America or of any other state or territory thereof, that is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that that is authorized for the commission of a Class C crime under state law; provided that such conviction was for an offense that is rationally related to the regulation of the business sought to be licensed;
  - (3) The applicant has been convicted of (a) any Class A, Class B or Class C crime, or (b) a crime committed under the laws of the United States of America or of any other state or territory thereof, that is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that that is authorized for the commission of a Class C crime under Maine law; provided that such conviction was for an offense that is rationally related to the regulation of the business sought to be licensed;
  - (4) The applicant has had his business license revoked within the five years preceding the date of the application;

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- (5) The applicant is a corporation, person or other business entity which does or will employ a person (a) who will be substantially in the ownership or management of the business and the employee's business license has been revoked within the five years preceding the application; or (b) who was a principal of any corporation whose business license has been revoked within the five years preceding the application;
  - (6) The applicant is a corporation, person or other business entity of which any person is a principal who will be substantially involved in the ownership or management of the business and the principal's business license has been revoked within the five years preceding the application;
  - (7) The proposed licensed premises or its use fails to comply with zoning or other land use ordinances;
  - (8) The proposed licensed premises or its use fails to comply with any municipal ordinance or regulation;
  - (9) There exist on or about the premises proposed to be licensed conditions such as waste disposal violations, health or safety violations or other such conditions that unreasonably disturb, interfere with, or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use or enjoy their property in a reasonable manner;
  - (10) The applicant has knowingly furnished false or misleading information on his application.
- (b) No license or permit shall be issued by the city clerk or designee following a hearing at which the city council has disapproved any application for such license. In addition, the city clerk or designee shall deny a license or permit to any person whose application was disapproved by any city official whose approval was required.
  - (c) No license or permit shall be issued to any person who is indebted to the city upon any claim, tax or account that is more than 60 days delinquent. The city treasurer shall be responsible for making available to the city clerk or designee and any other license-issuing officers such information as is essential for compliance with this section.
  - (d) In case an application is disapproved, the city clerk or designee shall then notify the applicant in writing of such denial and shall refund the fee paid in. The city clerk or designee shall also notify the city council of such action at the next regularly scheduled meeting of the city council.
  - (e) In the event that the council, in an exercise of its sound discretion, determines that there exist extenuating circumstances with respect to the grounds for denial of a license or that the circumstances giving rise to the denial can be ameliorated by the imposition of conditions or limitations to the grant of a license, the council may, notwithstanding the grounds set forth in this section, grant a license to the applicant upon such conditions as the council in an exercise of its sound discretion deems to be just and appropriate.
- (Ord. No. 38-02072011-05, att. §§ 24-36, 24-37, 2-7-2011; Ord. No. 07-12172012, § 24-36, 24-37, 1-7-2013)

### **Sec. 14-39. Appeal.**

- (a) Except as otherwise provided, appeals shall be made by filing a written notice of appeal with the office of the city clerk or designee within 30 days of the date of any such denial to the council in writing, whereupon a hearing will be scheduled, at which time the applicant shall have the right to be heard. It shall be the duty of the city clerk or designee to notify such applicants who have appealed, of the time and place of the hearing.
  - (b) Such notice shall be mailed by the city clerk, postage prepaid, to the applicant at the address furnished on the application form at least 48 hours prior to the date set for hearing. The city council may, at that time, approve any application previously denied by the affirmative vote of five or more members of the council.
- (Ord. No. 38-02072011-05, att. § 24-37, 2-7-2011)

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**Sec. 14-40. Issuance of licenses.**

Except where the ordinances of the city require a license to be signed by some other official or where otherwise provided for by the city council, the city clerk or designee shall issue all licenses for which an application has been submitted and approved.

(Ord. No. 38-02072011-05, att. § 24-38, 2-7-2011)

**Sec. 14-41. Display of licenses.**

Every license shall be kept prominently displayed at the place of business of the licensee named in the license, or, in the case of equipment licenses, the license shall be affixed to such machines or equipment as required to allow such license to be inspected at any time by any proper city official.

(Ord. No. 38-02072011-05, att. § 24-39, 2-7-2011)

**Sec. 14-42. Change of location of licensed business.**

No license issued in accordance with the provisions of this chapter for the conduct of any business at a fixed place designated in the license issued therefore shall be valid for the conduct of such business at any place other than that designated in such license.

(Ord. No. 38-02072011-05, att. § 24-40, 2-7-2011)

**Sec. 14-43. Nontransferability.**

Every license issued by the city shall be a personal privilege and shall not be assignable or transferable.

(Ord. No. 38-02072011-05, att. § 24-41, 2-7-2011)

**Sec. 14-44. Duration of licenses; expiration date.**

All licenses, except when otherwise provided, shall be for 12 months' duration and shall expire on the last day of the expiration month according to the following schedule:

Type of License	Term of License	Expiration
Adult Amusement Device	One Year	June
Automobile Graveyard	One Year	October
Beano/Bingo	Six Months, Or Up To Three Years Maximum	December
Bowling/Pool	One Year	Coincides With Food License
Circus/Traveling Amusement Show	Per Day	Per Event
Coin-Operated Device	One Year	June
Exhibition/Performance /Show	Per Day	Per Event
Flea Market	30 Days, 60 Days, 90 Days, Or One Year	Per Event
Food Service Establishment Class A—E, G	One Year	One Year From Date Of Issuance
Food Service Establishment Class F	Up To 30 Days	Per Event

Itinerant Vendor	30 Days, 60 Days, 90 Days, Or One Year	Per Event
Junk Collector/ Pawnbroker/Secondhand Dealer	One Year	Date Of Issuance
Mass Gathering/Event	Per Day	Per Event
Massage Establishment	One Year	Date Of Issuance
Motion Picture Theater	One Year	January
Outpatient Addiction Treatment Clinic	One Year	Date Of Issuance
Peddler	Up To 30 Days	Per Event
Roller Skating Rink	One Year	April
Roving Diner/Mobile Food Vendor	3 Months, 6 Months, One Year	April
Special Amusement	One Year	Coincides With Liquor License
Tattoo	One Year	Date Of Issuance
Taxicab/Taxicab Driver	One Year	December

(Ord. No. 38-02072011-05, att. § 24-43, 2-7-2011)

**Sec. 14-45. Effective date.**

Unless otherwise provided upon issuance of the license, the effective date of all licenses shall be the date of issuance.

(Ord. No. 38-02072011-05, att. § 24-44, 2-7-2011)

**Sec. 14-46. Responsibilities of licensee.**

It shall be the responsibility of the licensee of establishments regulated by this chapter to make certain that all rules and regulations prescribed by this chapter and state law are complied with, and each licensee shall cooperate fully with city officials to enforce such regulations.

(Ord. No. 38-02072011-05, att. § 24-45, 2-7-2011)

**Sec. 14-47. City officials to notify ~~police~~ Planning, Permitting and Code Office of violators; prosecutions.**

Any city ~~official having~~official who has knowledge of any person operating any business or activity regulated by this chapter without the required license, or violating any state or local regulations, shall furnish the ~~police chief~~ Planning, Permitting and Code office the name of such person. It shall be the duty of the ~~police chief~~Code Enforcement official to commence proceedings against the offenders of this chapter.

(Ord. No. 38-02072011-05, att. § 24-46, 2-7-2011)

**Sec. 14-48. Suspensions and revocations; hearings.**

- (a) Where provided, duly authorized city officials; police chief, fire chief or code enforcement officer; shall have the power to temporarily suspend licenses, upon written notification of violation, for a period of up to five calendar days, when the continued operation of the licensed business or activity presents a danger to the

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health, safety or general welfare of the public. This temporary suspension can be revoked when the licensed business rectifies the deficiencies which presented the danger.

- (b) Any license issued by the city may be suspended or revoked by the city council and any license fees retained by the city, upon a finding by the council that the licensee has violated the ordinances of the city or the laws of the State, or has willfully or persistently failed to comply with any applicable rules and regulations. Any action to suspend or revoke a license may be commenced upon the initiative of the council, upon the recommendation of any city official charged with approving, inspecting or otherwise regulating the licensee's business or activity, or upon complaint from any resident of the city.
- (c) Prior to suspending or revoking a license, the city council shall hold a hearing at the regular meeting of the council or a special meeting thereof called for that purpose. At such a meeting, the licensee shall have the right to be heard. Notice of the hearing for suspension or revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by the city clerk, postage prepaid, to the licensee at his last known address at least 48 hours prior to the date set for hearing. The decision and order of the city council at such hearings shall be final and conclusive.

(Ord. No. 38-02072011-05, att. § 24-47, 2-7-2011)

#### **Sec. 14-49. Exemptions from license requirement or fees.**

- (a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.
- (b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.
- (c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.
- (d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.
- (e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.
- (f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.
- (g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.
- (h) Minors operating a temporary concession stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011; Ord. No. 22-10032022, 10-17-2022)

#### **Sec. 14-50. Food sovereignty license exemption.**

- (a) *Intent and purpose.* The intent and purpose of Auburn's Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local

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food system to the fullest extent permitted by home rule authority under 30-A M.R.S.A. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7-A M.R.S.A. § 201 et seq.

(b) *Definitions.* As used in this section, the following words and phrases shall have the meanings indicated:

*Consumer* means any individual who purchases or otherwise receives local food or food products from a producer, grower or processor.

*Grower* means any individual who grows local food or food products.

*Local food or food products* means food, food products or drink grown, produced and processed by individuals within Auburn who sell or provide directly to consumers.

*Local food system* means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of Auburn and its residents.

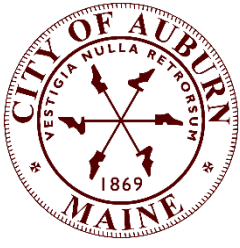
*Processor* means any individual who processes or prepares local food or food products.

*Producer* means any individual who produces local food or food products.

(c) *Exemption.* Producers, growers, and processors of local food or food products in the city are exempt from licensure and inspection with respect to their provision or sale of local food and food products to consumers within the local food system of the city. To the extent this section conflicts with any portion of the Code of Ordinances of the city, this section shall prevail and, as it pertains to this section, that portion of code shall be inapplicable.

(Ord. No. 07-08072017, 8-21-2017)

**Secs. 14-51—14-71. Reserved.**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDER 13-01202026**

**Author:** Mayor Jeffrey D. Harmon

**Subject:** Comprehensive Plan Committee appointments

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**Information:** This order makes appointments to the City's Comprehensive Plan Committee, notwithstanding ORDER #106-08192024.

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**City Budgetary Impacts:** N/A

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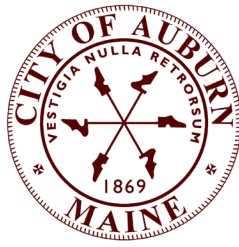
**Previous Meetings and History:** N/A

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**City Manager Comments:** *Phillip Crowell Jr.*

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**Attachments:** N/A



# City Council Order

## IN COUNCIL

**ORDERED**, that, notwithstanding ORDER 106-08192024, the following are appointed to the City's Comprehensive Plan Committee:

As a City Councilor: Kelly Butler

(Ms. Butler is currently a Comprehensive Plan Committee member serving as a Resident from Ward 4 who has been elected as a city councilor. She is replacing City Councilor Richard Whiting.)

As a Planning Board Member: Bilal Hussein

(Mr. Hussein is a Planning Board Member. He is replacing Planning Board Member Paul Jacques.)

As a Resident: Richard Whiting (Ward 1)

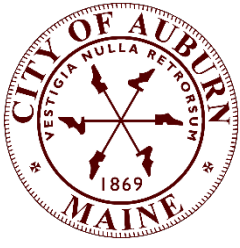
(Mr. Whiting is currently a Comprehensive Plan Committee member serving as a City Councilor who is no longer a member of the city council. He is replacing Heidi Bertels from Ward 1.)

As a Resident: Paul Jacques (Ward 3)

(Mr. Jacques is currently a Comprehensive Plan Committee member serving as a Planning Board member who is no longer a member of the Planning Board. He is replacing Kelly Butler from Ward 4.)

As a Resident: Mathieu Duvall (Ward 3)

(Mr. Duvall is currently a Comprehensive Plan Committee member serving as a Resident of Ward 3 who has been elected as a city councilor. He will maintain his current seat as a Resident from Ward 3.)



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDER 14-01202026**

**Author:** Emily F. Carrington, City Clerk

**Subject:** MSCC Representative appointments

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**Information:** This order appoints City Manager Phil Crowell as the representative for the Maine Service Centers Coalition, and designates Assistant City Manager Denis D'Auteuil as the alternate representative. Mr. Crowell currently serves as the 2026 Chairperson for the Maine Service Centers Coalition.

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**City Budgetary Impacts:** N/A

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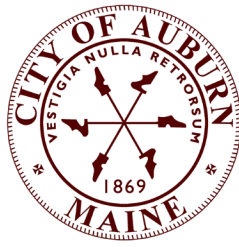
**Previous Meetings and History:** N/A

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**City Manager Comments:** *Phillip Crowell, Jr.*

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**Attachments:** N/A



**ORDER 14-01202026**

# City Council Order

IN COUNCIL

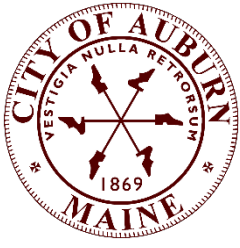
**ORDERED**, that City Manager Phil Crowell be appointed to the Maine Service Centers Coalition as the Auburn Representative and that Assistant City Manager Denis D'Auteuil be appointed as the Alternate Representative.

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**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDER 15-01202026**

**Author:** Jason D. Moen, Chief of Police

**Subject:** Confirming Chief Moen's appointment of John Nguyen as Constable with firearm for the Auburn Police Department.

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**Information:** The Auburn Police Department requests City Council confirmation of John Nguyen as Constable with firearm for the City of Auburn.

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**City Budgetary Impacts:** N/A

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**Previous Meetings and History:** None

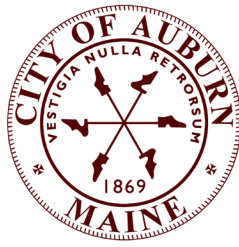
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**City Manager Comments:**

I concur with the recommendation. Signature \_\_\_\_\_



**Attachments:**



**ORDER 15-01202026**

# City Council Order

IN COUNCIL

**ORDERED**, that John Nguyen be and hereby is appointed as Constable with firearm for the Auburn Police Department.

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**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

## IN COUNCIL MEETING JANUARY 5, 2026 VOL 38 PAGE 67

Mayor Harmon called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Student Representatives Abdulahi and Edwards were absent.

### **I. Consent Items**

- 1) ORDER 01-01052026\* – Appointing Councilor Butler and resident Patricia Mador as the Auburn Representatives to the L/A 911 Committee, as recommended by Mayor Harmon.
- 2) ORDER 02-01052026\* – Appointments to Androscoggin Valley Council of Governments (AVCOG), as recommended by Mayor Harmon.
- 3) ORDER 03-01052026\*– Appointing Ed Bearor to the Planning Board, Member, for a term that expires 1/1/2029, as recommended by the Appointment Committee.
- 4) ORDER 04-01052026\*– Appointing Bilal Hussein to the Planning Board, Member, for a term that expires 1/1/2029, as recommended by the Appointment Committee.
- 5) ORDER 05-01052026\*– Appointing Andrea Westbye to the Planning Board, Member, for a term that expires 1/1/2029, as recommended by the Appointment Committee.
- 6) ORDER 06-01052026\*– Appointing Clare Murray to the Parks & Recreation Advisory Board, for an unexpired term that expires 9/30/2026, as recommended by the Appointment Committee.
- 7) ORDER 07-01052026\*– Appointing Merissa Beaulieu to the Parks & Recreation Advisory Board, for an unexpired term that expires 9/30/2027, as recommended by the Appointment Committee.
- 8) ORDER 08-01052026\* – Setting 7:00am as the opening time for the polls for all 2026 elections in Auburn.
- 9) ORDER 09-01052026\* – Accepting an Asset Forfeiture from the State of Maine Criminal Courts to the Auburn Police Department from an incident dated August 23, 2021.

Councilor Walker moved for passage, seconded by Councilor Butler. Motion passed 7-0.

### **II. Minutes** – December 15, 2025 Regular Council Meeting

Councilor Walker moved for passage, seconded by Councilor Platz. Motion passed 7-0.

### **III. Communications, Presentations and Recognitions**

None.

**IV. Open Session**

Julia Seiman, Washington Park Rd

Stan Harmon, Court St

Quentin Chapman, Eastman Ln

Diane, Washington Park Rd

Evan Cyr, Granite St

Pat Bray, Turner Street

Sharon Ackerson, Turner St

Frank LeClair, Washington Park Rd

**V. Unfinished Business**

1) ORDINANCE 08-12152025 – Amending the City’s Code of Ordinances, Chapter 52, “TRAFFIC AND VEHICLES” to update the designated winter relief parking areas. Second reading/public hearing. ROLL CALL VOTE. Passage requires majority vote.

Councilor Walker moved for passage, seconded by Councilor Cowan. Passed 7-0 on a roll call vote.

**VI. New Business**

1) ORDER 10-01052026 – Granting Full Plate LLC, d/b/a 7 Jam Kitchen, 550 Center St Unit 1234, an on premise liquor license. Passage requires majority vote.

Councilor Walker moved for passage, seconded by Councilor Duvall.

There was no comment from the public.

Kevin Guay, business owner, spoke on the application.

Motion passed 7-0.

2) ORDER 11-01052026 - Approving the temporary liquor license for an Incorporated Civic Organization for the City’s three 2026 signature events: Auburn Lobster Festival, Auburn Blues & Brews and New Year’s Auburn.

Councilor Walker moved for passage, seconded by Councilor Cowan.

There was no comment from the public.

Motion passed 7-0.

**IN COUNCIL MEETING JANUARY 5, 2026 VOL 38 PAGE 69**

3) ORDINANCE 01-01052026- Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone Airport-owned land from Suburban Residential (Parcel ID: 156-015) to the Industrial zoning district. First reading. ROLL CALL VOTE. Passage requires majority vote.

Councilor Walker moved for passage, seconded by Councilor Cowan.  
There was no comment from the public.

Motion passed 7-0 on a roll call vote.

4) ORDINANCE 02-01052026 - Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone Airport-owned land from Low-Density Country Residential (Parcel ID: 107-011) to the Industrial zoning district. First reading. ROLL CALL VOTE. Passage requires majority vote.

Councilor Walker moved for passage, seconded by Councilor Duvall.  
There was no comment from the public.

Motion passed 7-0 on a roll call vote.

5) ORDER 12-01052026 – Rescinding ORDER 61-07072025 regarding directing the Maine Waste to Energy Board Representative. Passage requires majority vote.

Councilor Walker moved for passage, seconded by Councilor Cowan.  
There was no comment from the public.

Councilor Walker asked for clarification on why this item was needed and what had changed to prompt this action. Mayor Harmon responded it was due to changes in processes concerning the Board’s finances that made the order no longer necessary.

Motion passed 4-3 (Randall, Gerry, Walker).

**VII. Reports**

a. Mayor’s Report – Mayor Harmon shared appreciation to Public Works for snow removal efforts from last two snow storms. Thanked staff and everyone involved in planning the New Years Auburn event.

b. City Councilors’ Reports – Councilor Randall thanked everyone for coming out and speaking on the issue of rent increases impacting mobile home owners. Councilor Butler noted the open house at the Airport to review the Airport’s master plan next week.

Councilor Platz reminded the public the next School Board meeting is on January 7<sup>th</sup> and minutes have been posted from the last Middle School Advisory Committee. Councilor

**IN COUNCIL MEETING JANUARY 5, 2026 VOL 38 PAGE 70**

Gerry asked to be added to the notice list for school closings and delays.

c. Student Representative Report – None.

d. City Manager Report – The public will be receiving a mailing regarding the Community Development department’s survey regarding HUD funds; please participate.

**VIII. Open Session**

Stephen Milks, Alderwood Rd

**IX. Executive Session** pursuant to 1 M.R.S.A. Section 405(6) (D) for labor negotiations regarding Police Department Patrol. No action to follow.

Councilor Cowan moved for passage, seconded by Councilor Butler. Motion passed 7-0. Entered executive session at 8:05pm.

Councilor Gerry left the meeting at 8:30pm.

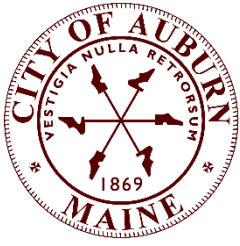
Declared out of Executive Session at 8:36pm.

**X. Adjournment**

Councilor Platz moved to adjourn at 8:36pm, seconded by Councilor Cowan. Motion passed 6-0.

**A TRUE COPY ATTEST**

Emily F. Carrington, City Clerk



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDINANCE 01-01052026**

**Author:** Eric Cousens, Public Services Director

**Subject:** Zoning Map Amendment: Parcel ID 156-015

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**Information:** This map amendment was initiated by the City Council on October 6, 2025, at the request of the Auburn–Lewiston Municipal Airport, pursuant to Chapter 60, Article XVII, Division 2, *Amendment to the Zoning Ordinance or Zoning Map*. The intent is to amend the map so that the Roundy Property (Parcel I.D. 156-015), consisting of approximately 23.96 acres, of which about 8.7 acres are currently zoned Suburban Residential, will be rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.

The lot is split-zoned (Residential/Industrial) and owned by the Airport. The Cities of Auburn and Lewiston, as joint Airport Sponsors, are federally obligated under FAA Grant Assurance 21 to prevent incompatible land uses, particularly residential development, near the Auburn–Lewiston Municipal Airport. These obligations are tied to the Airport’s eligibility for federal funding and are enforced through zoning and land use controls.

The Airport has noted that the residentially zoned portions of these lots are inconsistent with FAA requirements and pose a compliance risk. The purpose of this amendment is to bring all Airport-owned land into full compliance by designating it entirely as Industrial.

On December 9, 2025, the Planning Board voted unanimously to rezone the above-referenced property so that it is fully zoned Industrial.

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**City Budgetary Impacts:** none

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**Staff Recommended Action:** Hold second reading to approve a proposed map amendment pursuant to Chapter 60, Article XVII, Division 2, as recommended by the Planning Board.

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**Previous Meetings and History:** City Council referred to the Planning Board on October 6, 2025. Planning Board held a public hearing on December 9, 2025. Passed first reading January 5, 2026.

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**City Manager Comments:** I concur with the recommendation. Signature: *Phillip Crowell Jr.*

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**Attachments:** Planning Board Staff Report; Airport Request to the Planning Board; City Council order.



# Auburn Lewiston Municipal Airport

80 Airport Drive, Auburn, ME 04210

(207) 786 0631

[www.flytomaine.com](http://www.flytomaine.com)

**TO:** City of Auburn Planning Board

**FROM:** Jonathan P. LaBonte, C.M, A.C.E - Transportation Systems Director, City of Auburn and Airport Director, Auburn–Lewiston Municipal Airport

**DATE:** December 2, 2025

**SUBJECT:** FAA Grant Assurance 21 – Land Use Compatibility Considerations Relevant to Planning Board Review

## **Purpose**

This memo supplements the request to Mayor Harmon and the City Council related to the rezoning of Airport-owned parcels. While the original request addresses the specific zoning action, this document provides broader context on the federal obligations of the Airport Sponsor, how those obligations relate to land use, and why they are relevant to the Planning Board’s work—particularly in light of the City of Auburn’s ongoing Comprehensive Plan update. This memo also references the CFR Part 77 Airspace Map included as an attachment and provides explanations of the various airspace “imaginary surfaces” shown in that map.

## **Key Definitions for Planning Board Members**

### **What is an Airport Sponsor?**

An Airport Sponsor is the public entity that owns or controls a public use airport and is legally responsible to the Federal Aviation Administration (FAA) for ensuring the airport is operated safely, efficiently, and in compliance with federal requirements. For the Auburn–Lewiston Municipal Airport, the Cities of Auburn and Lewiston jointly serve as the Airport Sponsors. Although the Airport is currently governed by a joint Airport Board established in 1979, the FAA holds the municipal governments responsible. Since July 1, 2024, the Airport has been managed directly by the City of Auburn under an Memorandum of Understanding (MOU) with the Airport Board of Directors though both cities remain obligated to maintain compliance.

### **What are FAA Grant Assurances?**

Grant Assurances are a set of federal obligations that Airport Sponsors must agree to as a condition of receiving Airport Improvement Program (AIP) funding. They have been included in FAA grant agreements since the Airport and Airway Improvement Act of 1982. There are currently 40 Grant Assurances covering responsibilities such as safety, access, financial integrity, protection of airspace, and preventing diversion of airport revenues. Grant Assurance 21 specifically requires Airport Sponsors to restrict incompatible land uses near the airport.

### **Grant Assurance 21 – Compatible Land Use**

Under Grant Assurance 21, Airport Sponsors must restrict the development or intensification of incompatible land uses near the airport. FAA identifies residential uses as incompatible due to noise sensitivity, overflight impacts, and safety considerations. This obligation applies to the airport influence area, not only Airport-owned property.



# Auburn Lewiston Municipal Airport

80 Airport Drive, Auburn, ME 04210

(207) 786 0631

[www.flytomaine.com](http://www.flytomaine.com)

## **CFR Part 77 (Title 14)**

This is the regulation that sets the rules for objects that could affect navigable airspace, including establishing standards for what counts as an obstruction and requiring notification for new construction. It defines imaginary "surfaces" above and around airports that need to be kept clear of obstructions for safety and mandates that anyone proposing a construction project that might exceed these limits must notify the Federal Aviation Administration (FAA).

There are multiple "imaginary surfaces" that rise in three dimensions around the Airport and extend well beyond Airport-owned property. These surfaces are shown in the attached map and are specific to the runways of the Auburn-Lewiston Municipal Airport and the approach and departure procedures. These surfaces include:

Primary Surface: Flat area surrounding each runway.

Approach Surfaces: Extend outward and upward from runway ends to protect landing and takeoff paths.

Transitional Surfaces: Slope upward from the sides of runways and approach areas.

Horizontal Surface: A flat plane 150 feet above airport elevation.

Conical Surface: A sloped surface extending outward from the horizontal surface for additional airspace protection.

## **Why Planning Board Review Matters**

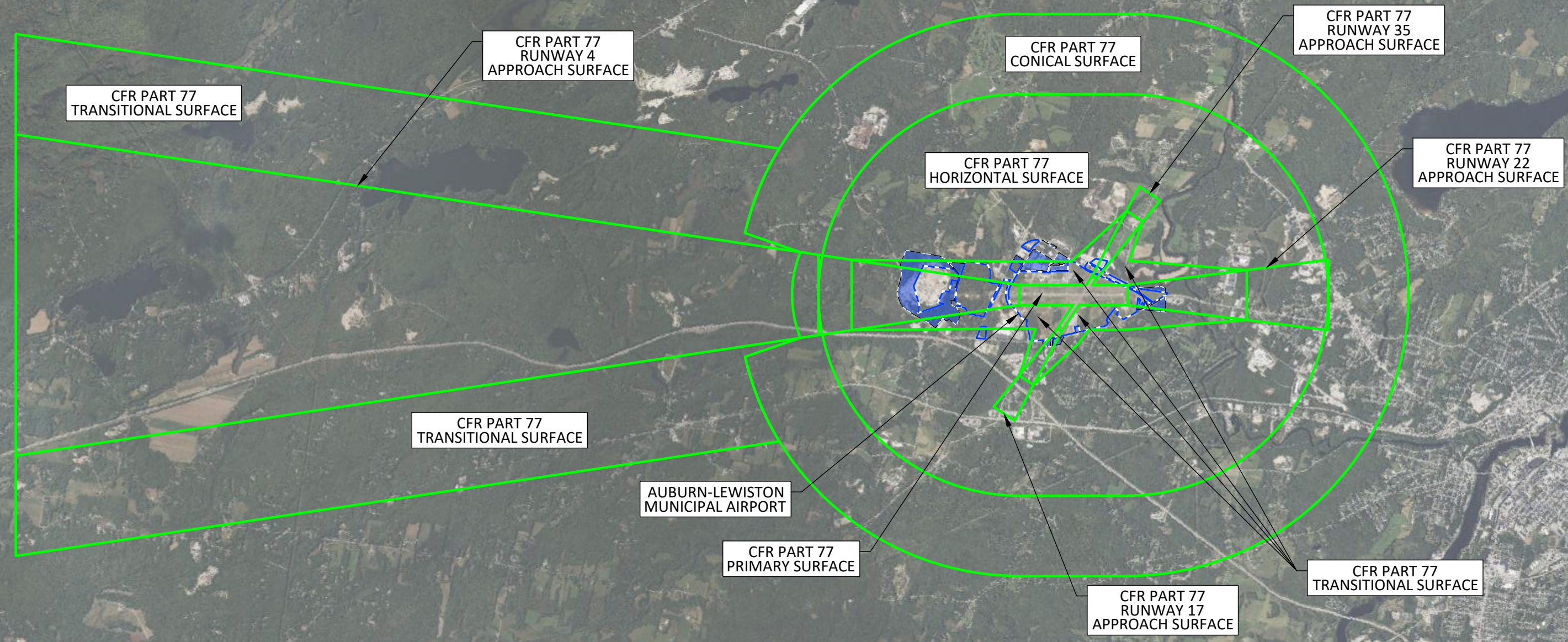
FAA compatibility obligations extend beyond Airport property. Planning Board decisions influence land-use compatibility across the airport influence area, affecting noise-sensitive uses, airspace obstruction risk, airport development potential, and federal compliance. The Airport has been actively participating in the Comprehensive Plan process, with subcommittees and Planning Department staff, along with our aviation engineering consultants. In addition, we have engaged other Maine communities with public-use airports to understand best practices that may be applied in Auburn. The FAA encourages embedding compatibility principles in comprehensive plans so zoning, ordinances, and development reviews remain aligned with federal expectations.

## **Conclusion**

The near-term rezoning request for Airport-owned parcels was initiated in response to direct comments from FAA Office of Airports staff at the New England Regional Office. While that action addresses an immediate concern, the broader obligation under Grant Assurance 21 requires compatibility throughout the airport influence area. The Planning Board's leadership in the Comprehensive Plan update will be essential to meeting federal expectations, protecting funding eligibility, and supporting the long-term development of the Auburn-Lewiston Municipal Airport.

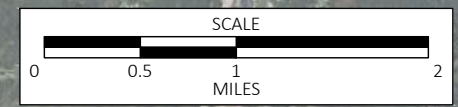
## **Attachments:**

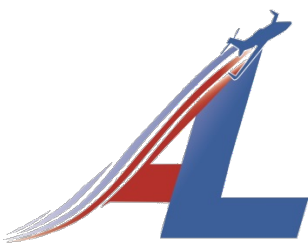
Auburn Lewiston Municipal Airport CFR Part 77 Map



**LEGEND**

	AIRPORT PROPERTY BOUNDARY
	AIRPORT EASEMENT
	CFR PART 77 SURFACE





# Auburn Lewiston Municipal Airport

80 Airport Drive, Auburn, ME 04210  
(207) 786 0631 FAX: (207) 782 3024  
www.flytomaine.com

**TO:** Mayor Jeff Harmon and Members of the Auburn City Council

**FROM:** Jonathan P. LaBonte, Airport Director, Auburn-Lewiston Municipal Airport

**DATE:** October 1st, 2025

**SUBJECT:** Rezoning of Airport-Owned Parcels to for Compliance with FAA Grant Assurances

## Background

Under Federal Aviation Administration (FAA) Grant Assurance 21, the Cities of Auburn and Lewiston, as joint Airport Sponsors, are obligated to ensure safe and efficient airport operations by restricting incompatible land uses in the vicinity of the Airport. The FAA requires that Airport Sponsors take appropriate action, including the adoption of zoning measures, to prevent uses that could interfere with aircraft operations or create hazards.

Residential development is considered incompatible with airport operations under FAA guidance. Maintaining zoning that aligns with compatible aviation-related land uses is essential for safety, operational efficiency, and continued eligibility for federal aviation funding.

## Current Issue

During a recent Airport Master Plan briefing, FAA staff noted concern that certain Airport-owned parcels within Auburn are currently zoned, at least in part, for residential use. Specifically:

- **Roundy Property (Tax Map 156, Lot 015)** – located at Hotel Road and Constellation Drive, Airport-owned, with portions currently zoned residential.
- **185 Foster Road (Tax Map 107, Lot 011)** – also Airport-owned, with partial residential zoning.

The presence of residential zoning on Airport-owned land is inconsistent with FAA expectations and creates a compliance issue under Grant Assurance 21.

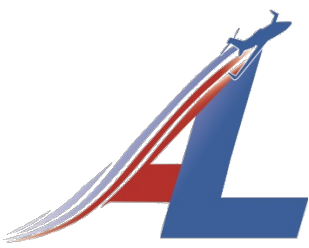
## Relationship to Comprehensive Plan Update

The City of Auburn is currently engaged in the development of its updated Comprehensive Plan, in which future land use and zoning policies will be discussed at length. The Airport looks forward to actively participating in that process to help ensure that long-term zoning and land use decisions are coordinated with aviation operations and FAA requirements.

While those broader discussions will shape the City's future vision, the immediate issue of residentially zoned Airport-owned parcels requires timely action to remain in compliance with FAA Grant Assurance 21.

## Requested Action

The Auburn City Council has the authority to initiate zoning change requests to the Auburn Planning Board. On behalf of the Auburn-Lewiston Municipal Airport, I respectfully request that



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the Council initiate rezoning of the above-listed parcels to remove residential designations and align their classifications with uses compatible with aviation through the Industrial Zone designation.

Proactively addressing this matter will:

- Ensure compliance with FAA Grant Assurance 21.
- Reduce risk of conflicts between Airport operations and surrounding land uses.
- Protect future eligibility for federal aviation funding and support ongoing Airport development.
- Allow the City's Comprehensive Plan discussions to focus on broader regional and long-term planning issues, without leaving unresolved compliance concerns on Airport-owned property.

**Recommendation:** That the City Council initiate the rezoning process for the Roundy Property (Tax Map 156, Lot 15) and 185 Foster Road (Tax Map 107, Lot 011) to remove residential zoning and bring these parcels into compliance with FAA requirements by designating the entire parcels as Industrial Zone.

**Board Action:** The Auburn-Lewiston Municipal Airport Board of Directors voted unanimously to submit this request to the Auburn City Council.

**Partnership Statement:** The Auburn-Lewiston Municipal Airport is committed to working collaboratively with the City Council, Planning Board, and City staff during this rezoning effort, as well as through the Comprehensive Plan update process, to ensure that airport-related land use considerations are addressed in a way that supports both community development and aviation operations.

**Attachments:**

1. FAA Grant Assurances, which include the specific language of Assurance 21 – Land Use
2. Maps of Roundy Property (Tax Map 156, Lot 15) and 185 Foster Road (Tax Map 107, Lot 011)

## **ASSURANCES**

### **AIRPORT SPONSORS**

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#### **A. General.**

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

#### **B. Duration and Applicability.**

##### **1. Airport Development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

##### **2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

##### **3. Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, 37, and 40 in Section C apply to planning projects. The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

### **C. Sponsor Certification.**

The sponsor hereby assures and certifies, with respect to this grant that:

#### **1. General Federal Requirements**

The Sponsor will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant. Performance under this agreement shall be governed by and in compliance with the following requirements, as applicable, to the type of organization of the Sponsor and any applicable sub-recipients. The applicable provisions to this agreement include, but are not limited to, the following:

#### **FEDERAL LEGISLATION**

- a. 49 U.S.C. subtitle VII, as amended.
- b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act – 29 U.S.C. § 201, et seq.
- d. Hatch Act – 5 U.S.C. § 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, et seq.<sup>1, 2</sup>
- f. National Historic Preservation Act of 1966 – Section 106 – 54 U.S.C. § 306108.<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 – 54 U.S.C. § 312501, et seq.<sup>1</sup>
- h. Native Americans Grave Repatriation Act – 25 U.S.C. § 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended – 42 U.S.C. § 7401, et seq.
- j. Coastal Zone Management Act, P.L. 92-583, as amended – 16 U.S.C. § 1451, et seq.
- k. Flood Disaster Protection Act of 1973 – Section 102(a) - 42 U.S.C. § 4012a.<sup>1</sup>
- l. 49 U.S.C. § 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 – 29 U.S.C. § 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 – 42 U.S.C. § 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968, as amended – 42 U.S.C. § 4151, et seq.<sup>1</sup>
- s. Powerplant and Industrial Fuel Use Act of 1978 – Section 403 – 42 U.S.C. § 8373.<sup>1</sup>
- t. Contract Work Hours and Safety Standards Act – 40 U.S.C. § 3701, et seq.<sup>1</sup>
- u. Copeland Anti-kickback Act – 18 U.S.C. § 874.<sup>1</sup>
- v. National Environmental Policy Act of 1969 – 42 U.S.C. § 4321, et seq.<sup>1</sup>

- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.<sup>2</sup>
- y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).
- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Infrastructure Investment and Jobs Act, P.L. 117-58, Title VIII.
- cc. Build America, Buy America Act, P.L. 117-58, Title IX.
- dd. Endangered Species Act – 16 U.S.C. 1531, et seq.
- ee. Title IX of the Education Amendments of 1972, as amended – 20 U.S.C. 1681–1683 and 1685–1687.
- ff. Drug Abuse Office and Treatment Act of 1972, as amended – 21 U.S.C. 1101, et seq.
- gg. Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended – 42 U.S.C. § 4541, et seq.
- hh. Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended – 42 U.S.C. § 4541, et seq.
- ii. Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions – 31 U.S.C. § 1352.

#### **EXECUTIVE ORDERS**

- a. Executive Order 11990 – Protection of Wetlands
- b. Executive Order 11988 – Floodplain Management
- c. Executive Order 12372 – Intergovernmental Review of Federal Programs
- d. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>
- e. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America’s Workers
- f. Executive Order 14149 – Restoring Freedom of Speech and Ending Federal Censorship
- g. Executive Order 14151 – Ending Radical and Wasteful Government DEI Programs and Preferencing
- h. Executive Order 14154 – Unleashing American Energy
- i. Executive Order 14168 – Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
- j. Executive Order 14173 – Ending Illegal Discrimination and Restoring Merit-Based Opportunity

#### **FEDERAL REGULATIONS**

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 and 1201 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. <sup>3, 4, 5</sup>
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.
- g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.
- h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.
- i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.<sup>1</sup>
- j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.<sup>1</sup>
- k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).<sup>1</sup>
- m. 49 CFR Part 20 – New Restrictions on Lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.<sup>1, 2</sup>
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.<sup>1</sup>
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).

- w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.
- x. 49 CFR Part 41 – Seismic Safety.

#### ***FOOTNOTES TO ASSURANCE (C)(1)***

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- <sup>1</sup> These laws do not apply to airport planning sponsors.
- <sup>2</sup> These laws do not apply to private sponsors.
- <sup>3</sup> 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- <sup>4</sup> Cost principles established in 2 CFR Part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- <sup>5</sup> Audit requirements established in 2 CFR Part 200 subpart F are the guidelines for audits.

#### **SPECIFIC ASSURANCES**

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Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

#### **2. Responsibility and Authority of the Sponsor.**

##### a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

##### b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

#### **3. Sponsor Fund Availability.**

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

#### **4. Good Title.**

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. Subject to 49 U.S.C. 47107(a)(16) and (x), it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for

residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

**6. Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

**7. Consideration of Local Interest.**

It has given fair consideration to the interest of communities in or near where the project may be located.

**8. Consultation with Users.**

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

**9. Public Hearings.**

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

**10. Metropolitan Planning Organization.**

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

**11. Pavement Preventive Maintenance-Management.**

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program, and it assures that it will use such program for the useful life of any pavement constructed, reconstructed, or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

**12. Terminal Development Prerequisites.**

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for

certification of such airport under 49 U.S.C. 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

**13. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

**14. Minimum Wage Rates.**

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

**15. Veteran's Preference.**

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

**16. Conformity to Plans and Specifications.**

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary and incorporated into this Grant Agreement.

## **17. Construction Inspection and Approval.**

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

## **18. Planning Projects.**

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

## **19. Operation and Maintenance.**

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:

1. Operating the airport's aeronautical facilities whenever required;
  2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
  3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

## **20. Hazard Removal and Mitigation.**

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

## **21. Compatible Land Use.**

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

## **22. Economic Nondiscrimination.**

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:
  1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
  2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

### **23. Exclusive Rights.**

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not

conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

#### **24. Fee and Rental Structure.**

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

#### **25. Airport Revenues.**

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
  1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
  2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
  3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. 47102), if the FAA determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or

transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of 49 U.S.C. 47107.

## **26. Reports and Inspections.**

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
  - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
  - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

## **27. Use by Government Aircraft.**

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

## **28. Land for Federal Facilities.**

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

## **29. Airport Layout Plan.**

- a. The airport owner or operator will maintain a current airport layout plan of the airport showing:
  1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
  2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
  3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
  4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.
- b. Subject to subsection 49 U.S.C. 47107(x), the Secretary will review and approve or disapprove the plan and any revision or modification of the plan before the plan, revision, or modification takes effect.
- c. The owner or operator will not make or allow any alteration in the airport or any of its facilities unless the alteration—
  1. is outside the scope of the Secretary's review and approval authority as set forth in subsection (x); or
  2. complies with the portions of the plan approved by the Secretary.
- d. When the airport owner or operator makes a change or alteration in the airport or the facilities which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:
  1. eliminate such adverse effect in a manner approved by the Secretary; or
  2. bear all costs of relocating such property or its replacement to a site acceptable to the Secretary and of restoring the property or its replacement to the level of safety, utility, efficiency, and cost of operation that existed before the alteration was made, except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

### 30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d to 2000d-4); creed and sex per 49 U.S.C. 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
  1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
  2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
  3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
  2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The (**[Selection Criteria: Sponsor Name]**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, all businesses will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of

race, color, national origin (including limited English proficiency), creed, sex, age, or disability in consideration for an award.”

- e. Required Contract Provisions.
  - 1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
  - 2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
  - 3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
  - 4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex, age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
    - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
    - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

### **31. Disposal of Land.**

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
  - 1. Reinvestment in an approved noise compatibility project;
  - 2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. 47117(e);

3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. 47114, 47115, or 47117;
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
  1. Reinvestment in an approved noise compatibility project;
  2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. 47117(e);
  3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. 47114, 47115, or 47117;
  4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
  5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

### **32. Engineering and Design Services.**

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction

management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

### **33. Foreign Market Restrictions.**

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

### **34. Policies, Standards, and Specifications.**

It will carry out any project funded under an Airport Improvement Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, [current FAA Advisory Circulars for AIP projects](#) as of [Selection Criteria: Project Application Date].

### **35. Relocation and Real Property Acquisition.**

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

### **36. Access By Intercity Buses.**

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

### **37. Disadvantaged Business Enterprises.**

The sponsor shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

### **38. Hangar Construction.**

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

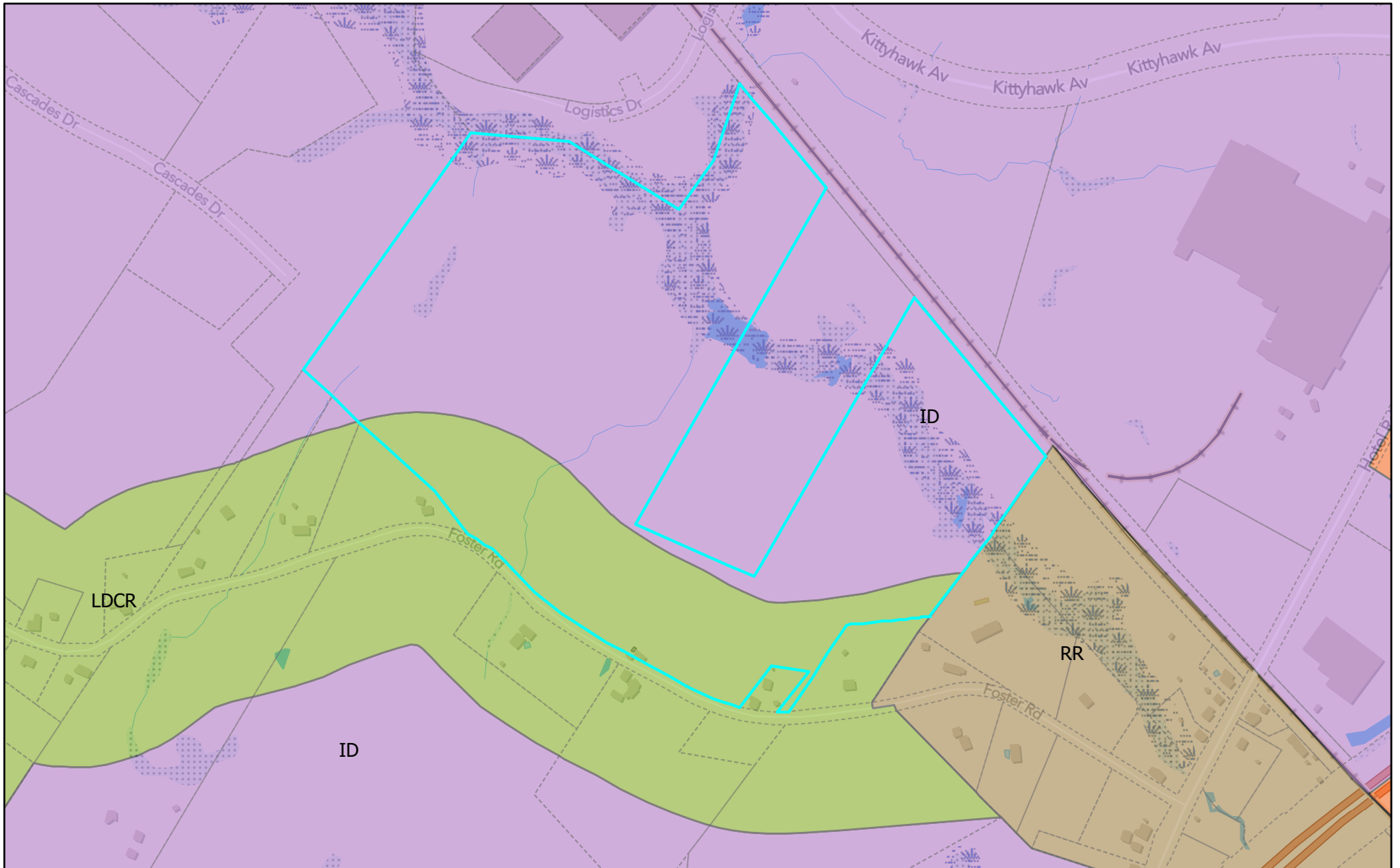
### **39. Competitive Access.**

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
  1. Describes the requests;
  2. Provides an explanation as to why the requests could not be accommodated; and
  3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six-month period prior to the applicable due date.





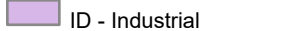

### **40. Access to Leaded Aviation Gasoline**

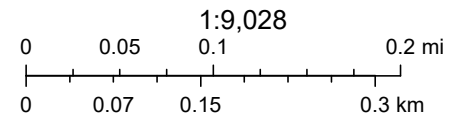
- a. If 100-octane low lead aviation gasoline (100LL) was made available at an airport, at any time during calendar year 2022, an airport owner or operator may not restrict or prohibit the sale of, or self-fueling with 100-octane low lead aviation gasoline.
- b. This requirement remains until the earlier of December 31, 2030, or the date on which the airport or any retail fuel seller at the airport makes available an unleaded aviation gasoline that has been authorized for use by the FAA as a replacement for 100-octane low lead aviation gasoline for use in nearly all piston-engine aircraft and engine models; and meets either an industry consensus standard or other standard that facilitates the safe use, production, and distribution of such unleaded aviation gasoline, as determined appropriate by the FAA.
- c. An airport owner or operator understands and agrees, that any violation of this grant assurance is subject to civil penalties as provided for in 49 U.S.C. § 46301(a)(8).

# Foster Road Property - Residential Zoning



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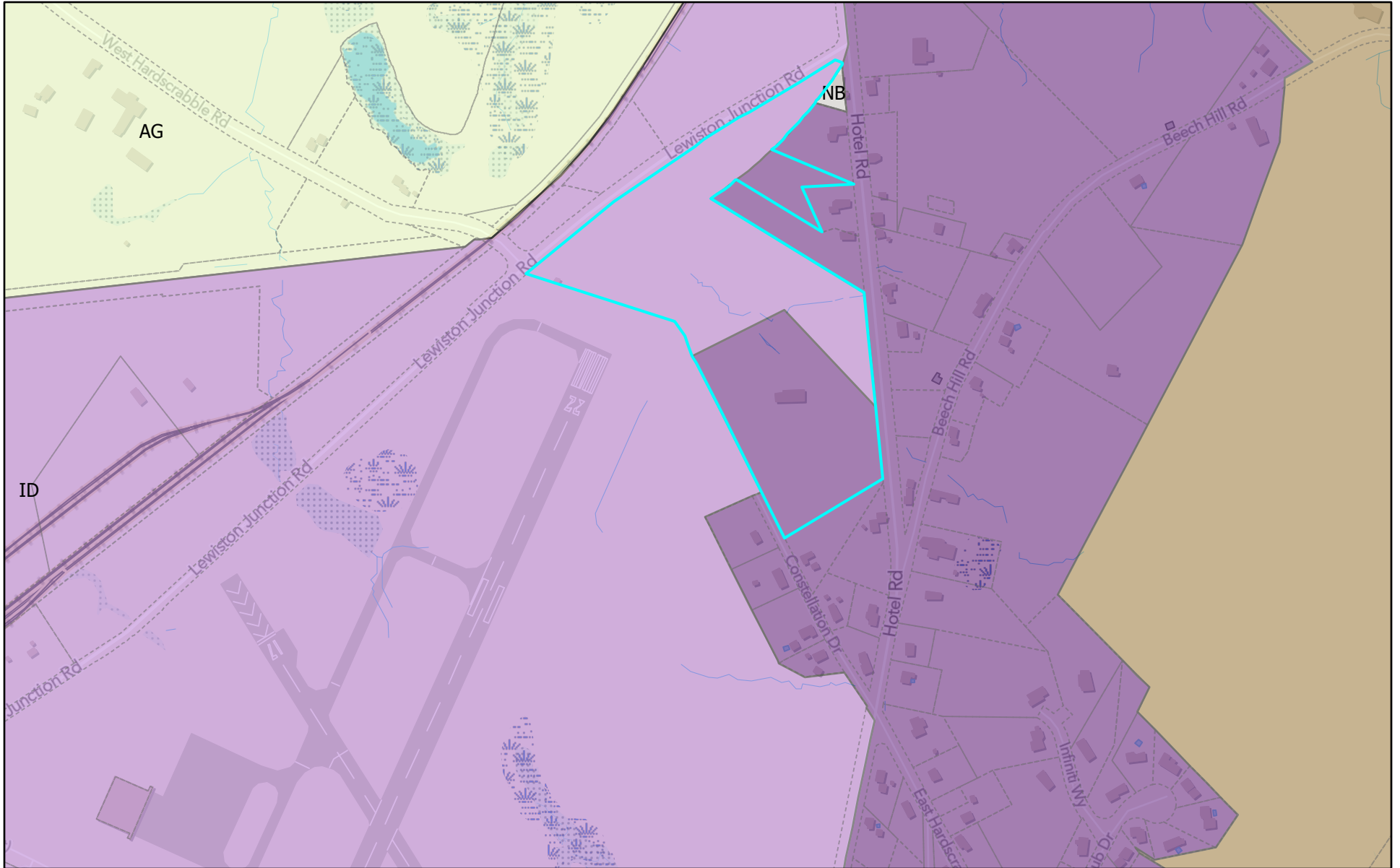
-  Current Parcels \_ Public
-  LDCR - Low Density Country Residential
- Auburn Zoning**
-  GB - General Business
-  RR - Rural Residential
-  ID - Industrial
-  Wetlands



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

# Roundy Property - Residential Zoning



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Current Parcels \_ Public

Auburn Zoning

AG - AGRICULTURE AND RESOURCE PROTECTION

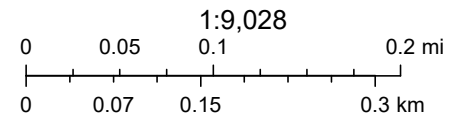
ID - Industrial

NB - Neighborhood Business

RR - Rural Residential

SR - Suburban Residential

Wetlands



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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**To:** Auburn Planning Board

**From:** David Hediger, Director of Planning

**Re: ZONING MAP AMENDMENT:** Initiated by the City Council at the request of the Auburn-Lewiston Municipal Airport pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. The intent is to amend the map on approximately 27 acres from either Suburban Residential (parcel I.D. 156-015) or Low-Density Country Residential (parcel I.D. 107-011) to the Industrial zoning district for the purpose of conforming all land owned by the Auburn Lewiston Municipal Airport to the Industrial Zone

**Date:** December 3, 2025

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## PROPOSAL

At the request of the Auburn–Lewiston Municipal Airport, the Auburn City Council voted unanimously on October 6, 2025, to direct staff to prepare a zoning map amendment for public hearing and Planning Board recommendation, pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance.

The proposal seeks to rezone approximately 27 acres of Airport-owned land from:

- Suburban Residential (Parcel ID: 156-015), and
- Low-Density Country Residential (Parcel ID: 107-011)  
to the Industrial zoning district.

Both parcels are currently split-zoned (residential/industrial) and are owned by the Airport. The intent is to bring all Airport owned land into full compliance by designating it entirely as Industrial Zone.

## ZONING CONSIDERATIONS

Two Airport-owned parcels in Auburn are partially zoned for residential use:

- Roundy Property (parcel I.D. 156-015)
  - This lot consists of approximately 23.96 acres of which approximately 8.7 acres is zoned Suburban Residential
- 185 Foster Road (parcel I.D. 107-011)
  - This lot consists of approximately 76.29 acres of which approximately 18.5 acres is zoned Low Density Country Residential.

The Cities of Auburn and Lewiston, as joint Airport Sponsors, are federally obligated under FAA Grant Assurance 21 to prevent incompatible land uses, especially residential development, near the Auburn–Lewiston Municipal Airport. These obligations are tied to the Airport’s eligibility for federal funding and are enforced through zoning and land use controls. The Airport notes that the residentially zoned portions of these lots are inconsistent and incompatible with FAA requirements and pose a compliance risk

The Airport is requesting the rezoning of these parcels to Industrial Zone to:

- Ensure compliance with FAA Grant Assurance 21
- Eliminate land use conflicts
- Protect future federal funding
- Maintain safety and operational efficiency
- Avoid development that could obstruct airspace or introduce noise-sensitive uses
- Support long-term Airport growth and funding
- Allow the Comprehensive Plan update to proceed without unresolved compliance issues

### **PLANNING BOARD ACTION**

Zoning map amendments are made pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. Amendments to the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city. In this case, the amendment was initiated by the City Council at the Airport's request. The Planning Board must, within 30 days of the public hearing, submit a written report and recommendation to the City Council.

### **STAFF RECOMMENDATIONS**

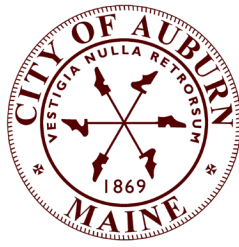
This rezoning addresses an immediate FAA compliance issue and resolves broader land use concerns. Split-zoned properties often create confusion and allow for incompatible uses.

Rezoning will:

- Improve land use consistency
- Support Airport operations
- Protect funding and safety

### **Suggested Motion:**

I make a motion pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone approximately 27 acres from Suburban Residential (parcel I.D. 156-015) and Low-Density Country Residential (parcel I.D. 107-011) to the Industrial zoning district.

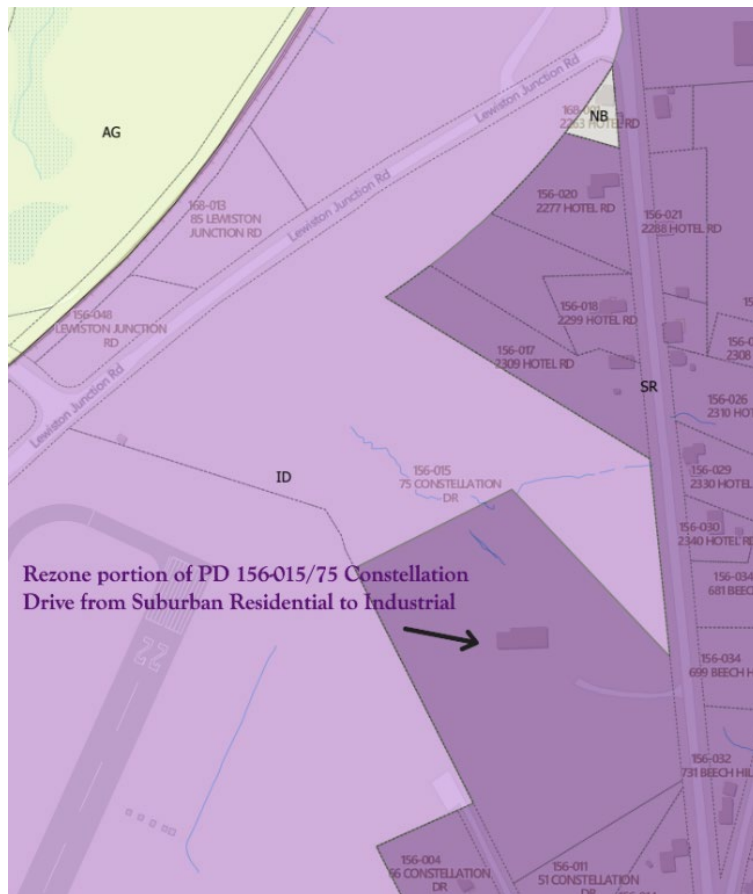


# City Council Ordinance

## IN CITY COUNCIL

**BE IT ORDAINED**, that THE CITY OF AUBURN hereby amends Auburn’s Code of City Ordinances as follows:

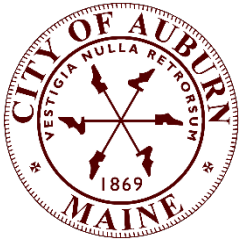
Pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance, the official zoning map of the City of Auburn shall be amended so that the Roundy Property (Parcel I.D. 156-015), consisting of approximately 23.96 acres, of which approximately 8.7 acres is currently zoned Suburban Residential, is rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.



**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDINANCE 02-01052026**

**Author:** Eric Cousens, Public Services Director

**Subject:** Zoning Map Amendment: Parcel ID 107-011

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**Information:** This map amendment was initiated by the City Council on October 6, 2025, at the request of the Auburn–Lewiston Municipal Airport, pursuant to Chapter 60, Article XVII, Division 2, *Amendment to the Zoning Ordinance or Zoning Map*. The intent is to amend the map so that 185 Foster Road (Parcel I.D. 107-011), consisting of approximately 76.29 acres, of which about 18.5 acres are currently zoned Low-Density Country Residential, will be rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.

The lot is split-zoned (Residential/Industrial) and owned by the Airport. The Cities of Auburn and Lewiston, as joint Airport Sponsors, are federally obligated under FAA Grant Assurance 21 to prevent incompatible land uses, particularly residential development, near the Auburn–Lewiston Municipal Airport. These obligations are tied to the Airport’s eligibility for federal funding and are enforced through zoning and land use controls.

The Airport has noted that the residentially zoned portions of these lots are inconsistent with FAA requirements and pose a compliance risk. The purpose of this amendment is to bring all Airport-owned land into full compliance by designating it entirely as Industrial.

On December 9, 2025, the Planning Board voted unanimously to rezone the above-referenced property so that it is fully zoned Industrial.

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**City Budgetary Impacts:** none

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**Staff Recommended Action:** Hold second reading to approve a proposed map amendment pursuant to Chapter 60, Article XVII, Division 2, as recommended by the Planning Board.

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**Previous Meetings and History:** City Council referred to the Planning Board on October 6, 2025. Planning Board held a public hearing on December 9, 2025. Passed first reading January 5, 2026.

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**City Manager Comments:** I concur with the recommendation. Signature: *Phillip Crowell Jr.*

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**Attachments:** Planning Board Staff Report; Airport Request to the Planning Board; City Council order.



# Auburn Lewiston Municipal Airport

80 Airport Drive, Auburn, ME 04210

(207) 786 0631

[www.flytomaine.com](http://www.flytomaine.com)

**TO:** City of Auburn Planning Board

**FROM:** Jonathan P. LaBonte, C.M, A.C.E - Transportation Systems Director, City of Auburn and Airport Director, Auburn–Lewiston Municipal Airport

**DATE:** December 2, 2025

**SUBJECT:** FAA Grant Assurance 21 – Land Use Compatibility Considerations Relevant to Planning Board Review

## **Purpose**

This memo supplements the request to Mayor Harmon and the City Council related to the rezoning of Airport-owned parcels. While the original request addresses the specific zoning action, this document provides broader context on the federal obligations of the Airport Sponsor, how those obligations relate to land use, and why they are relevant to the Planning Board’s work—particularly in light of the City of Auburn’s ongoing Comprehensive Plan update. This memo also references the CFR Part 77 Airspace Map included as an attachment and provides explanations of the various airspace “imaginary surfaces” shown in that map.

## **Key Definitions for Planning Board Members**

### **What is an Airport Sponsor?**

An Airport Sponsor is the public entity that owns or controls a public use airport and is legally responsible to the Federal Aviation Administration (FAA) for ensuring the airport is operated safely, efficiently, and in compliance with federal requirements. For the Auburn–Lewiston Municipal Airport, the Cities of Auburn and Lewiston jointly serve as the Airport Sponsors. Although the Airport is currently governed by a joint Airport Board established in 1979, the FAA holds the municipal governments responsible. Since July 1, 2024, the Airport has been managed directly by the City of Auburn under an Memorandum of Understanding (MOU) with the Airport Board of Directors though both cities remain obligated to maintain compliance.

### **What are FAA Grant Assurances?**

Grant Assurances are a set of federal obligations that Airport Sponsors must agree to as a condition of receiving Airport Improvement Program (AIP) funding. They have been included in FAA grant agreements since the Airport and Airway Improvement Act of 1982. There are currently 40 Grant Assurances covering responsibilities such as safety, access, financial integrity, protection of airspace, and preventing diversion of airport revenues. Grant Assurance 21 specifically requires Airport Sponsors to restrict incompatible land uses near the airport.

### **Grant Assurance 21 – Compatible Land Use**

Under Grant Assurance 21, Airport Sponsors must restrict the development or intensification of incompatible land uses near the airport. FAA identifies residential uses as incompatible due to noise sensitivity, overflight impacts, and safety considerations. This obligation applies to the airport influence area, not only Airport-owned property.



# Auburn Lewiston Municipal Airport

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## **CFR Part 77 (Title 14)**

This is the regulation that sets the rules for objects that could affect navigable airspace, including establishing standards for what counts as an obstruction and requiring notification for new construction. It defines imaginary "surfaces" above and around airports that need to be kept clear of obstructions for safety and mandates that anyone proposing a construction project that might exceed these limits must notify the Federal Aviation Administration (FAA).

There are multiple "imaginary surfaces" that rise in three dimensions around the Airport and extend well beyond Airport-owned property. These surfaces are shown in the attached map and are specific to the runways of the Auburn-Lewiston Municipal Airport and the approach and departure procedures. These surfaces include:

Primary Surface: Flat area surrounding each runway.

Approach Surfaces: Extend outward and upward from runway ends to protect landing and takeoff paths.

Transitional Surfaces: Slope upward from the sides of runways and approach areas.

Horizontal Surface: A flat plane 150 feet above airport elevation.

Conical Surface: A sloped surface extending outward from the horizontal surface for additional airspace protection.

## **Why Planning Board Review Matters**

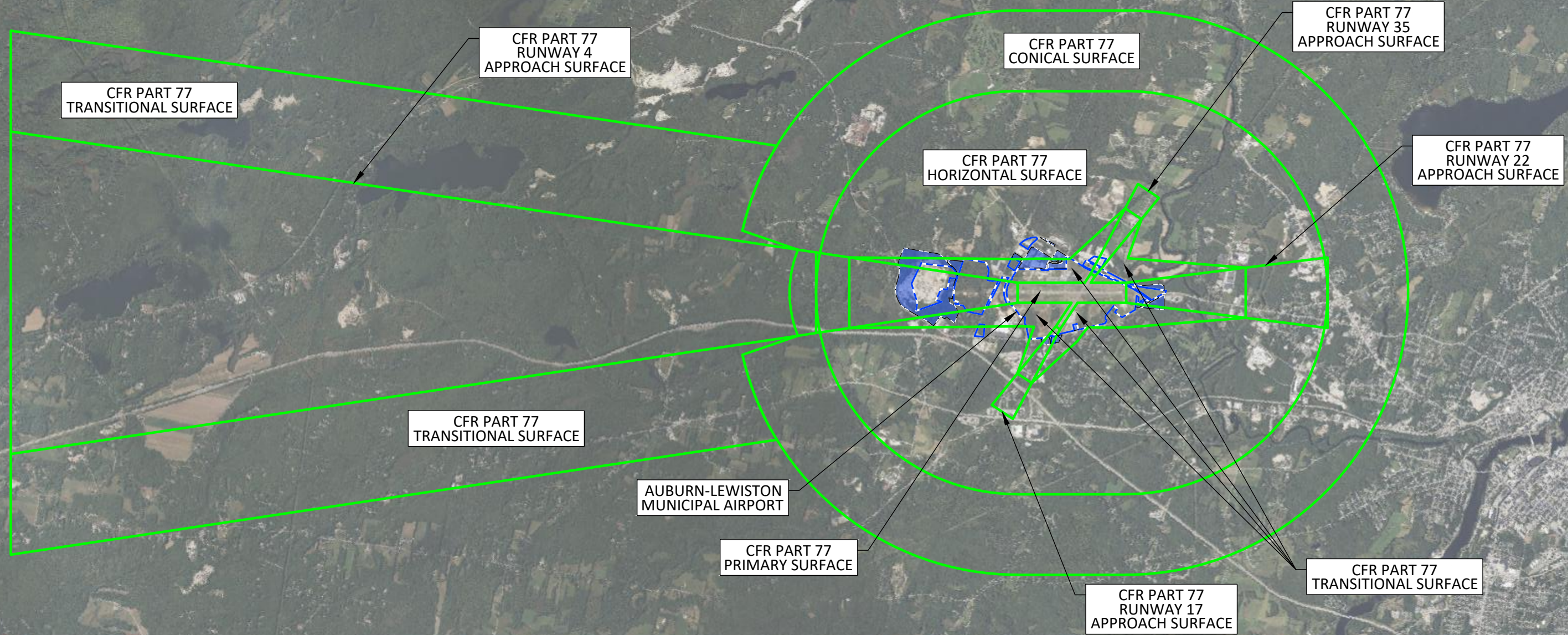
FAA compatibility obligations extend beyond Airport property. Planning Board decisions influence land-use compatibility across the airport influence area, affecting noise-sensitive uses, airspace obstruction risk, airport development potential, and federal compliance. The Airport has been actively participating in the Comprehensive Plan process, with subcommittees and Planning Department staff, along with our aviation engineering consultants. In addition, we have engaged other Maine communities with public-use airports to understand best practices that may be applied in Auburn. The FAA encourages embedding compatibility principles in comprehensive plans so zoning, ordinances, and development reviews remain aligned with federal expectations.

## **Conclusion**

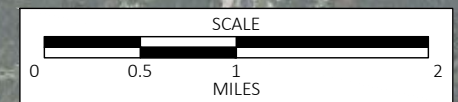
The near-term rezoning request for Airport-owned parcels was initiated in response to direct comments from FAA Office of Airports staff at the New England Regional Office. While that action addresses an immediate concern, the broader obligation under Grant Assurance 21 requires compatibility throughout the airport influence area. The Planning Board's leadership in the Comprehensive Plan update will be essential to meeting federal expectations, protecting funding eligibility, and supporting the long-term development of the Auburn-Lewiston Municipal Airport.

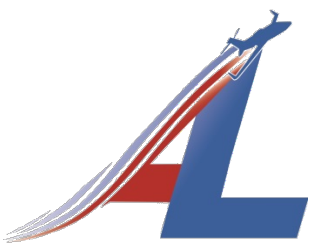
## **Attachments:**

Auburn Lewiston Municipal Airport CFR Part 77 Map



LEGEND	
	AIRPORT PROPERTY BOUNDARY
	AIRPORT EASEMENT
	CFR PART 77 SURFACE





# Auburn Lewiston Municipal Airport

80 Airport Drive, Auburn, ME 04210  
(207) 786 0631 FAX: (207) 782 3024  
www.flytomaine.com

**TO:** Mayor Jeff Harmon and Members of the Auburn City Council

**FROM:** Jonathan P. LaBonte, Airport Director, Auburn-Lewiston Municipal Airport

**DATE:** October 1st, 2025

**SUBJECT:** Rezoning of Airport-Owned Parcels to for Compliance with FAA Grant Assurances

## Background

Under Federal Aviation Administration (FAA) Grant Assurance 21, the Cities of Auburn and Lewiston, as joint Airport Sponsors, are obligated to ensure safe and efficient airport operations by restricting incompatible land uses in the vicinity of the Airport. The FAA requires that Airport Sponsors take appropriate action, including the adoption of zoning measures, to prevent uses that could interfere with aircraft operations or create hazards.

Residential development is considered incompatible with airport operations under FAA guidance. Maintaining zoning that aligns with compatible aviation-related land uses is essential for safety, operational efficiency, and continued eligibility for federal aviation funding.

## Current Issue

During a recent Airport Master Plan briefing, FAA staff noted concern that certain Airport-owned parcels within Auburn are currently zoned, at least in part, for residential use. Specifically:

- **Roundy Property (Tax Map 156, Lot 015)** – located at Hotel Road and Constellation Drive, Airport-owned, with portions currently zoned residential.
- **185 Foster Road (Tax Map 107, Lot 011)** – also Airport-owned, with partial residential zoning.

The presence of residential zoning on Airport-owned land is inconsistent with FAA expectations and creates a compliance issue under Grant Assurance 21.

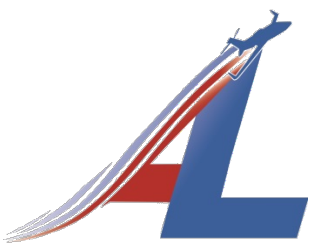
## Relationship to Comprehensive Plan Update

The City of Auburn is currently engaged in the development of its updated Comprehensive Plan, in which future land use and zoning policies will be discussed at length. The Airport looks forward to actively participating in that process to help ensure that long-term zoning and land use decisions are coordinated with aviation operations and FAA requirements.

While those broader discussions will shape the City's future vision, the immediate issue of residentially zoned Airport-owned parcels requires timely action to remain in compliance with FAA Grant Assurance 21.

## Requested Action

The Auburn City Council has the authority to initiate zoning change requests to the Auburn Planning Board. On behalf of the Auburn-Lewiston Municipal Airport, I respectfully request that



# Auburn Lewiston Municipal Airport

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the Council initiate rezoning of the above-listed parcels to remove residential designations and align their classifications with uses compatible with aviation through the Industrial Zone designation.

Proactively addressing this matter will:

- Ensure compliance with FAA Grant Assurance 21.
- Reduce risk of conflicts between Airport operations and surrounding land uses.
- Protect future eligibility for federal aviation funding and support ongoing Airport development.
- Allow the City's Comprehensive Plan discussions to focus on broader regional and long-term planning issues, without leaving unresolved compliance concerns on Airport-owned property.

**Recommendation:** That the City Council initiate the rezoning process for the Roundy Property (Tax Map 156, Lot 15) and 185 Foster Road (Tax Map 107, Lot 011) to remove residential zoning and bring these parcels into compliance with FAA requirements by designating the entire parcels as Industrial Zone.

**Board Action:** The Auburn-Lewiston Municipal Airport Board of Directors voted unanimously to submit this request to the Auburn City Council.

**Partnership Statement:** The Auburn-Lewiston Municipal Airport is committed to working collaboratively with the City Council, Planning Board, and City staff during this rezoning effort, as well as through the Comprehensive Plan update process, to ensure that airport-related land use considerations are addressed in a way that supports both community development and aviation operations.

**Attachments:**

1. FAA Grant Assurances, which include the specific language of Assurance 21 – Land Use
2. Maps of Roundy Property (Tax Map 156, Lot 15) and 185 Foster Road (Tax Map 107, Lot 011)

## **ASSURANCES**

### **AIRPORT SPONSORS**

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#### **A. General.**

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

#### **B. Duration and Applicability.**

##### **1. Airport Development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

##### **2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

##### **3. Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, 37, and 40 in Section C apply to planning projects. The terms, conditions, and assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

### **C. Sponsor Certification.**

The sponsor hereby assures and certifies, with respect to this grant that:

#### **1. General Federal Requirements**

The Sponsor will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant. Performance under this agreement shall be governed by and in compliance with the following requirements, as applicable, to the type of organization of the Sponsor and any applicable sub-recipients. The applicable provisions to this agreement include, but are not limited to, the following:

#### **FEDERAL LEGISLATION**

- a. 49 U.S.C. subtitle VII, as amended.
- b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act – 29 U.S.C. § 201, et seq.
- d. Hatch Act – 5 U.S.C. § 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, et seq.<sup>1, 2</sup>
- f. National Historic Preservation Act of 1966 – Section 106 – 54 U.S.C. § 306108.<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 – 54 U.S.C. § 312501, et seq.<sup>1</sup>
- h. Native Americans Grave Repatriation Act – 25 U.S.C. § 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended – 42 U.S.C. § 7401, et seq.
- j. Coastal Zone Management Act, P.L. 92-583, as amended – 16 U.S.C. § 1451, et seq.
- k. Flood Disaster Protection Act of 1973 – Section 102(a) - 42 U.S.C. § 4012a.<sup>1</sup>
- l. 49 U.S.C. § 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 – 29 U.S.C. § 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 – 42 U.S.C. § 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968, as amended – 42 U.S.C. § 4151, et seq.<sup>1</sup>
- s. Powerplant and Industrial Fuel Use Act of 1978 – Section 403 – 42 U.S.C. § 8373.<sup>1</sup>
- t. Contract Work Hours and Safety Standards Act – 40 U.S.C. § 3701, et seq.<sup>1</sup>
- u. Copeland Anti-kickback Act – 18 U.S.C. § 874.<sup>1</sup>
- v. National Environmental Policy Act of 1969 – 42 U.S.C. § 4321, et seq.<sup>1</sup>

- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.<sup>2</sup>
- y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).
- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Infrastructure Investment and Jobs Act, P.L. 117-58, Title VIII.
- cc. Build America, Buy America Act, P.L. 117-58, Title IX.
- dd. Endangered Species Act – 16 U.S.C. 1531, et seq.
- ee. Title IX of the Education Amendments of 1972, as amended – 20 U.S.C. 1681–1683 and 1685–1687.
- ff. Drug Abuse Office and Treatment Act of 1972, as amended – 21 U.S.C. 1101, et seq.
- gg. Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended – 42 U.S.C. § 4541, et seq.
- hh. Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended – 42 U.S.C. § 4541, et seq.
- ii. Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions – 31 U.S.C. § 1352.

#### **EXECUTIVE ORDERS**

- a. Executive Order 11990 – Protection of Wetlands
- b. Executive Order 11988 – Floodplain Management
- c. Executive Order 12372 – Intergovernmental Review of Federal Programs
- d. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>
- e. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America’s Workers
- f. Executive Order 14149 – Restoring Freedom of Speech and Ending Federal Censorship
- g. Executive Order 14151 – Ending Radical and Wasteful Government DEI Programs and Preferencing
- h. Executive Order 14154 – Unleashing American Energy
- i. Executive Order 14168 – Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
- j. Executive Order 14173 – Ending Illegal Discrimination and Restoring Merit-Based Opportunity

#### **FEDERAL REGULATIONS**

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 and 1201 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. <sup>3, 4, 5</sup>
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.
- g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.
- h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.
- i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.<sup>1</sup>
- j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.<sup>1</sup>
- k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).<sup>1</sup>
- m. 49 CFR Part 20 – New Restrictions on Lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.<sup>1, 2</sup>
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.<sup>1</sup>
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).

- w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.
- x. 49 CFR Part 41 – Seismic Safety.

#### ***FOOTNOTES TO ASSURANCE (C)(1)***

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- <sup>1</sup> These laws do not apply to airport planning sponsors.
- <sup>2</sup> These laws do not apply to private sponsors.
- <sup>3</sup> 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- <sup>4</sup> Cost principles established in 2 CFR Part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- <sup>5</sup> Audit requirements established in 2 CFR Part 200 subpart F are the guidelines for audits.

#### **SPECIFIC ASSURANCES**

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Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

#### **2. Responsibility and Authority of the Sponsor.**

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

#### **3. Sponsor Fund Availability.**

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

#### **4. Good Title.**

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. Subject to 49 U.S.C. 47107(a)(16) and (x), it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for

residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

**6. Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

**7. Consideration of Local Interest.**

It has given fair consideration to the interest of communities in or near where the project may be located.

**8. Consultation with Users.**

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

**9. Public Hearings.**

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

**10. Metropolitan Planning Organization.**

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

**11. Pavement Preventive Maintenance-Management.**

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program, and it assures that it will use such program for the useful life of any pavement constructed, reconstructed, or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

**12. Terminal Development Prerequisites.**

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for

certification of such airport under 49 U.S.C. 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

**13. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

**14. Minimum Wage Rates.**

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

**15. Veteran's Preference.**

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

**16. Conformity to Plans and Specifications.**

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary and incorporated into this Grant Agreement.

## **17. Construction Inspection and Approval.**

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

## **18. Planning Projects.**

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

## **19. Operation and Maintenance.**

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:

1. Operating the airport's aeronautical facilities whenever required;
  2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
  3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

## **20. Hazard Removal and Mitigation.**

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

## **21. Compatible Land Use.**

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

## **22. Economic Nondiscrimination.**

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:
  1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
  2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

### **23. Exclusive Rights.**

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not

conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

#### **24. Fee and Rental Structure.**

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

#### **25. Airport Revenues.**

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
  1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
  2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
  3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. 47102), if the FAA determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or

transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of 49 U.S.C. 47107.

## **26. Reports and Inspections.**

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
  - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
  - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

## **27. Use by Government Aircraft.**

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

## **28. Land for Federal Facilities.**

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

## **29. Airport Layout Plan.**

- a. The airport owner or operator will maintain a current airport layout plan of the airport showing:
  1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
  2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
  3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
  4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.
- b. Subject to subsection 49 U.S.C. 47107(x), the Secretary will review and approve or disapprove the plan and any revision or modification of the plan before the plan, revision, or modification takes effect.
- c. The owner or operator will not make or allow any alteration in the airport or any of its facilities unless the alteration—
  1. is outside the scope of the Secretary's review and approval authority as set forth in subsection (x); or
  2. complies with the portions of the plan approved by the Secretary.
- d. When the airport owner or operator makes a change or alteration in the airport or the facilities which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:
  1. eliminate such adverse effect in a manner approved by the Secretary; or
  2. bear all costs of relocating such property or its replacement to a site acceptable to the Secretary and of restoring the property or its replacement to the level of safety, utility, efficiency, and cost of operation that existed before the alteration was made, except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

### 30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d to 2000d-4); creed and sex per 49 U.S.C. 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
  1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
  2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
  3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
  2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The (**[Selection Criteria: Sponsor Name]**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, all businesses will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of

race, color, national origin (including limited English proficiency), creed, sex, age, or disability in consideration for an award.”

- e. Required Contract Provisions.
  - 1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
  - 2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
  - 3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
  - 4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex, age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
    - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
    - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

### **31. Disposal of Land.**

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
  - 1. Reinvestment in an approved noise compatibility project;
  - 2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. 47117(e);

3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. 47114, 47115, or 47117;
4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
  1. Reinvestment in an approved noise compatibility project;
  2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. 47117(e);
  3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. 47114, 47115, or 47117;
  4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
  5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

### **32. Engineering and Design Services.**

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction

management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

### **33. Foreign Market Restrictions.**

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

### **34. Policies, Standards, and Specifications.**

It will carry out any project funded under an Airport Improvement Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, [current FAA Advisory Circulars for AIP projects](#) as of [Selection Criteria: Project Application Date].

### **35. Relocation and Real Property Acquisition.**

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

### **36. Access By Intercity Buses.**

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

### **37. Disadvantaged Business Enterprises.**

The sponsor shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

### **38. Hangar Construction.**

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

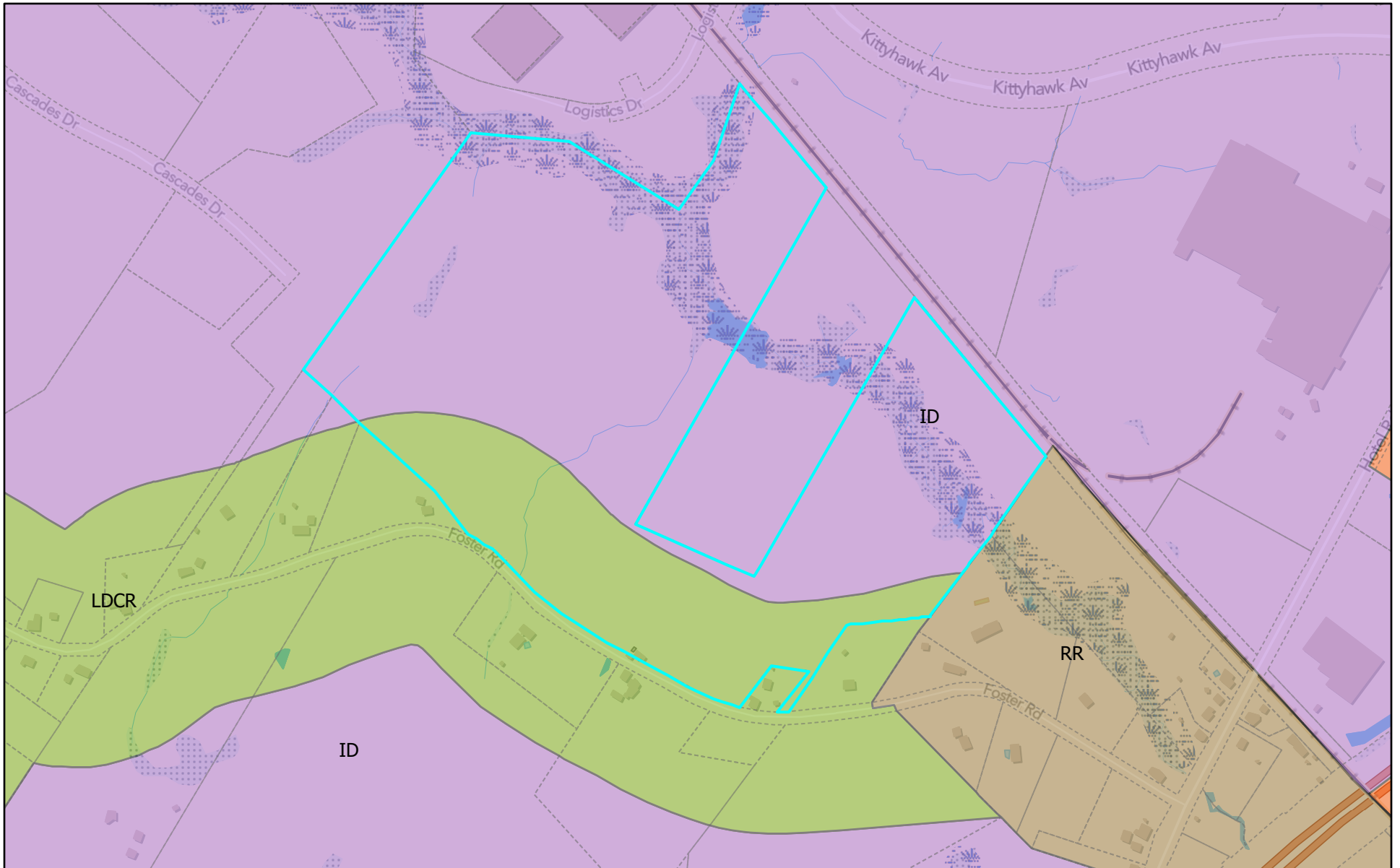
### **39. Competitive Access.**

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
  1. Describes the requests;
  2. Provides an explanation as to why the requests could not be accommodated; and
  3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six-month period prior to the applicable due date.

### **40. Access to Leaded Aviation Gasoline**

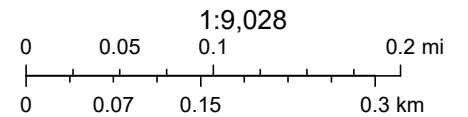
- a. If 100-octane low lead aviation gasoline (100LL) was made available at an airport, at any time during calendar year 2022, an airport owner or operator may not restrict or prohibit the sale of, or self-fueling with 100-octane low lead aviation gasoline.
- b. This requirement remains until the earlier of December 31, 2030, or the date on which the airport or any retail fuel seller at the airport makes available an unleaded aviation gasoline that has been authorized for use by the FAA as a replacement for 100-octane low lead aviation gasoline for use in nearly all piston-engine aircraft and engine models; and meets either an industry consensus standard or other standard that facilitates the safe use, production, and distribution of such unleaded aviation gasoline, as determined appropriate by the FAA.
- c. An airport owner or operator understands and agrees, that any violation of this grant assurance is subject to civil penalties as provided for in 49 U.S.C. § 46301(a)(8).

# Foster Road Property - Residential Zoning



7/2/2025, 12:19:47 PM

- Current Parcels \_ Public
- Auburn Zoning
  - GB - General Business
  - ID - Industrial
  - LDCR - Low Density Country Residential
  - RR - Rural Residential
  - Wetlands

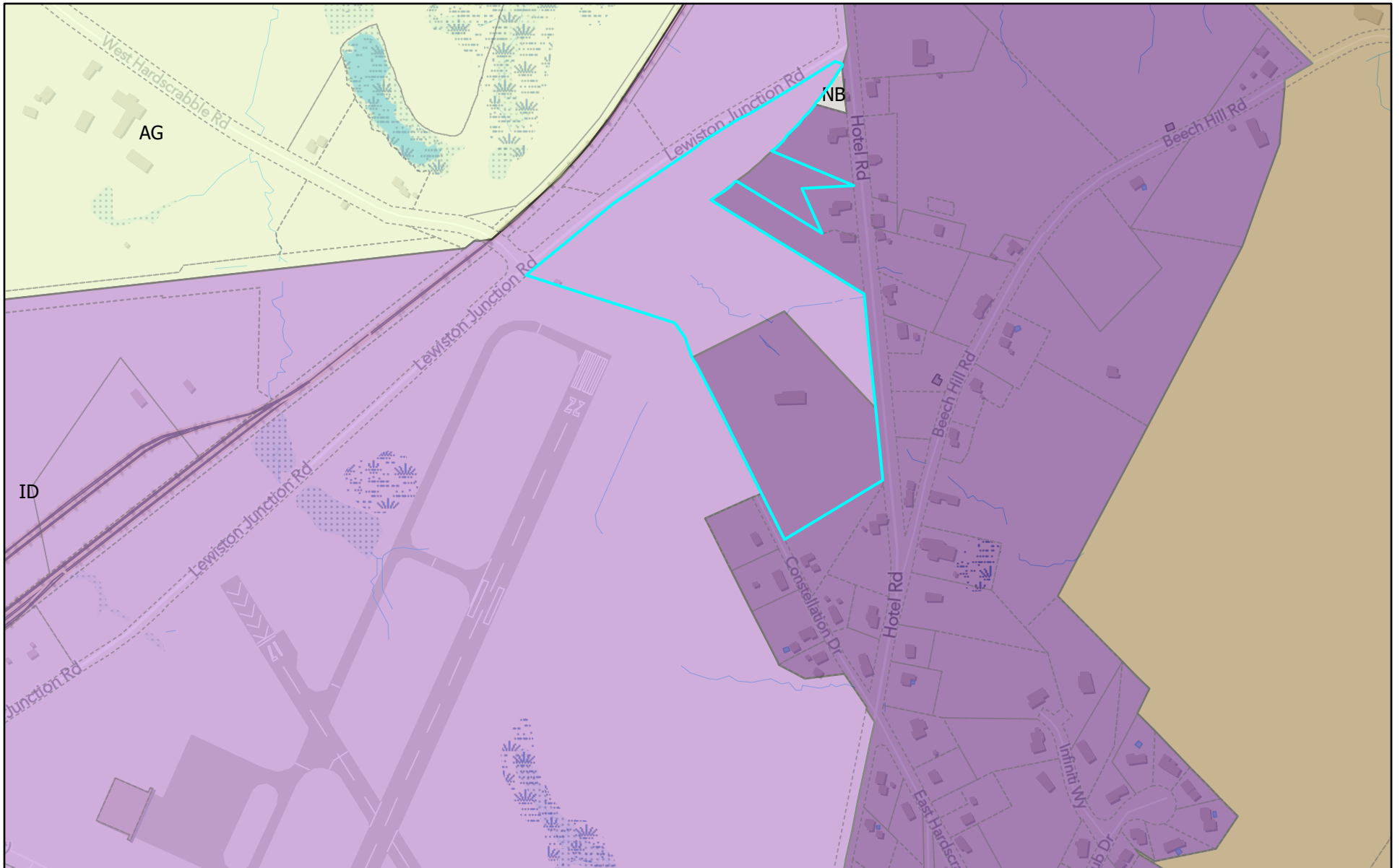


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# Roundy Property - Residential Zoning



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Current Parcels \_ Public

Auburn Zoning

AG - AGRICULTURE AND RESOURCE PROTECTION

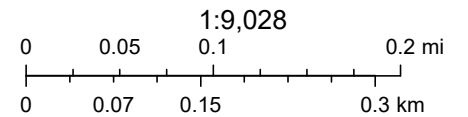
ID - Industrial

NB - Neighborhood Business

RR - Rural Residential

SR - Suburban Residential

Wetlands



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**To:** Auburn Planning Board

**From:** David Hediger, Director of Planning

**Re: ZONING MAP AMENDMENT:** Initiated by the City Council at the request of the Auburn-Lewiston Municipal Airport pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. The intent is to amend the map on approximately 27 acres from either Suburban Residential (parcel I.D. 156-015) or Low-Density Country Residential (parcel I.D. 107-011) to the Industrial zoning district for the purpose of conforming all land owned by the Auburn Lewiston Municipal Airport to the Industrial Zone

**Date:** December 3, 2025

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## PROPOSAL

At the request of the Auburn–Lewiston Municipal Airport, the Auburn City Council voted unanimously on October 6, 2025, to direct staff to prepare a zoning map amendment for public hearing and Planning Board recommendation, pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance.

The proposal seeks to rezone approximately 27 acres of Airport-owned land from:

- Suburban Residential (Parcel ID: 156-015), and
- Low-Density Country Residential (Parcel ID: 107-011)  
to the Industrial zoning district.

Both parcels are currently split-zoned (residential/industrial) and are owned by the Airport. The intent is to bring all Airport owned land into full compliance by designating it entirely as Industrial Zone.

## ZONING CONSIDERATIONS

Two Airport-owned parcels in Auburn are partially zoned for residential use:

- Roundy Property (parcel I.D. 156-015)
  - This lot consists of approximately 23.96 acres of which approximately 8.7 acres is zoned Suburban Residential
- 185 Foster Road (parcel I.D. 107-011)
  - This lot consists of approximately 76.29 acres of which approximately 18.5 acres is zoned Low Density Country Residential.

The Cities of Auburn and Lewiston, as joint Airport Sponsors, are federally obligated under FAA Grant Assurance 21 to prevent incompatible land uses, especially residential development, near the Auburn–Lewiston Municipal Airport. These obligations are tied to the Airport’s eligibility for federal funding and are enforced through zoning and land use controls. The Airport notes that the residentially zoned portions of these lots are inconsistent and incompatible with FAA requirements and pose a compliance risk

The Airport is requesting the rezoning of these parcels to Industrial Zone to:

- Ensure compliance with FAA Grant Assurance 21
- Eliminate land use conflicts
- Protect future federal funding
- Maintain safety and operational efficiency
- Avoid development that could obstruct airspace or introduce noise-sensitive uses
- Support long-term Airport growth and funding
- Allow the Comprehensive Plan update to proceed without unresolved compliance issues

### **PLANNING BOARD ACTION**

Zoning map amendments are made pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. Amendments to the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city. In this case, the amendment was initiated by the City Council at the Airport's request. The Planning Board must, within 30 days of the public hearing, submit a written report and recommendation to the City Council.

### **STAFF RECOMMENDATIONS**

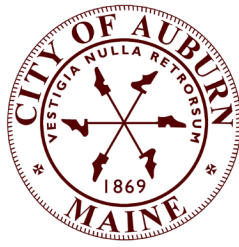
This rezoning addresses an immediate FAA compliance issue and resolves broader land use concerns. Split-zoned properties often create confusion and allow for incompatible uses.

Rezoning will:

- Improve land use consistency
- Support Airport operations
- Protect funding and safety

### **Suggested Motion:**

I make a motion pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map to rezone approximately 27 acres from Suburban Residential (parcel I.D. 156-015) and Low-Density Country Residential (parcel I.D. 107-011) to the Industrial zoning district.

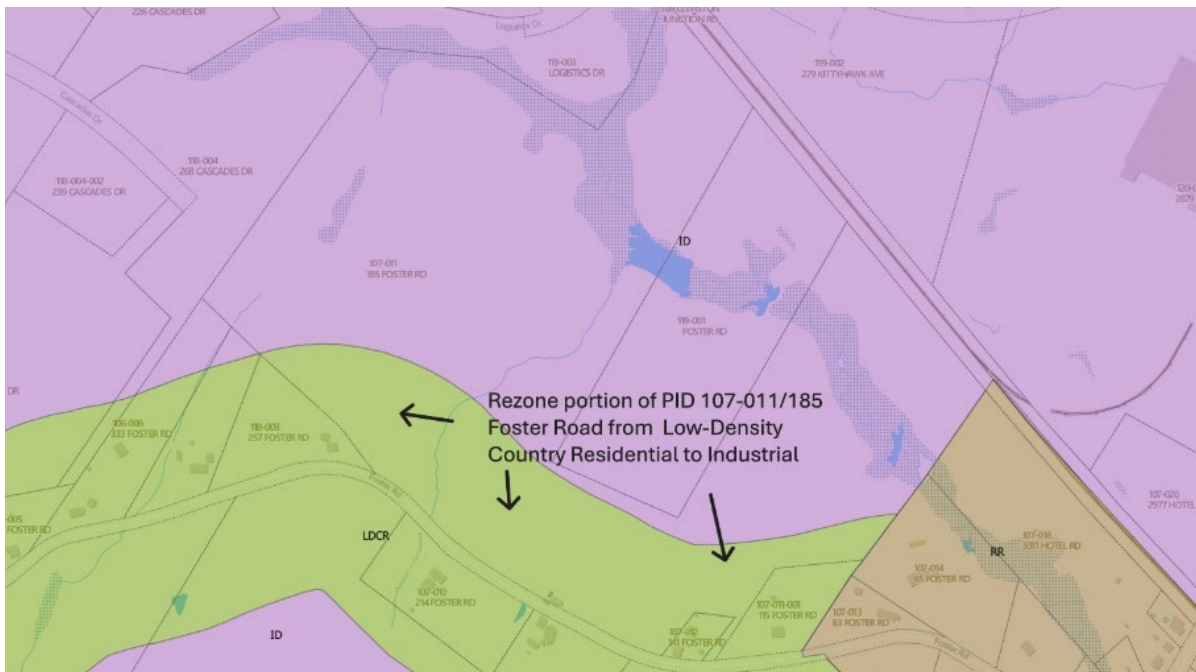


# City Council Ordinance

## IN CITY COUNCIL

**BE IT ORDAINED**, that THE CITY OF AUBURN hereby amends Auburn’s Code of City Ordinances as follows:

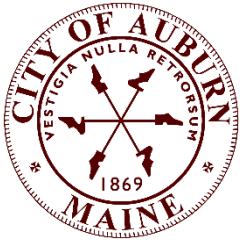
Pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance, the official zoning map of the City of Auburn shall be amended so that the property at 185 Foster Road (Parcel I.D. 107-011), consisting of approximately 76.29 acres, of which approximately 18.5 acres is currently zoned Low Density Residential, is rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.



**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDER 16-01202026**

**Author:** Eric J. Cousens, Director of Public Services

**Subject:** Consider increasing protections for important farmland and natural resources

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**Information:** The Agriculture and resource protection zoning district offers some limited protection of soils and natural resources when reviewing residential permits and solar projects. This draft ordinance proposes edits that strengthen those protections and would prohibit projects that impact prime farmland soils, soils of statewide significance and wetlands.

Staff would like feedback from the Council on the concept and if the Council is interested in moving this forward for discussion. A vote to initiate consideration of this change would send it to Planning Board for a Public Hearing and recommendation back to the Council on how to proceed.

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**City Budgetary Impacts:** None.

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**Previous Meetings and History:** None

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**City Manager Comments:** *Phillip Crowell, Jr.*

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**Attachments:** Draft Text and Order

## *DIVISION 2. AGRICULTURE AND RESOURCE PROTECTION DISTRICT*

### **Sec. 60-144. Purpose.**

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

### **Sec. 60-145. Use regulations.**

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-1010, as set forth in division 6 of article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming or agricultural operations, recreational uses or natural resource uses and subject to all of the following restrictions:
  - a. The footprint of residential development associated with the one-family detached dwelling shall comprise no more than 20 percent of the land coverage or two acres, whichever is less, of the lot upon which the dwelling is to be constructed. For purposes of this subsection, "residential development" shall include the following:
    1. Residential structures;
    2. Impervious and non-vegetated areas accessory to the residential use, such as driveways, parking areas, walkways and patios (areas created using waffle pavers and other semi-impervious surfaces shall be considered non-vegetated surfaces, even if the surface is covered by grass or other similar vegetation);
    3. Areas on, over or beneath the surface of the earth devoted to the transmission of water, electricity, telephone or gas to the residential use of pipes, poles, wires, lines, conduits, cables or other devices;
    4. Areas on, over or beneath the surface of the earth devoted to the disposal of waste or wastewater generated by the residential use, including, but not limited to, septic tanks, disposal fields, holding tanks, pretreatment filters, and piping;
    5. Structures accessory to the residential use; and
    6. Uses of the land accessory to the residential use, but not accessory to other allowed uses within the zone.

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- b. New one-family detached dwellings shall:
1. Not be built within the Lake Auburn Watershed Overlay District;
  2. Provide a farm, [agricultural], recreational or natural resource use business or land use plan that has been approved by the planning and permitted director or their designee. The planning and permitting director or their designee must make the following written findings prior to approval of the business plan or land use plan and prior to the issuance of a building permit:
    - (i) The business or proposed land use is feasible, and, if implemented will constitute a bona fide farming, agricultural, recreational or natural resource use allowed under either subsection (a), permitted uses, or subsection (b), special exception uses, of this section.
    - (ii) The parcel can reasonably accommodate an enterprise of the size and scope proposed. Parcel size or other lot limitations often restrict potential uses, and the plan must provide for utilization of the parcel's available potential for a farm, agricultural, recreational or natural resource use.
    - (iii) The parcel lawfully existed as of October 1, 2017, or meets the dimensional standards of section 60-146, and otherwise meets the requirements of this chapter.
  3. ~~Avoid being~~Not be sited on ~~soils farmland~~of statewide significance importance or prime farmland as defined by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) unless it can be demonstrated to the code enforcement officer that ~~land that is not farmland of statewide importance or~~prime farmland is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;
  4. ~~Avoid being~~Not be sited on land determined to be essential habitat, as defined by the state department of inland fisheries and wildlife unless it can be demonstrated to the code enforcement officer that non-essential habitat is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;
  5. ~~Avoid being~~Not be sited on wetlands;
  6. ~~Avoid being~~Not be sited on slopes greater than 25 percent; and
  7. Not be sited on any portion of a parcel that is classified as being:
    - (i) Currently enrolled in the State of Maine Farmland Tax Program;
    - (ii) Currently enrolled in the State of Maine Tree Growth Tax Law Program; or
    - (iii) Currently enrolled in the State of Maine Open Space Tax Program.
- c. No certificate of occupancy shall be issued for any such residence until satisfactory evidence that the requirement of subsections (a)(1)a. and (a)(1)b.2. above has been met is presented to the municipal official charged with authority to issue the certificate of occupancy.
- d. In no case shall any residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the lot upon which the residence is constructed fails to meet the requirements set forth in subsections (a)(1)a. and (a)(1)b.2. above.

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- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
  - (3) Forest products raised for harvest, including, but not limited to, maple sugaring, firewood processing, Christmas tree cultivation, or mushroom cultivation.
  - (4) Field crop farms.
  - (5) Row crop farms.
  - (6) Orchard farms.
  - (7) Truck gardens.
  - (8) Plant and tree nurseries.
  - (9) Greenhouses.
  - (10) Handling, storage or processing and sale of forestry products or agricultural products.
  - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
  - (12) Wayside stands.
  - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
  - (14) Adult use and medical marijuana cultivation, but not retail sales of any kind.
  - (15) Marijuana manufacturing accessory to a licensed cultivation site.
  - (16) Ground-mounted and dual-use solar energy generating systems less than one acre in total land area as defined in section 60-1501 [that are not sited on prime farmland or farmland of statewide importance determined using the method required by 60-145\(b\)\(19\)\(g\)](#).
  - (17) Natural resource uses.
  - (18) Small-scale recreational uses of land designed or intended for public use.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
    - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
    - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
    - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
  - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
  - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.

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- (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
  - (5) Non-small scale recreational uses of land intended or designed for public use subject to the following conditions:
    - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
    - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
  - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
    - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
    - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
  - (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
  - (8) Cemeteries, subject to the following conditions:
    - a. At least 20 acres in area.
    - b. Not located in any environmental overlay district or over any known aquifer.
    - c. At least ten acres if designated a conservation cemetery.
  - (9) Municipal sanitary landfills, subject to the following conditions:
    - a. Not located in any environmental overlay district or over any known aquifer.
    - b. Provisions shall be made to avoid surface water and groundwater pollution.
    - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
  - (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
    - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
    - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
  - (11) Wholesale nurseries, subject to the following conditions:

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- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
  - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
  - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
  - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the watershed of Taylor Pond, the shoreland overlay district or the floodplain overlay district.
  - b. The proposed use shall not occupy more than 10,000 square feet of building area.
  - c. The number of employees shall be limited to not more than 15.
  - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
  - e. Hours of operation shall limited to between 6:00 a.m. and 8:00 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
  - b. Provisions shall be made to avoid surface and groundwater pollution.
  - c. Provisions shall be made to counteract vermin, insects and odors.
  - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
  - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;

- 
- b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
  - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.
- (18) Reserved.
- (19) Ground-mounted and dual-use solar energy generating systems greater than one acre in total land area as defined in section 60-1501, subject to the following conditions:
- a. Must comply with the provisions of article XVIII under this chapter;
  - b. Setbacks, including appurtenant structures and parking areas, shall be subject to the following yard requirements:
    - 1. *Rear.* There shall be behind every structure associated with a solar energy generating system a rear yard having a minimum depth of 25 feet.
    - 2. *Side.* There shall be a minimum distance of 15 feet between any structure associated with a solar energy generating system and the side property line.
    - 3. *Front.* There shall be in front of every structure associated with a solar energy generating system a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
  - c. Lot coverage shall not exceed 30 percent, as defined under subsection 60-1506(a)(2).
  - d. *Total land area.* Once one percent of the agriculture and resource protection district has been developed into solar energy generating systems, the planning board must find that any additional proposed solar energy generating systems will not materially alter the stability of the overall land use pattern of the agriculture and resource protection district. In making this determination, the planning board shall consider the overall effect of existing and potential solar energy generating systems and if it will be more difficult for existing farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the surrounding area. The planning board shall request an assessment of the proposed project based on subsection 60-145(b)(19)d. by the [agriculture committee and, if located in the resource protection district, the conservation commission Sustainability & Natural Resource Management Board](#) and carefully consider their recommendations.
  - e. All applications shall consider the location of existing grid infrastructure and plan to limit the need to extend the amenities for optimal efficiency.
  - f. If a solar energy generating system is proposed on forestland in the agriculture and resource protection district, on a parcel adjacent to prime farmland or land currently used for farming, clearing of forestland or the use of prime farmland may be permitted under the following conditions:
    - 1. The presence of the solar energy generating system will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property or abutting properties.
    - 2. At the time of decommissioning of any solar energy generating system approved by the planning board, the current sitting planning board shall review the site and proposed decommissioning plan for the conversion of the parcel into prime farmland or forestland, as applicable under the current ordinance standards.

3. A survey of critical wildlife habitat is provided at the time of application, if a project is located in an area determined to be essential habitat, as defined by the state department of inland fisheries and wildlife, an IF&W recommendation shall be secured before a planning board ruling.
  4. A vegetative cover plan is provided that demonstrates, where feasible, the replanting of forested areas disturbed during construction and preservation of prime soils throughout the life of the project.
- g. *Prime ~~Farmland~~ and Farmland of Statewide Importance.* ~~All~~ solar energy generating systems proposed in the agriculture and resource protection district shall not be sited on prime farmland or on farmland of statewide importance as defined by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). The determination of whether land is prime farmland or farmland of statewide importance shall be made by a soil scientist licensed by the Maine Department of Professional and Financial Regulation utilizing the most recent guidance provided by the Maine Department of Agriculture, Conservation and Forestry for the determination of prime farmland and farmland of statewide importance for the siting of solar projects. ~~include a soil analysis. Such analysis shall demonstrate if the site proposed for development contains prime farmland as defined by the United States Department of Agriculture (USDA). Least productive agricultural soils shall be considered first for development unless it can be demonstrated to the planning board that:~~
- ~~1. Non-prime farmland is not reasonably available on the subject property.~~
- h. All applications for solar energy generating systems in the agriculture and resource protection district shall be subject to the following provisions:
1. Siting of the overall facility and individual panels shall keep with the existing contours of the land;
  2. Only pile driven, or ballast block footing shall be used so as to minimize the disturbance of soils during installation;
  3. To the extent possible, infrastructure shall not be located on steep slopes; and
  4. A plan for topsoil maintenance shall be provided at the time of application to the planning board.
- i. All operations and maintenance plans shall also include:
1. A plan prioritizing the ability to co-mingle agricultural and energy generation land uses including but not limited to: apiaries, grazing or handpicked crops.
  2. A plan that provides habitat for native plants and animals and native pollinators.

(20) Municipal or public utilities and communication facilities.

(21) Municipal uses.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019; Ord. No. 17-11182019, 12-9-2019; Ord. No. 05-05182020, 6-1-2020; Ord. No. 11-03012021, §§ 5, 6, 3-15-2021; Ord. No. 02-02132023, 2-17-2023; Ord. No. 03-04182023, 5-1-2023; Ord. No. 10-06202023, 7-10-2023; Ord. No. 17-09052023, 9-18-2023)

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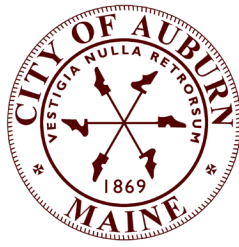
## Sec. 60-146. Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created after October 1, 2017 containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage along a publicly accepted street, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres, except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
  - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
  - b. On legally existing nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2.
  - c. A dwelling may be constructed on lots lawfully existing as of October 1, 2017 and containing less than ten acres, only if approved pursuant to subsection 60-145(a)(1).
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per ten acres, unless approved pursuant to subsection (1)c. above.
- (3) *Yard requirements.*
  - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
  - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.
  - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less, and having a maximum depth of 30 percent of the average depth of the lot.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.31C; Ord. No. 18-11182019, 12-9-2019; Ord. No. 11-03012021, §§ 7, 8, 58, 3-15-2021; Ord. No. 10-06202023, 7-10-2023; Ord. No. 17-09052023, 9-18-2023)

## Secs. 60-147—60-199. Reserved.



**ORDER 16-01202026**

# City Council Order

IN COUNCIL

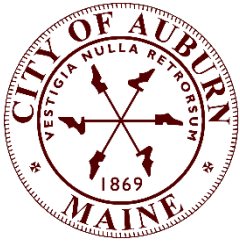
The Auburn City Council hereby Orders the attached text amendment to Chapter 60, Division 2. Agriculture and Resource Protection District be sent to the Planning Board for Public Hearing and a recommendation to the Council. The amendment proposes increased protections for important agricultural soils and natural resources.

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**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** January 20, 2026

**ORDINANCE 03-01202026**

**Author:** Glen E. Holmes Director of Business and Community Development

**Subject:** 180 day Extension of Moratorium on Syringe Service Programs

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**Information:** On September 2, 2025, the City Council adopted a Moratorium Ordinance on Syringe Service Programs in order to temporarily halt the establishment, expansion, or operation of needle exchange services in Auburn while City staff and the Council undertake a comprehensive review of policy options.

The purpose of the moratorium remains to protect public health, safety, and welfare while the City evaluates best practices, legal considerations, and potential impacts on the community, and considers whether to adopt appropriate ordinance amendments addressing these services.

Staff is requesting that the City Council extend the current moratorium for an additional 180 days to provide sufficient time to complete the ongoing review, stakeholder engagement, and legal analysis, and to prepare potential ordinance options for Council consideration.

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**City Budgetary Impacts:** Minimal direct cost. Staff time will continue to be required to conduct research, engage stakeholders, legal review, and prepare workshop materials.

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**Previous Meetings and History:** August 18, 2025 – First Reading / September 2, 2025 Second Reading and adoption of initial 180-day moratorium.

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**Staff Recommended Action:** Staff recommends adoption of the proposed ordinance extending the moratorium by an additional 180 days to ensure the City has adequate time to evaluate regulatory options and make an informed, deliberate policy decision that best serves the health and well-being of Auburn residents.

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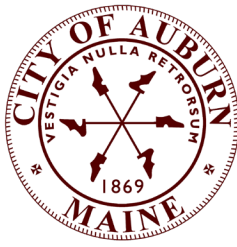
**City Manager Comments:**

I concur with the recommendation.

Signature:

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**Attachments:**



# City Council Ordinance

## IN CITY COUNCIL

**BE IT ORDAINED**, that the City of Auburn amends the Moratorium Ordinance on Needle Exchange Services (Ordinance 06-08182025) as follows:

**WHEREAS**, pursuant to the Auburn City Charter, the Code of Ordinances, and Maine law at 30-A M.R.S. § 4356, the City Council has the authority to enact and extend moratoria to protect the public health, safety, and welfare of the residents of Auburn;

**WHEREAS**, the City Council previously adopted Ordinance 06-08182025, imposing a moratorium on the establishment, expansion, or operation of needle exchange services within the City of Auburn while the City reviews and evaluates policy and ordinance options;

**WHEREAS**, the City Council finds that the establishment, expansion, or operation of needle exchange services within the City of Auburn have significant public health, safety, and community impacts that require careful study and possible amendment of existing ordinances;

**WHEREAS**, the City Council finds that an extension of the moratorium is necessary to allow sufficient time for municipal staff, the Planning Board, and the City Council to complete its review, evaluate options, and, if necessary, amend the City's ordinances governing needle exchange services;

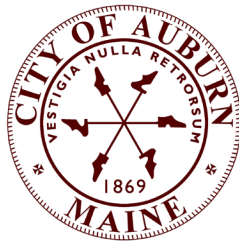
**WHEREAS**, in the judgment of the City Council, the foregoing findings constitute a necessity within the meaning of 30-A M.R.S. § 4356;

**NOW, THEREFORE**, the Auburn City Council hereby ordains that Ordinance 06-08182025 is amended as follows:

1. **Amendment to Duration.** Section 3 ("Duration") of Ordinance 06-08182025 is hereby amended to read as follows (new language Bolded for drafting purposes only):

**3. Duration.** This Moratorium Ordinance shall become effective immediately upon its final passage by the City Council ("Effective Date") and shall remain in effect for a period of **180 days from its effective date, and is hereby extended for an additional 180 days (for a total of 360 days from the Effective Date)**, unless extended, modified, or repealed by the City Council.

2. **All Other Provisions Unchanged.** Except as expressly amended herein, all other sections and provisions of Ordinance 06-08182025, including the moratorium imposed and applicability language, shall remain in full force and effect.



# City Council Ordinance

## IN CITY COUNCIL

**BE IT ORDAINED**, that THE CITY OF AUBURN adopts a Temporary Moratorium Ordinance on Rent Increases in Mobile Home Parks as follows:

**WHEREAS**, the City of Auburn has Mobile Home Parks that provide much-needed housing to individuals at or below median income levels;

**WHEREAS**, the City of Auburn is committed to the preservation of affordable housing within the City;

**WHEREAS**, rates for rental of Mobile Home Park lots in the City have been increasing rapidly in recent years;

**WHEREAS**, such increases are beyond the financial means of many mobile home park lot renters;

**WHEREAS**, many Mobile Home Park lot renters do not have the means or ability to move their mobile homes to alternate locations, which causes a reduction in their bargaining power and their ability to avoid the impact of rent increases;

**WHEREAS**, residents, especially senior residents, of mobile home parks are uniquely vulnerable to displacement when significant rent increases occur, and significant rent increases create undue hardship for residents through additional relocation costs, stress, anxiety, and the threat of homelessness due to the lack of alternative affordable housing;

**WHEREAS**, such lot rental increases may result in some lot renters being evicted and becoming homeless;

**WHEREAS**, certain Mobile Home Parks may be raising rents in response to the enactment of a State Law, P.L. 2025, ch. 399, An Act to Amend the Laws Governing Manufactured Housing Communities to Prevent Excessive Rent and Fees Increases;

**WHEREAS**, the City of Auburn does not currently regulate rental amounts or rent increases in Mobile Home Parks to ensure that rents remain affordable; and

**WHEREAS**, the City of Auburn needs time to study and explore options for addressing rent increases in Mobile Home Parks including but not limited to a potential rent stabilization program to prevent excessive rent increases on Mobile Home Park residents and to ensure that Mobile Home Park owner(s) receive a just and reasonable return on their investment(s).

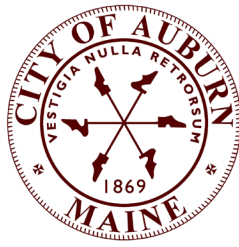
**NOW THEREFORE**, the Auburn City Council hereby ordains that the following Temporary Moratorium Ordinance be, and is, enacted:

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**Rachel B. Randall**, Ward One  
**Kelly L. Butler**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy M. Cowan**, Ward Two  
**Leroy G. Walker, Sr.**, Ward Five  
**Jeffrey D. Harmon**, Mayor

**Mathieu L. Duvall**, Ward Three  
**Adam R. Platz**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



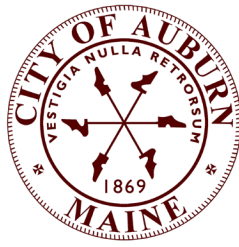
## City Council Ordinance

1. **Moratorium Imposed.** No Mobile Home Park owner or manager may impose or implement an increase of Lot Rent on any person or entity who is a tenant of the Mobile Home Park while this Temporary Moratorium is in effect.
2. **Definitions.** For the purposes of this Temporary Moratorium Ordinance, the terms “Mobile Home Park” and “Lot Rent” shall have the following meanings:

**Mobile Home Park**—A parcel of land under unified ownership approved by the City of Auburn or otherwise used for the placement of three (3) or more manufactured homes.

**Lot Rent**—The total amount owed, per month, to maintain a manufactured home, as defined in 10 M.R.S. § 9081, at a Mobile Home Park, including but not limited to any mandatory, fixed charges or fees such as a connection, road maintenance, or recreation fee, but not including utility, telephone or broadband expenses.

3. **Applicability.** This Temporary Moratorium shall prevent the implementation of any Lot Rent increase while this ordinance is in effect, regardless of whether the Mobile Home Park owner or manager previously informed the tenant of its intent to raise the Lot Rent.
4. **Duration.** This Temporary Moratorium shall become effective immediately upon its final passage by the City Council (“Effective Date”) and shall remain in effect for a period of one hundred eighty (180) days from its Effective Date, unless extended, modified, or repealed by the City Council.
5. **Purpose.** The purpose of this Temporary Moratorium is to allow the City sufficient time to study the causes and impacts of rent increases in Mobile Home Parks and to consider and adopt appropriate amendments to the City’s ordinances.
6. **Enforcement.** This Temporary Moratorium shall be enforced by the City of Auburn City Manager or designee.



## City Council Ordinance

- 7. Penalties.** Violation of any provision of this ordinance shall be punished by a civil penalty of \$200.00 per offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In the event that the City shall prevail in any action to enforce this section, the City shall recover its costs of suit, including reasonable attorney's fees.
- 8. Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance.

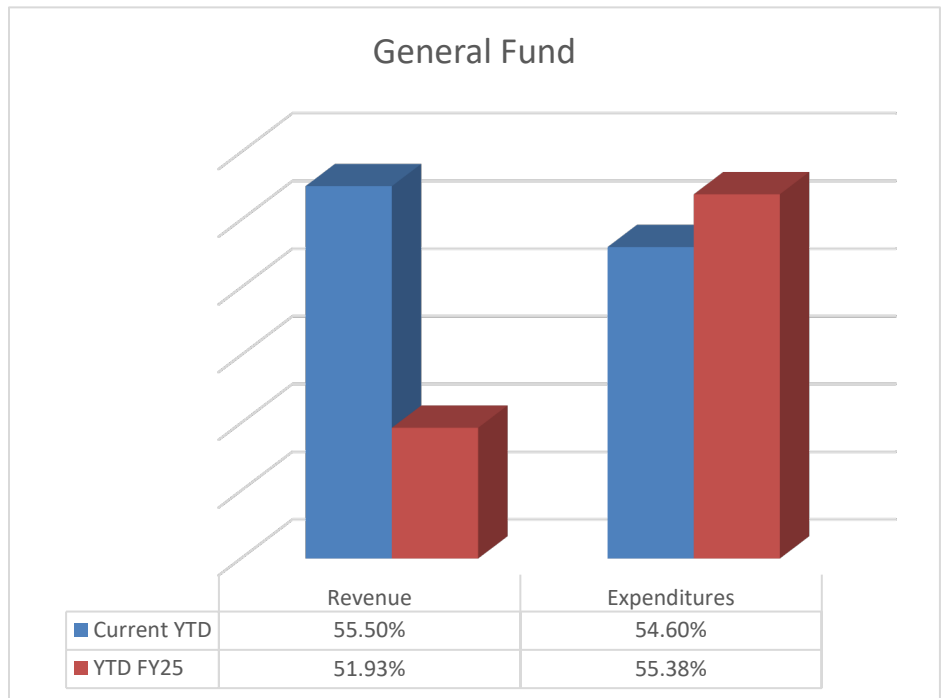
**SECOND QUARTER FY26  
OCTOBER-DECEMBER**

**Overview**

With six months of the year completed, we have the opportunity to look at trends based on historic performance at the same time frame in prior years. This report summarizes the City's overall financial position through December 31, 2025. Except as noted, revenue and expenditures are on target for the second quarter. The School Department, while part of the General Fund, will show in this report, however the discussion is limited to the City's financial results and does not attempt to explain any variances in comparison for School as they have their own finance team and financial reporting.

**General Fund**

With 50% of the fiscal year completed, General Fund actual revenues represent 55.5% of estimates, and actual expenditures are at 54.6% of projections. These are comparable to prior year and denote no areas of concern or significant variance.



**Kelsey Earle**  
**Finance Director**  
 60 Court Street  
 Auburn, ME 04210  
 Phone: (207)333.6600

*The Finance Department is responsible for ensuring that Auburn's money is collected fairly, accounted for accurately, and managed in a manner that preserves public trust. Finance is also responsible for Auburn's "Risk Management" safety program which is an effort to protect employees from workplace injuries as well as protecting the City from catastrophic losses.*

This summary is based on detailed information produced by the City's financial management system.

# GENERAL FUND

## *There can only be one General Fund.*

The City of Auburn General Fund accounts for all financial resources required to fund a variety of public services not accounted for in other funds, including but not limited to the following:

- Public Safety
- Public Works
- General Government
- Recreation

**Property Taxes:** As of December 31, 2025, 56.1% of the projected revenues were received, which is comparable to the percentage received in the prior year. With six months of activity recorded, actual revenues are \$915,503 (or 1.68%) greater than the prior year.

### **State Revenue Share and Homestead Reimbursement:**

Based on the MVR form for the State, where municipal tax rate calculation our Homestead value reimbursement reduced from \$1,699,348 to \$1,597,107.

**Vehicle Excise Tax:** On target with projections, with 55.51% of the projected revenue received as of December 31, 2025. Total revenues received were \$90,522 greater than at the same time in the prior year.

**EMS Transport:** EMS is showing a 4.1% increase in revenue during the same period. Transport fees were increased on April 1, 2024.

**Building Permits:** One large permit pulled for Center Street, Stetson Rd, North River Road, Turner and Court Streets for the Lewiston Water Main Project. It was replacing or duplicating a line that was 100+ years old in places. This is not something we would anticipate again in future years.

## Top Seven Revenues

City of Auburn's top seven budgeted revenues account for over 56% of total General Fund Revenues. By focusing on these, we can get an excellent understanding of the City's revenue position. Overall, these key revenues are performing as projected based on payment schedules and past trends for the second quarter.

General Fund Revenues	Budget	YTD Actual 9/30/25	% Received
Property Tax	\$54,314,567	\$30,473,013	56.1%
State Revenue Share	7,200,000	4,360,277	60.56%
Vehicle Excise Tax	4,800,000	2,664,384	55.51%
Homestead Reimbursement	1,770,000	1,237,135	69.9%
EMS Transport	1,700,000	894,871	52.64%
Building Permits	260,000	670,088	257.73%
Marijuana Business Licenses	220,000	84,642	38.47%
<b>Total</b>	<b>\$70,264,567</b>	<b>\$40,384,410</b>	<b>84.42%</b>

## Expenditures

Expenditures are approximately as expected with a 0.78% decrease over prior year. There are some notable variances that are not of concern but are further discussed below.

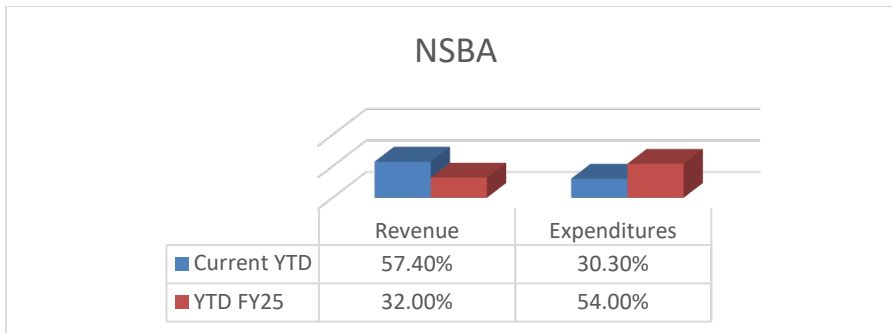
Health and Social Services (GA) has seen a 15.8% decrease with a reduction in demand. Operating Capital is budgeted within Facilities and is expended 17.8% higher than previous year due to purchase orders being placed for the budgeted items, delivery of which are expected later in the fiscal year. This account allows us to reduce reliance on external, often higher-cost, financing for short-term needs.

# NSBA & Ingersoll-Proprietary Funds

## NSBA

The operating revenues for Norway Arena through December were \$646,331 or 57.4% of the budget as compared to 32% of actual revenues in FY25. This revenue comes from concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals. Efficiencies were made with invoicing to receive payments ahead of time or closer to service date. Maine Nordiques ice rental and police coverage were not yet considered at the time of budgt creation.

The operating expenses for Norway Arena through December were \$366,660 or 42.4% of the budget as compared to 54% of actual expenditures in FY25. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

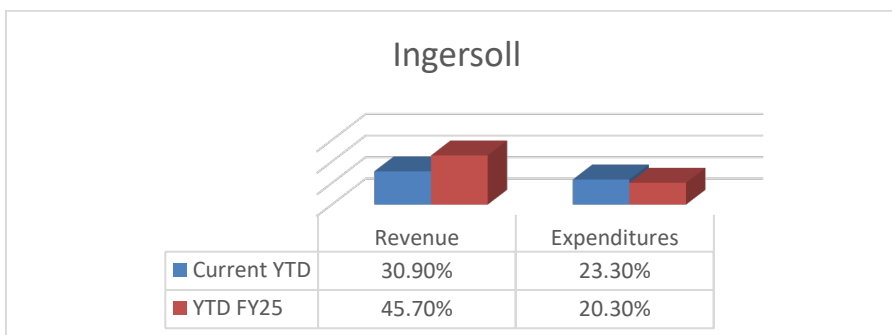


\*Norway Arena had an operating gain YTD of \$279,671

## Ingersoll

The operating revenues for Ingersoll through December were \$65,772 or 30.9% of the budget as compared to 45.7% of actual revenues in FY25. This revenue comes from sponsorships, programs, rental income, and batting cages. Payment has not yet been received at time of reporting for the Prospects Basketball Camp and at this time last fiscal year, we were collecting and receiving money from past due accounts.

The operating expenses for Ingersoll through December were \$34,964 or 23.3% of the budget as compared to 20.3% of actual expenditures in FY25. These expenses include supplies, repairs, capital purchases and maintenance.



\*Ingersoll had an operating gain YTD of \$30,808.

## Fund Type- Finance Terms

### Fund

A fund is a fiscal and accounting entity that has a self-balancing set of accounts, recording all assets and liabilities separately.

### Proprietary Fund

A business-like fund of the local government (Enterprise or Internal Service) that is designed to recoup its expenses through charges to its customers.

### Special Revenue Funds

Account for financial resources that are restricted or committed to specific purposes other than debt service and capital projects.

### Capital Reserve Funds

Account for financial resources that are restricted, committed or assigned to the improvement, acquisition or constructions of capital assets.

### Debt Service Funds (Bonds)

Account for the accumulation of resources for and the payment of principal and interest on any governmental fund long-term debt or medium-term obligation.

# UPDATES

## Financial Services Department Updates

### Accounting Division

- FY26 Bond sale completed and funds received, we had 13 bidders for our bond
- Continued work on the FY25 Audit, we have 3 weeks of work scheduled over several months to fit into their schedule sooner
- Processed workers compensation self-insurance renewal and received approval
- Airport FY25 Audit completed
- Calendar year end processing, benefit changes, etc.
- Prepped for 1099 and W2 processing, and no tax on OT implementation
- Began work on FY27 Budget and Capital Improvement Projects (CIP) requests

### Assessing Division

- Audited Tree Growth and Farmland Special Use classification applications for 10 and 5-year compliance
- Completed the annual Tree Growth roster for Maine Forestry Services
- Audited Veterans/Widows Exemption files for continued compliance
- Processed deeds and transfers
- Processed tax abatement applications
- Provided first supplemental tax assessment to the Tax Collector
- Loaded parcel edits in GIS maps and CAMA
- Provided annual Tax Share parcel valuations for the Accounting Division
- Processed the Business Equipment Tax Reimbursement applications due to the Maine Revenue by December 31, 2025
- Updated Business Equipment Personal Property Forms for 2026, Revised and updated content, statistics, and revaluation map on the Assessing website
- Conducted statistical analysis, sales ratio studies, neighborhood analysis, agricultural land studies
- Researched and tested potential adjustments to AG land
- Cataloged multi-card parcels to find ADUs
- Sent letters to new homeowners with sale surveys, HS exemption application, and change of address forms Ongoing permit and revaluation inspections continued throughout this period

### Clerk Division

- October: Hosted a half day training for staff on 10/25, began absentee voting, dog licensing and election worker training
- November: State Referendum & Municipal General election held on November 4, saw a 43% turnout
- December: Councilor Orientation & On-Boarding; Inauguration (12/11), finished VPH for the November election, continued to see record in-person transactions for vehicle registration/renewals (projected through until April 2026). Welcomed two new members of the team (Ariel Roesner, Assistant Clerk; Marjorie Schmieks, Information Assistant) and began prep for FY27 budget

### Financial Services

Kelsey Earle, Director

### Accounting

Gina Klemanski, Deputy Director  
Cynthia McNeil, Sr. Accounting Asst.  
Emma Burns, Purchasing Analyst  
Anne Taylor, Accounting Asst.  
Melissa Mulloy, Accounting Asst.

Responsibilities include:

Payroll, accounts payable, accounts receivable, CDBG/HUD grants, purchasing, and insurance/risk management.

### Assessing

Karen Scammon, Assessor  
Joseph St. Peter, Deputy Assessor  
Azadeh Mashhadi, Appraiser I  
Connor Doberstein, Appraiser

Responsibilities include:

Maintaining sales information, property deed transfers, and valuations of all real estate and personal property within the City.

### Clerk

Emily Carrington, Clerk  
Jessica Grover, Deputy Clerk  
Cynthia Lauze, Asst. Municipal Clerk  
Tina Nason Asst. Municipal Clerk  
Denise Spooner, Asst. Municipal Clerk  
Ariel Roesner, Asst. Municipal Clerk  
Marjorie Schmieks, Info. Assistant

Responsibilities include:

Tax collection, vehicle registration, ATV/boat registration, licensing, voter registration & elections, and records.

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>1000 General Fund</b>							
<b>1005 City Manager</b>							
429000 Miscellaneous	0	0	0	-14,757.00	.00	14,757.00	.0%
TOTAL City Manager	0	0	0	-14,757.00	.00	14,757.00	.0%
<b>1006 Communications &amp; Engagement</b>							
420070 Sponsorships-Special Events	-25,000	0	-25,000	-1,500.00	.00	-23,500.00	6.0%
TOTAL Communications & Engagement	-25,000	0	-25,000	-1,500.00	.00	-23,500.00	6.0%
<b>1007 City Clerk</b>							
420011 Fees - Clerk/Sale of Copies	-60	0	-60	-24.00	.00	-36.00	40.0%
420013 Fees - Voter Registration Lis	-200	0	-200	-132.00	.00	-68.00	66.0%
420024 Fees - City Clerk Notary	-1,300	0	-1,300	-820.00	.00	-480.00	63.1%
420066 City Clerk Advertising Fees	0	0	0	-1,200.00	.00	1,200.00	.0%
421001 Certificate - Birth	-3,500	0	-3,500	-2,138.00	.00	-1,362.00	61.1%
421002 Certificate - Death	-17,000	0	-17,000	-4,773.00	.00	-12,227.00	28.1%
421003 Certificate - Marriage	-4,500	0	-4,500	-3,478.80	.00	-1,021.20	77.3%
421006 Licenses - Commercial	-75,000	0	-75,000	-27,455.00	.00	-47,545.00	36.6%
421007 Licenses - Marriage	-5,500	0	-5,500	-2,988.00	.00	-2,512.00	54.3%
421012 Marijuana Business Licenses	-220,000	0	-220,000	-84,641.98	.00	-135,358.02	38.5%
421101 Permits - Burial	-2,000	0	-2,000	-42.00	.00	-1,958.00	2.1%
TOTAL City Clerk	-329,060	0	-329,060	-127,692.78	.00	-201,367.22	38.8%
<b>1008 Finance</b>							
401016 2016 Property Tax Revenue	0	0	0	.00	.00	.00	.0%

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
401017 2017 Property Tax Revenue	0	0	0	.00	.00	.00	.0%
401018 2018 Property Tax Revenue	0	0	0	-19.08	.00	19.08	.0%
401019 2019 Property Tax Revenue	0	0	0	-494.90	.00	494.90	.0%
401020 2020 Property Tax Revenue	0	0	0	-436.48	.00	436.48	.0%
401021 2021 Tax Revenue	0	0	0	-2,176.26	.00	2,176.26	.0%
401022 2022 Tax Revenue	0	0	0	-5,889.92	.00	5,889.92	.0%
401023 2023 Tax Revenue	0	0	0	-209,600.28	.00	209,600.28	.0%
401024 2024 Tax Revenue	0	0	0	-434,022.90	.00	434,022.90	.0%
401025 2025 Tax Revenue	0	0	0	-30,473,013.47	.00	30,473,013.47	.0%
401100 Property Tax Revenue - Current	-54,314,567	0	-54,314,567	.00	.00	-54,314,567.00	.0%
401300 Homestead Exemption Reimburse	-1,770,000	0	-1,770,000	-1,237,135.26	.00	-532,864.74	69.9%
401400 In Lieu of Taxes	-94,000	0	-94,000	-16,275.72	.00	-77,724.28	17.3%
401500 Personal Property Reimburse	-3,100,000	0	-3,100,000	-2,994,559.00	.00	-105,441.00	96.6%
402000 Excise Tax - Vehicles	-4,800,000	0	-4,800,000	-2,664,383.59	.00	-2,135,616.41	55.5%
402001 Excise Tax - Boat	-15,000	0	-15,000	-2,556.00	.00	-12,444.00	17.0%
402002 Excise Tax - Aircraft	-5,000	0	-5,000	-12,671.05	.00	7,671.05	253.4%
403000 Penalties & Interest	-100,000	0	-100,000	-37,704.27	.00	-62,295.73	37.7%
420003 Cable Television Franchise	-125,000	0	-125,000	-50,442.48	.00	-74,557.52	40.4%
420038 Fees - Hunting/Fishing/Dogs	-700	0	-700	-242.00	.00	-458.00	34.6%
420041 Fees - Neutered Animals	-2,500	0	-2,500	-723.00	.00	-1,777.00	28.9%
420055 Fees - MMWAC Host	-232,110	0	-232,110	.00	.00	-232,110.00	.0%
420080 CATV Fees-City of Lewiston	-71,000	0	-71,000	.00	.00	-71,000.00	.0%
421000 Agent Fee	-95,000	0	-95,000	-46,137.00	.00	-48,863.00	48.6%
421011 Fines - Dog	-3,500	0	-3,500	-107.00	.00	-3,393.00	3.1%
422000 Investment Income	-350,000	0	-350,000	-162,626.08	.00	-187,373.92	46.5%
429000 Miscellaneous	-150,000	0	-150,000	-120,563.05	.00	-29,436.95	80.4%
429004 CDBG Reimbursement	-588,154	0	-588,154	.00	.00	-588,154.00	.0%
429009 Reimbursement - Other	-364,500	0	-364,500	.00	.00	-364,500.00	.0%
429013 Sale of Assets	-100,000	0	-100,000	-251.27	.00	-99,748.73	.3%
429036 Ingersoll Turf Facility Income	-62,950	0	-62,950	.00	.00	-62,950.00	.0%
429200 Tax Sharing Revenue	-182,000	0	-182,000	.00	.00	-182,000.00	.0%
429900 Designated FB Offset	-1,875,000	0	-1,875,000	.00	.00	-1,875,000.00	.0%
430000 Other State Aid	-3,400	0	-3,400	-5.00	.00	-3,395.00	.1%
430001 State Revenue Sharing	-7,200,000	0	-7,200,000	-4,360,276.79	.00	-2,839,723.21	60.6%
430003 Tree Growth	-13,000	0	-13,000	-11,116.05	.00	-1,883.95	85.5%
430004 Veterans Reimbursement	-18,000	0	-18,000	.00	.00	-18,000.00	.0%
580000 TIF	-1,550,000	0	-1,550,000	.00	.00	-1,550,000.00	.0%
580020 Transfer In-Opioid Settlement	-60,000	0	-60,000	.00	.00	-60,000.00	.0%
TOTAL Finance	-77,245,381	0	-77,245,381	-42,843,427.90	.00	-34,401,953.10	55.5%

10108001 General Fund Prop Tax

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
401004 2004 Property Tax Revenue	0	0	0	-1,001.86	.00	1,001.86	.0%
401008 2008 Property Tax Revenue	0	0	0	.00	.00	.00	.0%
TOTAL General Fund Prop Tax	0	0	0	-1,001.86	.00	1,001.86	.0%
<b>1012 Planning &amp; Permittin</b>							
420023 Fees - Citation Ordinance	-3,000	0	-3,000	-2,741.68	.00	-258.32	91.4%
420068 Departmental Review	-15,000	0	-15,000	-17,250.00	.00	2,250.00	115.0%
420069 Advertising Fees	-3,400	0	-3,400	.00	.00	-3,400.00	.0%
421100 Permits - Building	-260,000	0	-260,000	-670,087.60	.00	410,087.60	257.7%
421102 Permits - Electrical	-30,000	0	-30,000	-16,730.00	.00	-13,270.00	55.8%
421106 Permits - Plumbing	-25,000	0	-25,000	-4,192.50	.00	-20,807.50	16.8%
421107 Permits - Sign	-5,000	0	-5,000	-2,416.00	.00	-2,584.00	48.3%
421112 Permits-Private Vacant Bldng.	-105,000	0	-105,000	.00	.00	-105,000.00	.0%
TOTAL Planning & Permittin	-446,400	0	-446,400	-713,417.78	.00	267,017.78	159.8%
<b>1014 Engineering</b>							
420028 Fees - Drive Opening	-250	0	-250	-140.00	.00	-110.00	56.0%
420039 Fees - Inspection	-5,000	0	-5,000	.00	.00	-5,000.00	.0%
421103 Permits - Fill	-200	0	-200	.00	.00	-200.00	.0%
421108 Permits - Street Excavation	-15,000	0	-15,000	.00	.00	-15,000.00	.0%
TOTAL Engineering	-20,450	0	-20,450	-140.00	.00	-20,310.00	.7%
<b>1015 Facilities</b>							
429007 Energy Efficiency	0	-2,794,850	-2,794,850	.00	.00	-2,794,849.87	.0%
429010 Rental Income	-84,000	0	-84,000	-21,205.06	.00	-62,794.94	25.2%
TOTAL Facilities	-84,000	-2,794,850	-2,878,850	-21,205.06	.00	-2,857,644.81	.7%
<b>1021 Fire &amp; EMS Transport</b>							

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
420034 Fees - Fire/Copies of Reports	-100	0	-100	.00	.00	-100.00	.0%
420088 FEES- Crash Calls	-30,000	0	-30,000	.00	.00	-30,000.00	.0%
TOTAL Fire & EMS Transport	-30,100	0	-30,100	.00	.00	-30,100.00	.0%
<b>1022 Police</b>							
420016 Fees - Accident & Police	-11,000	0	-11,000	-9,470.00	.00	-1,530.00	86.1%
420027 Fees - Court	-4,000	0	-4,000	-1,228.86	.00	-2,771.14	30.7%
420044 Fees - Police/False Alarms	-15,000	0	-15,000	-3,300.00	.00	-11,700.00	22.0%
420045 Fees - Police/Photos, Tapes, &	-800	0	-800	-420.00	.00	-380.00	52.5%
420052 Fees - Vehicle Rel/Driver Lice	-4,000	0	-4,000	-1,365.00	.00	-2,635.00	34.1%
420053 Fees - Vehicle Rel/Non Driver	-3,000	0	-3,000	-570.00	.00	-2,430.00	19.0%
421005 Fines - Parking Violations	-50,000	0	-50,000	-15,675.00	.00	-34,325.00	31.4%
421104 Permits - Firearms	-1,900	0	-1,900	-1,297.00	.00	-603.00	68.3%
429000 Miscellaneous	0	0	0	-5,986.50	.00	5,986.50	.0%
TOTAL Police	-89,700	0	-89,700	-39,312.36	.00	-50,387.64	43.8%
<b>1023 Fire EMS Transport</b>							
420029 Fees - EMS Transport	-1,700,000	0	-1,700,000	-894,870.67	.00	-805,129.33	52.6%
TOTAL Fire EMS Transport	-1,700,000	0	-1,700,000	-894,870.67	.00	-805,129.33	52.6%
<b>1030 Recreation and Sports Tourism</b>							
402800 Miscellaneous Revenue	-456,611	0	-456,611	-82,706.39	.00	-373,904.61	18.1%
TOTAL Recreation and Sports Tourism	-456,611	0	-456,611	-82,706.39	.00	-373,904.61	18.1%
<b>1032 Health and Social Serv Assist</b>							
429000 Miscellaneous	0	0	0	-800.00	.00	800.00	.0%

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
430008 General Welfare Reimbursement	-560,840	0	-560,840	-313,919.03	.00	-246,920.97	56.0%
TOTAL Health and Social Serv Assist	-560,840	0	-560,840	-314,719.03	.00	-246,120.97	56.1%
<b>1042 Public Works</b>							
420028 Fees - Drive Opening	0	0	0	.00	.00	.00	.0%
420039 Fees - Inspection	0	0	0	.00	.00	.00	.0%
420089 EV Charging	0	0	0	-545.66	.00	545.66	.0%
421108 Permits - Street Excavation	0	0	0	.00	.00	.00	.0%
429010 Rental Income	0	0	0	-1,060.00	.00	1,060.00	.0%
430002 State/Local Road Assistance	-500,000	0	-500,000	-643,512.00	.00	143,512.00	128.7%
TOTAL Public Works	-500,000	0	-500,000	-645,117.66	.00	145,117.66	129.0%
<b>1043 Solid Waste Disposal</b>							
420025 Fees - Commercial Solid Waste	0	0	0	-22,492.00	.00	22,492.00	.0%
TOTAL Solid Waste Disposal	0	0	0	-22,492.00	.00	22,492.00	.0%
<b>1046 PW School Maint &amp; Custodial</b>							
420082 School M&C Reimburse	0	0	0	-1,076,579.46	.00	1,076,579.46	.0%
TOTAL PW School Maint & Custodial	0	0	0	-1,076,579.46	.00	1,076,579.46	.0%
<b>1070 Education</b>							
529000 Miscellaneous School	-145,000	0	-145,000	.00	.00	-145,000.00	.0%
530002 Secondary Tuition	-44,754	0	-44,754	.00	.00	-44,754.00	.0%
530004 Franklin Tuition	-160,000	0	-160,000	.00	.00	-160,000.00	.0%
530007 State Subsidy Education	-32,046,130	0	-32,046,130	.00	.00	-32,046,130.00	.0%
530008 Debt Service Reimbursement	-8,833,262	0	-8,833,262	.00	.00	-8,833,262.00	.0%

CITY OF AUBURN  
REVENUES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
530014 Special Education	-120,000	0	-120,000	.00	.00	-120,000.00	.0%
530015 State Agency Clients	-30,000	0	-30,000	.00	.00	-30,000.00	.0%
530017 State Aid for Adult Education	-101,495	0	-101,495	.00	.00	-101,495.00	.0%
580001 Transfer In	-2,025,000	0	-2,025,000	.00	.00	-2,025,000.00	.0%
TOTAL Education	-43,505,641	0	-43,505,641	.00	.00	-43,505,641.00	.0%
TOTAL General Fund	-124,993,183	-2,794,850	-127,788,033	-46,798,939.95	.00	-80,989,092.92	36.6%
TOTAL REVENUES	-124,993,183	-2,794,850	-127,788,033	-46,798,939.95	.00	-80,989,092.92	
GRAND TOTAL	-124,993,183	-2,794,850	-127,788,033	-46,798,939.95	.00	-80,989,092.92	36.6%

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS OF December 31, 2025**

INVESTMENT	FUND	BALANCE December 31, 2025	BALANCE September 30, 2025	INTEREST RATE
ANDROSCOGGIN BANK	449 CAPITAL PROJECTS	\$ 25,602,735.51	\$ 15,379,731.73	3.25%
ANDROSCOGGIN BANK	502 SR-TIF	\$ 1,067,339.41	\$ 1,061,460.23	3.25%
ANDROSCOGGIN BANK	836 GENERAL FUND	\$ 10,376,965.05	\$ 16,248,767.99	3.25%
ANDROSCOGGIN BANK	801 WORKERS COMP	\$ 56,467.34	\$ 56,006.71	3.25%
ANDROSCOGGIN BANK	684 EMS CAPITAL RESERVE	\$ 365,103.01	\$ 362,124.60	3.25%
ANDROSCOGGIN BANK	414 INGERSOLL TURF FACILITY	\$ 243,780.60	\$ 241,791.96	3.25%
ANDROSCOGGIN BANK	ELHS CONSTRUCTION	\$ 3,466,580.58	\$ 12,904,148.48	3.25%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.25%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.15%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.40%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.15%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.15%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.40%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.25%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.20%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.00%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.05%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.30%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.11%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.00%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	3.85%
Northern Capital Securities	CD GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.05%
Northern Capital Securities	CD GENERAL FUND	\$ -	\$ 250,000.00	3.80%
<b>GRAND TOTAL</b>		<b>\$ 46,178,971.50</b>	<b>\$ 51,254,031.70</b>	<b>3.93%</b>

**EMS BILLING**  
**SUMMARY OF ACTIVITY**  
**July 1st, 2025 - December, 31st, 2025**  
**Report for 4th Quarter 2025**

	Beginning	4th Quarter 2025					Ending
	Balance 10/1/2025	New Charges	Payments	Refunds	Adjustments	Write-Offs	Balance 12/31/2025
<b>Attorney/In care of</b>	\$ 435.91	\$ -	\$ (9.50)	\$ -	\$ -	\$ -	\$ 426.41
<b>Bluecross</b>	\$ 110,048.56	\$ 33,980.00	\$ (32,014.40)	\$ -	\$ (4,447.28)	\$ -	\$ 107,566.88
<b>Intercept</b>	\$ (1,969.40)	\$ 1,800.00	\$ (1,800.00)	\$ -	\$ 100.00	\$ -	\$ (1,869.40)
<b>Medicare</b>	\$ 832,825.31	\$ 667,400.70	\$ (230,618.77)	\$ -	\$ (376,904.71)	\$ -	\$ 892,702.53
<b>Medicaid</b>	\$ (491,141.05)	\$ 226,819.10	\$ (148,464.52)	\$ -	\$ (125,925.80)	\$ -	\$ (538,712.27)
<b>Other/Commercial</b>	\$ 315,552.60	\$ 125,311.50	\$ (74,644.68)	\$ -	\$ (15,455.28)	\$ (229.00)	\$ 350,535.14
<b>Private Insurance</b>	\$ 924.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 924.00
<b>Patient</b>	\$ (312,239.79)	\$ 39,800.80	\$ (22,214.30)	\$ 810.69	\$ (1,132.76)	\$ (52,020.15)	\$ (346,995.51)
<b>Worker's Comp</b>	\$ (28,323.38)	\$ -	\$ (3,189.42)	\$ -	\$ (458.98)	\$ -	\$ (31,971.78)
<b>TOTAL</b>	\$ 426,112.76	\$ 1,095,112.10	\$ (512,955.59)	\$ 810.69	\$ (524,224.81)	\$ (52,249.15)	\$ 432,606.00

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>1000 General Fund</b>							
<b>1000 General Fund</b>							
656405 Fire Apparatus Replacement	0	1,069,557	1,069,557	.00	1,069,557.00	.00	100.0%
692024 SPECIAL PROJECTS-WARMING CENTR	0	0	0	.00	.00	.00	.0%
TOTAL General Fund	0	1,069,557	1,069,557	.00	1,069,557.00	.00	100.0%
<b>1004 Mayor and Council</b>							
611000 Regular Salaries	45,800	0	45,800	23,499.86	.00	22,300.14	51.3%
628000 PS - Gen/Professional	74,100	2,946	77,046	92,207.21	2,946.33	-18,107.21	123.5%
629001 Travel - Mileage Reimbursment	550	0	550	115.56	.00	434.44	21.0%
632000 Dues & Subscriptions	57,850	0	57,850	31,729.67	.00	26,120.33	54.8%
633000 Office Supplies	3,500	0	3,500	120.43	.00	3,379.57	3.4%
TOTAL Mayor and Council	181,800	2,946	184,746	147,672.73	2,946.33	34,127.27	81.5%
<b>1005 City Manager</b>							
611000 Regular Salaries	399,649	0	399,649	210,133.07	.00	189,515.93	52.6%
628000 PS - Gen/Professional	23,000	0	23,000	40,903.68	.00	-17,903.68	177.8%
628100 Legal - General	140,000	5,094	145,094	62,822.60	75,703.48	6,567.98	95.5%
629000 Professional Development	12,000	23,908	35,908	7,200.18	19,855.34	8,852.56	75.3%
629001 Travel - Mileage Reimbursment	10,800	0	10,800	3,900.00	.00	6,900.00	36.1%
632000 Dues & Subscriptions	5,000	1,122	6,122	1,296.00	1,122.00	3,704.00	39.5%
633000 Office Supplies	7,500	600	8,100	1,285.35	.00	6,814.65	15.9%
640000 Telephones/Cell Stipends	2,520	0	2,520	1,635.78	.00	884.22	64.9%
TOTAL City Manager	600,469	30,724	631,193	329,176.66	96,680.82	205,335.66	67.5%
<b>1006 Communications &amp; Engagement</b>							

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
611000 Regular Salaries	204,155	0	204,155	101,191.85	.00	102,963.15	49.6%
628000 PS - Gen/Professional	7,500	0	7,500	3,024.34	.00	4,475.66	40.3%
628035 Special Events	74,000	5,466	79,466	57,783.49	23,620.95	-1,938.49	102.4%
628080 Community Outreach	20,000	1,800	21,800	3,309.05	1,800.00	16,690.95	23.4%
629000 Professional Development	4,000	900	4,900	1,029.90	.00	3,870.10	21.0%
629001 Travel - Mileage Reimbursment	400	0	400	.00	.00	400.00	.0%
633000 Office Supplies	2,500	0	2,500	1,219.76	.00	1,280.24	48.8%
640000 Telephones/Cell Stipends	2,650	0	2,650	1,373.82	.00	1,276.18	51.8%
TOTAL Communications & Engagement	315,205	8,166	323,371	168,932.21	25,420.95	129,017.79	60.1%
<b>1007 City Clerk</b>							
611000 Regular Salaries	475,516	0	475,516	242,932.66	.00	232,583.34	51.1%
613000 OT - Regular	2,100	0	2,100	.00	.00	2,100.00	.0%
620000 Advertising	1,500	0	1,500	52.02	.00	1,447.98	3.5%
628000 PS - Gen/Professional	7,025	81	7,106	6,347.20	80.73	677.80	90.5%
628043 Election Staff	26,460	0	26,460	10,994.75	.00	15,465.25	41.6%
629000 Professional Development	800	0	800	655.00	.00	145.00	81.9%
629001 Travel - Mileage Reimbursment	1,650	0	1,650	.00	.00	1,650.00	.0%
632000 Dues & Subscriptions	775	0	775	330.00	.00	445.00	42.6%
633000 Office Supplies	1,000	0	1,000	2,894.01	.00	-1,894.01	289.4%
633004 Voter Supplies	9,000	1,873	10,873	9,856.55	1,873.35	-856.55	107.9%
644002 Voting Machines	9,500	1,150	10,650	.00	1,150.00	9,500.00	10.8%
TOTAL City Clerk	535,326	3,104	538,430	274,062.19	3,104.08	261,263.81	51.5%
<b>1008 Finance</b>							
611000 Regular Salaries	802,733	38	802,771	380,018.81	37.50	422,714.19	47.3%
614003 Longevity Bonus	0	0	0	.00	.00	.00	.0%
620000 Advertising	300	0	300	.00	.00	300.00	.0%
628000 PS - Gen/Professional	40,000	3,500	43,500	16,629.22	3,500.00	23,370.78	46.3%
628008 Recording Fee	300	0	300	.00	.00	300.00	.0%
628064 Senior Tax Reimbursement	150,000	0	150,000	125,913.00	.00	24,087.00	83.9%
629000 Professional Development	9,386	114	9,500	1,894.21	39.44	7,566.79	20.4%
629001 Travel - Mileage Reimbursment	700	0	700	.00	.00	700.00	.0%
631000 Reports, Printing, & Binding	3,000	0	3,000	2,323.54	.00	676.46	77.5%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
632000 Dues & Subscriptions	4,792	0	4,792	1,675.70	.00	3,116.30	35.0%
633000 Office Supplies	5,500	650	6,150	1,025.38	650.00	4,474.62	27.2%
640000 Telephones/Cell Stipends	1,740	0	1,740	732.73	.00	1,007.27	42.1%
642000 Postage	39,000	0	39,000	22,692.32	.00	16,307.68	58.2%
645000 Insurance Premiums	343,000	0	343,000	352,582.10	.00	-9,582.10	102.8%
645001 Insurance Deductibles	25,000	1,423	26,423	24,137.43	1,423.00	862.57	96.7%
655500 Revaluation	0	147,065	147,065	132,832.80	32,457.02	-18,225.00	112.4%
<b>TOTAL Finance</b>	<b>1,425,451</b>	<b>152,790</b>	<b>1,578,241</b>	<b>1,062,457.24</b>	<b>38,106.96</b>	<b>477,676.56</b>	<b>69.7%</b>
<b>1009 Human Resources</b>							
611000 Regular Salaries	251,480	0	251,480	123,225.04	.00	128,254.96	49.0%
620000 Advertising	2,000	0	2,000	.00	.00	2,000.00	.0%
628002 Employee Assist Program	3,000	0	3,000	.00	.00	3,000.00	.0%
628003 Drug Testing	6,000	0	6,000	1,159.96	.00	4,840.04	19.3%
628004 Testing	4,000	0	4,000	475.00	.00	3,525.00	11.9%
628052 Professional Development	10,000	0	10,000	1,029.39	.00	8,970.61	10.3%
629000 Professional Development	0	0	0	.00	.00	.00	.0%
629001 Travel - Mileage Reimbursement	0	0	0	.00	.00	.00	.0%
629002 Travel - Seminar Costs	0	0	0	.00	.00	.00	.0%
632000 Dues & Subscriptions	0	0	0	.00	.00	.00	.0%
633000 Office Supplies	600	0	600	73.80	.00	526.20	12.3%
633001 Operating Supplies	2,500	0	2,500	236.58	.00	2,263.42	9.5%
640000 Telephones/Cell Stipends	840	0	840	420.00	.00	420.00	50.0%
<b>TOTAL Human Resources</b>	<b>280,420</b>	<b>0</b>	<b>280,420</b>	<b>126,619.77</b>	<b>.00</b>	<b>153,800.23</b>	<b>45.2%</b>
<b>1010 Planning &amp; Permitting</b>							
611000 Regular Salaries	796,630	0	796,630	361,597.39	.00	435,032.61	45.4%
613000 OT - Regular	9,500	0	9,500	5,428.23	.00	4,071.77	57.1%
615000 Uniform Allowance	1,000	0	1,000	229.99	.00	770.01	23.0%
620000 Advertising	5,500	0	5,500	2,261.58	.00	3,238.42	41.1%
628000 PS - Gen/Professional	3,500	0	3,500	26.60	.00	3,473.40	.8%
628020 Vehicle Repairs	0	0	0	.00	.00	.00	.0%
628021 Equipment Repairs	2,000	1,878	3,878	.00	1,877.89	2,000.00	48.4%
628024 Street Light Repairs	0	0	0	.00	.00	.00	.0%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
628025 Traffic Signal Maintenance	0	1,714	1,714	.00	1,714.11	.00	100.0%
629000 Professional Development	3,000	0	3,000	445.00	.00	2,555.00	14.8%
629001 Travel - Mileage Reimbursement	300	0	300	1,761.37	.00	-1,461.37	587.1%
629002 Travel - Seminar Costs	0	0	0	.00	.00	.00	.0%
632000 Dues & Subscriptions	3,500	0	3,500	263.32	.00	3,236.68	7.5%
633000 Office Supplies	2,100	0	2,100	238.06	.00	1,861.94	11.3%
633001 Operating Supplies	2,100	0	2,100	272.31	.00	1,827.69	13.0%
633021 Safety Equipment	1,000	0	1,000	.00	.00	1,000.00	.0%
633029 MV Sup - Tires/Tube/Chain	0	0	0	.00	.00	.00	.0%
633030 MV Sup - Fuel	0	0	0	.00	.00	.00	.0%
640000 Telephones/Cell Stipends	3,900	0	3,900	2,195.20	.00	1,704.80	56.3%
641002 Electricity	0	0	0	.00	.00	.00	.0%
650030 Operating Capital	0	20,500	20,500	.00	20,500.00	.00	100.0%
TOTAL Planning & Permitting	834,030	24,092	858,122	374,719.05	24,092.00	459,310.95	46.5%
<b>1011 Public Services</b>							
611000 Regular Salaries	513,010	0	513,010	228,062.37	.00	284,947.63	44.5%
620000 Advertising	500	0	500	3,477.50	.00	-2,977.50	695.5%
628000 PS - Gen/Professional	10,760	1,650	12,410	120.00	1,650.00	10,640.00	14.3%
629000 Professional Development	2,500	0	2,500	2,426.81	.00	73.19	97.1%
629001 Travel - Mileage Reimbursement	2,750	0	2,750	3,936.11	.00	-1,186.11	143.1%
629002 Travel - Seminar Costs	0	0	0	.00	.00	.00	.0%
632000 Dues & Subscriptions	2,253	0	2,253	549.76	.00	1,703.24	24.4%
633000 Office Supplies	500	0	500	-105.50	.00	605.50	-21.1%
640000 Telephones/Cell Stipends	800	0	800	538.60	.00	261.40	67.3%
TOTAL Public Services	533,073	1,650	534,723	239,005.65	1,650.00	294,067.35	45.0%
<b>1012 Planning &amp; Permittin</b>							
611000 Regular Salaries	0	0	0	.00	.00	.00	.0%
613000 OT - Regular	0	0	0	.00	.00	.00	.0%
TOTAL Planning & Permittin	0	0	0	.00	.00	.00	.0%
<b>1013 Business &amp; Community Developme</b>							

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
611000 Regular Salaries	605,137	0	605,137	192,831.14	.00	412,305.86	31.9%
614003 Longevity Bonus	0	0	0	.00	.00	.00	.0%
620000 Advertising	1,000	0	1,000	238.12	.00	761.88	23.8%
628000 PS - Gen/Professional	20,000	0	20,000	1,436.38	.00	18,563.62	7.2%
629000 Professional Development	15,000	0	15,000	1,479.03	.00	13,520.97	9.9%
629001 Travel - Mileage Reimbursement	2,000	0	2,000	.00	.00	2,000.00	.0%
632000 Dues & Subscriptions	4,500	0	4,500	942.07	.00	3,557.93	20.9%
633000 Office Supplies	2,500	0	2,500	2,931.72	.00	-431.72	117.3%
640000 Telephones/Cell Stipends	4,025	0	4,025	1,417.25	.00	2,607.75	35.2%
690200 PS-Homeless Services	250,000	0	250,000	.00	5,000.00	245,000.00	2.0%
TOTAL Business & Community Developme	904,162	0	904,162	201,275.71	5,000.00	697,886.29	22.8%
<b>1014 Engineering</b>							
611000 Regular Salaries	306,286	0	306,286	163,173.57	.00	143,112.43	53.3%
615000 Uniform Allowance	750	0	750	136.96	.00	613.04	18.3%
620000 Advertising	150	0	150	.00	.00	150.00	.0%
628000 PS - Gen/Professional	5,000	4,694	9,694	4,694.00	.00	5,000.00	48.4%
628005 Water Quality Monitoring	15,000	15,000	30,000	19,205.00	.00	10,795.00	64.0%
628008 Recording Fee	250	0	250	.00	.00	250.00	.0%
628021 Equipment Repairs	500	0	500	.00	.00	500.00	.0%
629000 Professional Development	5,500	4,100	9,600	7,669.08	.00	1,930.92	79.9%
629001 Travel - Mileage Reimbursement	150	0	150	1,800.00	.00	-1,650.00	%
631000 Reports, Printing, & Binding	250	0	250	.00	.00	250.00	.0%
632000 Dues & Subscriptions	2,000	1,400	3,400	2,002.00	.00	1,398.00	58.9%
633000 Office Supplies	400	0	400	225.11	.00	174.89	56.3%
633001 Operating Supplies	200	0	200	148.45	.00	51.55	74.2%
633021 Safety Equipment	300	0	300	.00	.00	300.00	.0%
633023 Small Tools	400	0	400	.00	.00	400.00	.0%
640000 Telephones/Cell stipends	1,910	0	1,910	762.96	.00	1,147.04	39.9%
650030 Operating Capital	9,600	1,257	10,857	.00	1,257.00	9,600.00	11.6%
655405 St Imp-Crack Seal	15,000	0	15,000	.00	.00	15,000.00	.0%
TOTAL Engineering	363,646	26,451	390,097	199,817.13	1,257.00	189,022.87	51.5%
<b>1015 Facilities</b>							

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
611000 Regular Salaries	100,000	0	100,000	1,639.73	.00	98,360.27	1.6%
615000 Uniform Allowance	250	0	250	.00	.00	250.00	.0%
620000 Advertising	100	0	100	.00	.00	100.00	.0%
628000 PS - Gen/Professional	120,776	11,698	132,474	71,293.31	35,310.15	25,870.69	80.5%
628019 Building Repairs	113,000	1,808	114,808	65,819.01	18,156.91	30,832.07	73.1%
628021 Equipment Repairs	4,500	0	4,500	.00	.00	4,500.00	.0%
628090 Municipal Property Maintenance	15,000	10,000	25,000	5,000.00	5,000.00	15,000.00	40.0%
629000 Professional Development	1,550	0	1,550	.00	.00	1,550.00	.0%
633000 Office Supplies	5,800	1,220	7,020	.00	1,220.00	5,800.00	17.4%
633001 Operating Supplies	12,000	0	12,000	15,808.11	.00	-3,808.11	131.7%
633023 Small Tools	500	0	500	286.44	.00	213.56	57.3%
633030 MV Sup - Fuel	312,537	0	312,537	139,519.03	.00	173,017.81	44.6%
633033 Misc Expense	1,500	0	1,500	.00	.00	1,500.00	.0%
640000 Telephones/Cell Stipends	840	0	840	240.00	.00	600.00	28.6%
641000 Water/Sewer	34,610	0	34,610	23,957.26	.00	10,652.74	69.2%
641001 Natural Gas	187,835	0	187,835	23,950.18	.00	163,884.82	12.8%
641002 Electricity	403,353	0	403,353	234,395.17	.00	168,957.99	58.1%
642000 Postage	0	0	0	.00	.00	.00	.0%
650030 Operating Capital	540,000	62,166	602,166	307,996.06	252,957.46	41,212.82	93.2%
TOTAL Facilities	1,854,151	86,892	1,941,043	889,904.30	312,644.52	738,494.66	62.0%
<b>1016 worker's Compensation</b>							
900001 Transfer Out	719,025	0	719,025	.00	.00	719,025.00	.0%
TOTAL worker's Compensation	719,025	0	719,025	.00	.00	719,025.00	.0%
<b>1017 Fringe Benefits &amp; Salary Incre</b>							
617000 Health Insurance	3,891,869	0	3,891,869	2,068,890.23	.00	1,822,978.77	53.2%
617001 FICA/Medicare	936,879	0	936,879	546,606.83	.00	390,272.17	58.3%
617004 MSRS Retirement	2,086,753	0	2,086,753	1,127,483.73	.00	959,269.27	54.0%
617005 ICMA Retirement	290,966	0	290,966	198,256.85	.00	92,709.15	68.1%
617008 Cafeteria Plan	218,800	0	218,800	148,102.27	.00	70,697.73	67.7%
617010 Health Reimbursement Account	450,000	0	450,000	48,507.49	.00	401,492.51	10.8%
617015 Unemployment	40,000	0	40,000	1,499.05	.00	38,500.95	3.7%
618000 Salary Reserves	265,000	110,960	375,960	18,664.75	110,890.00	246,405.25	34.5%
TOTAL Fringe Benefits & Salary Incre	8,180,267	110,960	8,291,227	4,158,011.20	110,890.00	4,022,325.80	51.5%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>1018 Emergency Reserve</b>							
670000 Emergency Reserve	550,000	0	550,000	.00	.00	550,000.00	.0%
TOTAL Emergency Reserve	550,000	0	550,000	.00	.00	550,000.00	.0%
<b>1019 Debt Service</b>							
660000 Debt Service - Principal	9,795,062	0	9,795,062	8,358,583.50	.00	1,436,478.50	85.3%
661000 Debt Service - Interest	2,464,915	0	2,464,915	1,413,579.72	.00	1,051,335.28	57.3%
TOTAL Debt Service	12,259,977	0	12,259,977	9,772,163.22	.00	2,487,813.78	79.7%
<b>1021 Fire &amp; EMS Transport</b>							
611000 Regular Salaries	5,104,149	0	5,104,149	2,550,830.91	.00	2,553,318.09	50.0%
611002 Acting Rank	16,500	0	16,500	8,888.46	.00	7,611.54	53.9%
613000 OT - Regular	80,000	0	80,000	80,062.42	.00	-62.42	100.1%
613001 OT - Vacation Replacement	12,000	0	12,000	9,682.91	.00	2,317.09	80.7%
613002 OT - Sick Replace LT	42,000	0	42,000	35,006.14	.00	6,993.86	83.3%
613003 OT - Sick Replace ST	150,000	0	150,000	118,036.34	.00	31,963.66	78.7%
613004 OT - Mandatory Training	25,000	0	25,000	15,383.46	.00	9,616.54	61.5%
613005 OT - Outside Jobs	0	0	0	.00	.00	.00	.0%
613008 OT - Extra Assignments	89,700	0	89,700	30,014.02	.00	59,686.10	33.5%
613010 OT - Vacancies/Retirement	18,500	0	18,500	130,191.50	.00	-111,691.50	703.7%
613011 OT - work Related Injuries	23,000	0	23,000	.00	.00	23,000.00	.0%
613012 OT - Meetings	7,000	0	7,000	.00	.00	7,000.00	.0%
613013 OT - Funeral Leave	5,000	0	5,000	1,492.57	.00	3,507.43	29.9%
613014 OT - Multiple Alarms	5,200	0	5,200	1,058.91	.00	4,141.09	20.4%
614002 Holiday Pay	253,085	0	253,085	110,308.24	.00	142,776.76	43.6%
614006 EMS Ambulance Pay	97,928	0	97,928	64,671.69	.00	33,256.31	66.0%
615000 Uniform Allowance	39,680	0	39,680	13,390.93	.00	26,289.07	33.7%
615100 Protective Clothing	60,300	2,058	62,358	130.46	26,897.98	35,329.54	43.3%
616000 Physicals	5,000	0	5,000	.00	.00	5,000.00	.0%
616001 Safety Compliance	12,500	0	12,500	12,821.00	.00	-321.00	102.6%
620000 Advertising	500	0	500	.00	.00	500.00	.0%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
628000 PS - Gen/Professional	80,000	0	80,000	29,260.97	3,750.00	46,989.03	41.3%
628013 Uniform Clean/Laundry	200	0	200	.00	.00	200.00	.0%
628019 Building Repairs	0	0	0	575.00	.00	-575.00	.0%
628020 Vehicle Repairs	85,000	12,284	97,284	46,357.60	12,857.09	38,069.06	60.9%
628021 Equipment Repairs	15,000	0	15,000	5,666.69	.00	9,333.31	37.8%
628023 Radio Equipment Repairs	2,500	0	2,500	.00	.00	2,500.00	.0%
628026 Maintenance Contractx	18,000	0	18,000	.00	17,961.85	38.15	99.8%
628047 PS-Public Relations	500	0	500	159.01	.00	340.99	31.8%
628049 EMS Vehicle Repairs	10,000	0	10,000	13,655.37	.00	-3,655.37	136.6%
629000 Professional Development	123,167	0	123,167	73,118.11	.00	50,048.89	59.4%
631000 Reports, Printing, & Binding	500	0	500	.00	.00	500.00	.0%
632000 Dues & Subscriptions	26,950	0	26,950	9,408.60	.00	17,541.40	34.9%
633000 Office Supplies	4,000	0	4,000	2,557.67	.00	1,442.33	63.9%
633006 Fire Prevention Supplies	5,500	0	5,500	4,261.20	.00	1,238.80	77.5%
633007 Maintenance Supplies	7,000	0	7,000	2,887.79	.00	4,112.21	41.3%
633009 Fire Training Supplies	4,500	0	4,500	191.82	.00	4,308.18	4.3%
633011 Medical Supplies	80,000	2,901	82,901	31,236.55	2,900.98	48,763.45	41.2%
633023 Small Tools	15,000	0	15,000	141.12	8,937.15	5,921.73	60.5%
633027 Other Sup - Other	6,500	0	6,500	4,151.37	.00	2,348.63	63.9%
633029 MV Sup - Tires/Tube/Chain	0	2,520	2,520	.00	2,520.48	.00	100.0%
633030 MV Sup - Fuel	0	0	0	136.62	.00	-136.62	.0%
633050 EMS Program Exp	1,500	0	1,500	.00	.00	1,500.00	.0%
640000 Telephones/Cell Stipends	6,000	0	6,000	2,448.39	.00	3,551.61	40.8%
641000 Water/Sewer	0	0	0	.00	.00	.00	.0%
641001 Natural Gas	0	0	0	.00	.00	.00	.0%
641002 Electricity	0	0	0	.00	.00	.00	.0%
641003 Bottled Gas	1,500	0	1,500	259.63	.00	1,240.37	17.3%
641005 Diesel	0	0	0	.00	.00	.00	.0%
642000 Postage	500	0	500	44.67	.00	455.33	8.9%
650010 Capital Reserve	225,000	0	225,000	.00	88,372.46	136,627.54	39.3%
653030 EMS Communication Equipment	4,000	6,510	10,510	1,106.76	6,509.79	2,893.24	72.5%
654000 Computer Software	1,000	0	1,000	.00	.00	1,000.00	.0%
<b>TOTAL Fire &amp; EMS Transport</b>	<b>6,770,859</b>	<b>26,273</b>	<b>6,797,132</b>	<b>3,409,594.90</b>	<b>170,707.78</b>	<b>3,216,829.42</b>	<b>52.7%</b>
<b>1022 Police</b>							
611000 Regular Salaries	4,716,531	200,000	4,916,531	2,421,323.71	.00	2,495,207.41	49.2%
612001 Temp Assistance	400	0	400	.00	.00	400.00	.0%
613000 OT - Regular	78,882	0	78,882	32,668.42	.00	46,213.58	41.4%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
613001 OT - Vacation Replacement	65,034	0	65,034	40,588.75	.00	24,444.75	62.4%
613002 OT - Sick Replace LT	60,006	0	60,006	4,830.13	.00	55,176.22	8.0%
613003 OT - Sick Replace ST	0	0	0	10,974.26	.00	-10,974.26	.0%
613004 OT - Mandatory Training	3,000	0	3,000	967.31	.00	2,032.69	32.2%
613005 OT - Outside Jobs	0	0	0	-35,573.91	.00	35,573.91	.0%
613006 OT - Court	18,717	0	18,717	10,777.05	.00	7,939.98	57.6%
613008 OT - Extra Assignments	0	0	0	.00	.00	.00	.0%
613035 OT-Special Events	21,000	0	21,000	-1,396.12	.00	22,396.12	-6.6%
614000 Extra Pay - On Call	23,000	0	23,000	11,418.05	.00	11,581.95	49.6%
614002 Holiday Pay	241,632	0	241,632	107,763.86	.00	133,868.14	44.6%
614003 Longevity Bonus	500	0	500	.00	.00	500.00	.0%
614004 Educational Incentive	6,500	0	6,500	2,784.00	.00	3,716.00	42.8%
614005 Sick Leave Incentive	10,106	0	10,106	11,468.57	.00	-1,362.57	113.5%
615000 Uniform Allowance	40,000	0	40,000	26,796.69	6,630.00	6,573.31	83.6%
616000 Physicals	4,000	0	4,000	2,205.00	.00	1,795.00	55.1%
616001 Safety Compliance	4,000	0	4,000	.00	.00	4,000.00	.0%
628000 PS - Gen/Professional	10,000	1,800	11,800	3,525.00	3,750.00	4,525.00	61.7%
628004 Testing	3,500	0	3,500	3,050.00	.00	450.00	87.1%
628006 Animal Control	51,000	8,602	59,602	17,985.68	26,045.89	15,570.30	73.9%
628013 Uniform Clean/Laundry	26,000	0	26,000	11,650.00	14,870.00	-520.00	102.0%
628019 Building Repairs	500	0	500	.00	.00	500.00	.0%
628020 Vehicle Repairs	0	0	0	10.19	.00	-10.19	.0%
628021 Equipment Repairs	4,800	0	4,800	1,939.50	.00	2,860.50	40.4%
628026 Maintenance Contractx	5,000	0	5,000	.00	3,344.00	1,656.00	66.9%
629000 Professional Development	60,000	4,695	64,695	39,094.85	4,695.00	20,905.15	67.7%
631000 Reports, Printing, & Binding	1,800	0	1,800	214.84	.00	1,585.16	11.9%
632000 Dues & Subscriptions	9,000	0	9,000	12,891.71	.00	-3,891.71	143.2%
633000 Office Supplies	3,000	0	3,000	550.82	.00	2,449.18	18.4%
633001 Operating Supplies	30,659	657	31,316	16,174.52	686.00	14,455.48	53.8%
633029 MV Sup - Tires/Tube/Chain	18,000	0	18,000	8,957.00	.00	9,043.00	49.8%
633030 MV Sup - Fuel	0	0	0	.00	.00	.00	.0%
640000 Telephones/Cell Stipends	31,800	0	31,800	13,478.34	.00	18,321.66	42.4%
642000 Postage	1,000	0	1,000	30.34	.00	969.66	3.0%
<b>TOTAL Police</b>	<b>5,549,367</b>	<b>215,754</b>	<b>5,765,121</b>	<b>2,777,148.56</b>	<b>60,020.89</b>	<b>2,927,951.42</b>	<b>49.2%</b>
<b>10221061 Fire - Sal Fringe</b>							
611000 Regular salaries	0	0	0	.00	.00	.00	.0%
<b>TOTAL Fire - Sal Fringe</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.00</b>	<b>.00</b>	<b>.00</b>	<b>.0%</b>

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>1023 Fire EMS Transport</b>							
628000 PS - Gen/Professional	0	0	0	1,039.35	2,935.40	-3,974.75	.0%
TOTAL Fire EMS Transport	0	0	0	1,039.35	2,935.40	-3,974.75	.0%
<b>1025 Information Technology</b>							
611000 Regular Salaries	321,306	0	321,306	164,194.01	.00	157,111.99	51.1%
628000 PS - Gen/Professional	77,000	24,841	101,841	80,734.96	32,824.31	-11,718.50	111.5%
628021 Equipment Repairs	4,000	0	4,000	.00	.00	4,000.00	.0%
629000 Professional Development	5,000	4,680	9,680	416.78	4,679.75	4,583.22	52.7%
632000 Dues & Subscriptions	2,000	0	2,000	.00	.00	2,000.00	.0%
633001 Operating Supplies	3,000	0	3,000	2,403.80	.00	596.20	80.1%
633005 Computer Hardware	35,000	25,174	60,174	10,975.60	42,757.14	6,440.90	89.3%
640000 Telephones/Cell Stipends	4,000	0	4,000	2,674.48	.00	1,325.52	66.9%
640002 Network	60,000	1,771	61,771	23,689.67	1,770.88	36,310.33	41.2%
640012 Network Billable & Reimbursemen	0	0	0	-472.17	.00	472.17	.0%
644004 Rental - Photocopiers	34,000	8,728	42,728	15,483.21	14,359.77	12,885.00	69.8%
654000 Computer Software	10,000	8,200	18,200	.00	8,200.00	10,000.00	45.1%
654001 Software Licensing	540,539	0	540,539	476,028.27	10,703.57	53,807.16	90.0%
TOTAL Information Technology	1,095,845	73,393	1,169,238	776,128.61	115,295.42	277,813.99	76.2%
<b>1030 Recreation and Sports Tourism</b>							
611000 Regular Salaries	423,132	0	423,132	188,039.85	.00	235,091.74	44.4%
612007 Sal. - Recreation Part-Time	26,794	0	26,794	15,194.01	.00	11,599.66	56.7%
613000 OT - Regular	2,000	0	2,000	.00	.00	2,000.00	.0%
614003 Longevity Bonus	300	0	300	300.00	.00	.00	100.0%
614015 Earned Paid Leave	500	0	500	480.00	.00	20.00	96.0%
615000 Uniform Allowance	0	0	0	.00	.00	.00	.0%
628000 PS - Gen/Professional	22,500	0	22,500	35,958.09	.00	-13,458.09	159.8%
628019 Building Repairs	0	0	0	.00	.00	.00	.0%
628020 Vehicle Repairs	0	0	0	.00	.00	.00	.0%
628021 Equipment Repairs	5,000	0	5,000	.00	.00	5,000.00	.0%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
628026 Maintenance Contractx	0	0	0	.00	.00	.00	.0%
628950 Community Programs	18,000	1,780	19,780	15,540.13	890.00	3,349.87	83.1%
629000 Professional Development	2,500	0	2,500	235.00	.00	2,265.00	9.4%
629001 Travel - Mileage Reimbursement	250	0	250	.00	.00	250.00	.0%
632000 Dues & Subscriptions	4,000	0	4,000	2,301.83	.00	1,698.17	57.5%
633000 Office Supplies	4,000	0	4,000	1,551.71	.00	2,448.29	38.8%
633001 Operating Supplies	0	0	0	.00	.00	.00	.0%
633003 Janitorial Supplies	7,000	0	7,000	1,782.63	.00	5,217.37	25.5%
633007 Maintenance Supplies	14,000	0	14,000	3,750.00	.00	10,250.00	26.8%
633011 Medical Supplies	600	0	600	83.40	.00	516.60	13.9%
633029 MV Sup - Tires/Tube/Chain	0	0	0	.00	.00	.00	.0%
633030 MV Sup - Fuel	0	0	0	.00	.00	.00	.0%
633033 Misc Expense	356,170	0	356,170	262,602.95	.00	93,566.79	73.7%
640000 Telephones/Cell Stipends	3,000	0	3,000	1,043.75	.00	1,956.25	34.8%
641000 Water/Sewer	0	0	0	.00	.00	.00	.0%
641001 Natural Gas	0	0	0	.00	.00	.00	.0%
641002 Electricity	0	0	0	.00	.00	.00	.0%
642000 Postage	350	0	350	.00	.00	350.00	.0%
<b>TOTAL Recreation and Sports Tourism</b>	<b>890,095</b>	<b>1,780</b>	<b>891,875</b>	<b>528,863.35</b>	<b>890.00</b>	<b>362,121.65</b>	<b>59.4%</b>
<b>1032 Health and Social Serv Assist</b>							
628028 Electrical	30,000	0	30,000	10,246.34	.00	19,753.66	34.2%
628029 Medical	3,200	0	3,200	342.40	.00	2,857.60	10.7%
628030 Burial	8,000	0	8,000	2,032.46	.00	5,967.54	25.4%
628031 Fuel	3,000	0	3,000	343.83	.00	2,656.17	11.5%
628032 Provisions	15,000	0	15,000	5,421.96	.00	9,578.04	36.1%
628033 Rent	700,000	0	700,000	228,436.49	.00	471,563.51	32.6%
628034 Other	42,000	0	42,000	17,048.37	.00	24,951.63	40.6%
<b>TOTAL Health and Social Serv Assist</b>	<b>801,200</b>	<b>0</b>	<b>801,200</b>	<b>263,871.85</b>	<b>.00</b>	<b>537,328.15</b>	<b>32.9%</b>
<b>1042 Public Works</b>							
611000 Regular Salaries	3,610,505	31,019	3,641,524	1,628,072.14	.00	2,013,451.86	44.7%
613000 OT - Regular	77,050	0	77,050	47,445.88	.00	29,604.12	61.6%
613015 OT - Winter Road Maintenance	272,800	0	272,800	110,008.48	.00	162,791.52	40.3%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
613016 OT - Fleet Services	1,000	0	1,000	.00	.00	1,000.00	.0%
613019 OT - Sand Removal	1,500	0	1,500	.00	.00	1,500.00	.0%
614003 Longevity Bonus	400	0	400	.00	.00	400.00	.0%
614004 Educational Incentive	0	0	0	.00	.00	.00	.0%
614005 Sick Leave Incentive	10,300	0	10,300	1,365.44	.00	8,934.56	13.3%
615000 Uniform Allowance	52,250	0	52,250	18,063.57	.00	34,186.43	34.6%
616001 Safety Compliance	10,200	0	10,200	586.00	.00	9,614.00	5.7%
628000 PS - Gen/Professional	396,169	255,851	652,020	405,209.54	80,951.14	165,858.88	74.6%
628005 Water Quality Monitoring	0	129	129	.00	129.45	.00	100.0%
628007 Contracted Snow Removal	9,000	0	9,000	.00	.00	9,000.00	.0%
628010 Tree Removal	30,000	8,054	38,054	17,400.00	18,353.75	2,300.00	94.0%
628012 Centerline Striping	125,287	37,852	163,139	33,551.62	23,006.45	106,581.13	34.7%
628014 Solid Waste Disposal	0	0	0	10,963.17	.00	-10,963.17	.0%
628019 Building Repairs	0	3,692	3,692	4,819.78	2,425.00	-3,552.78	196.2%
628020 Vehicle Repairs	245,000	13,139	258,139	46,338.78	22,593.70	189,206.69	26.7%
628021 Equipment Repairs	30,000	0	30,000	30,503.37	.00	-503.37	101.7%
628023 Radio Equipment Repairs	0	0	0	1,427.84	.00	-1,427.84	.0%
628024 Street Light Repairs	20,000	0	20,000	19,886.18	.00	113.82	99.4%
628025 Traffic Signal Maintenance	20,000	0	20,000	21,587.62	.00	-1,587.62	107.9%
629000 Professional Development	22,000	1,320	23,320	7,201.98	1,320.00	14,798.02	36.5%
629001 Travel - Mileage Reimbursement	0	0	0	.00	.00	.00	.0%
629002 Travel - Seminar Costs	0	0	0	.00	.00	.00	.0%
631000 Reports, Printing, & Binding	2,000	0	2,000	175.00	.00	1,825.00	8.8%
632000 Dues & Subscriptions	23,500	0	23,500	7,241.01	.00	16,258.99	30.8%
633000 Office Supplies	2,500	0	2,500	1,324.58	.00	1,175.42	53.0%
633001 Operating Supplies	2,000	0	2,000	1,475.59	.00	524.41	73.8%
633007 Maintenance Supplies	52,500	2,868	55,368	40,382.01	2,867.75	12,117.99	78.1%
633010 Welding Supplies	15,000	203	15,203	13,580.59	203.42	1,419.41	90.7%
633013 Traffic Paint	59,560	0	59,560	7,320.36	24,150.00	28,089.64	52.8%
633014 Sign Material	30,000	7,255	37,255	5,940.08	15,108.97	16,205.97	56.5%
633015 Pre-Mix Asphalt	200,000	-5,950	194,050	183,692.11	30,600.00	-20,242.41	110.4%
633016 Culvert/Basin Supplies	65,000	171	65,171	13,693.80	171.23	51,306.20	21.3%
633017 Bridge/Fence Supplies	6,000	1,558	7,558	4,468.54	1,558.20	1,531.46	79.7%
633018 Loam/Seed	14,000	0	14,000	540.00	.00	13,460.00	3.9%
633019 Calcium Chloride	8,000	0	8,000	1,309.00	.00	6,691.00	16.4%
633020 Road Salt	350,000	0	350,000	53,021.30	296,978.70	.00	100.0%
633021 Safety Equipment	25,000	0	25,000	12,316.11	.00	12,683.89	49.3%
633023 Small Tools	27,000	0	27,000	14,940.02	.00	12,059.98	55.3%
633024 Gravel	98,200	40,485	138,685	39,036.54	32,044.41	67,603.92	51.3%
633025 Other Sup - MV Repair	130,000	0	130,000	57,181.87	16,350.95	56,467.18	56.6%
633026 Other Sup - Equipment Repl	80,000	9,683	89,683	45,814.66	1,802.12	42,065.72	53.1%
633029 MV Sup - Tires/Tube/Chain	70,000	18,231	88,231	32,325.82	24,469.45	31,435.42	64.4%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
633030 MV Sup - Fuel	0	3,417	3,417	15,264.20	3,416.57	-15,264.20	546.8%
633031 MV Sup - Plow/Grader Blades	35,000	0	35,000	18,777.95	.00	16,222.05	53.7%
633032 MV Sup - Other	50,000	1,596	51,596	31,429.93	1,595.93	18,570.07	64.0%
633035 Parks/Open Space Supplies	75,000	50,284	125,284	46,247.34	19,848.07	59,188.73	52.8%
640000 Telephones/Cell Stipends	14,748	0	14,748	10,761.49	.00	3,986.51	73.0%
641000 Water/Sewer	0	0	0	510.29	.00	-510.29	.0%
641002 Electricity	0	0	0	58.00	.00	-58.00	.0%
641004 Heating Fuel	0	0	0	.00	.00	.00	.0%
642000 Postage	200	0	200	31.20	.00	168.80	15.6%
643000 Leachate Hauling	20,000	0	20,000	487.68	.00	19,512.32	2.4%
655200 Guard Rail Replacement	20,000	25,605	45,605	.00	52,829.00	-7,224.00	115.8%
655405 St Imp-Crack Seal	0	0	0	.00	.00	.00	.0%
<b>TOTAL Public Works</b>	<b>6,408,669</b>	<b>506,461</b>	<b>6,915,130</b>	<b>3,063,778.46</b>	<b>672,774.26</b>	<b>3,178,577.43</b>	<b>54.0%</b>
<b>1043 Solid waste Disposal</b>							
620000 Advertising	1,000	0	1,000	.00	.00	1,000.00	.0%
628014 Solid waste Disposal	516,500	2,788	519,288	214,926.21	45,049.92	259,312.29	50.1%
628015 Solid waste Collection	720,000	0	720,000	300,576.72	.00	419,423.28	41.7%
628053 Recycling Disposal	91,000	2,816	93,816	39,095.11	2,816.00	51,904.89	44.7%
628054 Recycling Collection	288,000	0	288,000	151,031.74	.00	136,968.26	52.4%
628057 Organic Waste Collection	155,477	0	155,477	.00	.00	155,477.00	.0%
<b>TOTAL Solid Waste Disposal</b>	<b>1,771,977</b>	<b>5,604</b>	<b>1,777,581</b>	<b>705,629.78</b>	<b>47,865.92</b>	<b>1,024,085.72</b>	<b>42.4%</b>
<b>1045 County Tax</b>							
628908 County Taxes	3,385,568	0	3,385,568	3,385,568.00	.00	.00	100.0%
<b>TOTAL County Tax</b>	<b>3,385,568</b>	<b>0</b>	<b>3,385,568</b>	<b>3,385,568.00</b>	<b>.00</b>	<b>.00</b>	<b>100.0%</b>
<b>1046 Pw School Maint &amp; Custodial</b>							
611000 Regular salaries	0	0	0	372,225.92	.00	-372,225.92	.0%
613000 OT - Regular	0	0	0	40,505.07	.00	-40,505.07	.0%

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
628019 Building Repairs	0	71,837	71,837	533,839.75	195,282.26	-657,284.54	%
628021 Equipment Repairs	0	0	0	11,693.15	.00	-11,693.15	.0%
628051 Cleaning Services	0	0	0	.00	486,177.37	-486,177.37	.0%
633007 Maintenance Supplies	0	3,812	3,812	92,481.97	3,812.09	-92,481.97	%
641000 Water/Sewer	0	0	0	29,558.85	.00	-29,558.85	.0%
641002 Electricity	0	0	0	365,280.14	.00	-365,280.14	.0%
641004 Heating Fuel	0	0	0	61,405.91	.00	-61,405.91	.0%
TOTAL PW School Maint & Custodial	0	75,650	75,650	1,506,990.76	685,271.72	-2,116,612.92	%
<b>1049 Arts &amp; Culture</b>							
628917 Arts & Culture	10,000	0	10,000	2,500.00	.00	7,500.00	25.0%
TOTAL Arts & Culture	10,000	0	10,000	2,500.00	.00	7,500.00	25.0%
<b>1050 Public Library</b>							
611000 Regular salaries	0	0	0	1,975.84	.00	-1,975.84	.0%
628900 Public Library	1,185,894	0	1,185,894	592,947.00	.00	592,947.00	50.0%
TOTAL Public Library	1,185,894	0	1,185,894	594,922.84	.00	590,971.16	50.2%
<b>1051 Transfer to TIF</b>							
900001 Transfer Out	3,272,673	0	3,272,673	.00	.00	3,272,673.00	.0%
TOTAL Transfer to TIF	3,272,673	0	3,272,673	.00	.00	3,272,673.00	.0%
<b>1052 Water &amp; Sewer</b>							
643002 Public Fire Protection Fee	840,280	0	840,280	390,601.64	.00	449,678.36	46.5%
TOTAL Water & Sewer	840,280	0	840,280	390,601.64	.00	449,678.36	46.5%
<b>1053 Tax Sharing</b>							

CITY OF AUBURN  
EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>628909 Tax Sharing</b>							
628909 Tax Sharing	260,000	0	260,000	.00	.00	260,000.00	.0%
TOTAL Tax Sharing	260,000	0	260,000	.00	.00	260,000.00	.0%
<b>1054 Auburn-Lewiston Airport</b>							
628911 Aub-Lew Airport	205,000	0	205,000	191,043.08	.00	13,956.92	93.2%
TOTAL Auburn-Lewiston Airport	205,000	0	205,000	191,043.08	.00	13,956.92	93.2%
<b>1056 LA Transit Committee</b>							
628913 Lew-Aub Transit	566,298	0	566,298	.00	.00	566,298.00	.0%
TOTAL LA Transit Committee	566,298	0	566,298	.00	.00	566,298.00	.0%
<b>1057 LA-911</b>							
611000 Regular Salaries	0	0	0	4,810.98	.00	-4,810.98	.0%
613000 OT - Regular	0	0	0	.00	.00	.00	.0%
628914 Lew-Aub 911	1,436,677	0	1,436,677	718,311.90	.00	718,365.10	50.0%
TOTAL LA-911	1,436,677	0	1,436,677	723,122.88	.00	713,554.12	50.3%
<b>1070 Education</b>							
600000 Expenditures	64,493,893	0	64,493,893	.00	.00	64,493,893.00	.0%
TOTAL Education	64,493,893	0	64,493,893	.00	.00	64,493,893.00	.0%
TOTAL General Fund	128,481,297	2,422,248	130,903,545	36,264,621.12	3,447,111.05	91,191,812.69	30.3%
TOTAL EXPENSES	128,481,297	2,422,248	130,903,545	36,264,621.12	3,447,111.05	91,191,812.69	
GRAND TOTAL	128,481,297	2,422,248	130,903,545	36,264,621.12	3,447,111.05	91,191,812.69	30.3%

CITY OF AUBURN  
NSBA REVENUES- 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>6200 Norway Savings Bank Arena</b>							
<b>6200 Norway Savings Bank Arena</b>							
4201 Ice Rental-Gladiators	-285,600	0	-285,600	-139,528.05	.00	-146,071.95	48.9%
4202 Ice Rental-Edward Little	-23,000	0	-23,000	-4,810.00	.00	-18,190.00	20.9%
4203 Ice Rental-Red Hornets	-19,000	0	-19,000	-7,395.00	.00	-11,605.00	38.9%
4205 Ice Rental-St Doms (B & G)	-36,000	0	-36,000	.00	.00	-36,000.00	.0%
4206 Ice Rental-Poland/Gray NG	-19,000	0	-19,000	-3,045.00	.00	-15,955.00	16.0%
4207 Ice Rental-CMCC	-23,000	0	-23,000	-18,733.33	.00	-4,266.67	81.4%
4208 Ice Rental-SMMHL	-2,000	0	-2,000	.00	.00	-2,000.00	.0%
4209 Ice Rental-Adult Leagues	-165,000	0	-165,000	-99,278.75	.00	-65,721.25	60.2%
4210 Ice Rental-Twin City Thunder	-35,000	0	-35,000	-7,921.28	.00	-27,078.72	22.6%
4211 Ticket Revenue	-28,600	0	-28,600	-164,112.00	.00	135,512.00	573.8%
4212 Ice Rental-Twin City Thunders	0	0	0	.00	.00	.00	.0%
4215 Freestyle-Figure Skating	-7,500	0	-7,500	-2,375.00	.00	-5,125.00	31.7%
4220 Camps/Clinics	-45,000	0	-45,000	-24,620.10	.00	-20,379.90	54.7%
4221 Tournaments	-75,000	0	-75,000	-20,376.65	.00	-54,623.35	27.2%
4223 Private Rentals	-30,000	0	-30,000	-11,867.50	.00	-18,132.50	39.6%
4224 Public Skate	-25,000	0	-25,000	-7,685.00	.00	-17,315.00	30.7%
4225 Shiny Hockey	-4,000	0	-4,000	-1,880.00	.00	-2,120.00	47.0%
4240 Programs	-20,000	0	-20,000	-10,635.00	.00	-9,365.00	53.2%
4250 Non Ice & Facility Rent	-50,000	0	-50,000	-18,750.00	.00	-31,250.00	37.5%
4252 Skate Rentals	-3,000	0	-3,000	-1,710.00	.00	-1,290.00	57.0%
4260 Concessions	-21,000	0	-21,000	-25,000.00	.00	4,000.00	119.0%
4261 Pepsi Vending Machines	-3,000	0	-3,000	-362.54	.00	-2,637.46	12.1%
4263 Vending Food	0	0	0	-91.53	.00	91.53	.0%
4265 Pro Shop	-7,000	0	-7,000	-4,095.00	.00	-2,905.00	58.5%
4270 Sponsorships	-200,000	0	-200,000	-72,059.03	.00	-127,940.97	36.0%
TOTAL Norway Savings Bank Arena	-1,126,700	0	-1,126,700	-646,330.76	.00	-480,369.24	57.4%
TOTAL Norway Savings Bank Arena	-1,126,700	0	-1,126,700	-646,330.76	.00	-480,369.24	57.4%
TOTAL REVENUES	-1,126,700	0	-1,126,700	-646,330.76	.00	-480,369.24	
GRAND TOTAL	-1,126,700	0	-1,126,700	-646,330.76	.00	-480,369.24	57.4%

CITY OF AUBURN  
NSBA EXPENDITURES - 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>6200 Norway Savings Bank Arena</b>							
<b>6200 Norway Savings Bank Arena</b>							
611000 Regular Salaries	326,223	0	326,223	183,217.84	.00	143,004.96	56.2%
612000 Part Time	60,000	0	60,000	28,924.58	.00	31,075.42	48.2%
612008 Programs	10,000	0	10,000	2,872.66	.00	7,127.34	28.7%
613030 Police Time	0	0	0	5,781.00	.00	-5,781.00	.0%
614015 Earned Paid Leave	0	0	0	.00	.00	.00	.0%
615000 Uniform Allowance	0	0	0	203.08	.00	-203.08	.0%
620000 Advertising	1,000	0	1,000	.00	.00	1,000.00	.0%
628000 PS - Gen/Professional	12,000	0	12,000	4,265.08	.00	7,734.92	35.5%
628003 Drug Testing	400	0	400	.00	.00	400.00	.0%
628014 Solid Waste Disposal	600	0	600	3,700.11	.00	-3,100.11	616.7%
628019 Building Repairs	50,000	0	50,000	9,902.70	45,622.53	-5,525.23	111.1%
628020 Vehicle Repairs	4,000	0	4,000	1,562.90	.00	2,437.10	39.1%
628021 Equipment Repairs	4,000	0	4,000	.00	.00	4,000.00	.0%
628026 Maintenance Contractx	0	0	0	.00	.00	.00	.0%
628051 Cleaning Services	20,000	0	20,000	17,470.00	11,330.00	-8,800.00	144.0%
628070 Security	4,900	0	4,900	.00	.00	4,900.00	.0%
629000 Professional Development	5,000	0	5,000	.00	.00	5,000.00	.0%
632000 Dues & Subscriptions	7,412	0	7,412	1,874.00	.00	5,538.00	25.3%
633000 Office Supplies	1,000	0	1,000	1,011.92	.00	-11.92	101.2%
633001 Operating Supplies	70,000	1,473	71,473	28,861.98	1,473.30	41,138.02	42.4%
633002 Other Sup - Operating Field	3,000	0	3,000	3,104.60	.00	-104.60	103.5%
633021 Safety Equipment	4,000	0	4,000	655.95	.00	3,344.05	16.4%
633030 MV Sup - Fuel	0	0	0	.00	.00	.00	.0%
640000 Telephones/Cell Stipends	5,000	0	5,000	1,961.03	.00	3,038.97	39.2%
640001 Cable	2,500	0	2,500	1,434.71	.00	1,065.29	57.4%
641000 Water/Sewer	50,600	0	50,600	26,465.86	.00	24,134.14	52.3%
641001 Natural Gas	48,475	0	48,475	8,580.93	.00	39,894.07	17.7%
641002 Electricity	220,000	0	220,000	.00	.00	220,000.00	.0%
641003 Bottled Gas	7,000	0	7,000	3,569.82	.00	3,430.18	51.0%
642000 Postage	150	0	150	.00	.00	150.00	.0%
645000 Insurance Premiums	44,437	0	44,437	14,701.90	.00	29,735.10	33.1%
650000 Capital Outlay	40,000	0	40,000	16,536.85	.00	23,463.15	41.3%
TOTAL Norway Savings Bank Arena	1,001,697	1,473	1,003,170	366,659.50	58,425.83	578,084.77	42.4%
TOTAL Norway Savings Bank Arena	1,001,697	1,473	1,003,170	366,659.50	58,425.83	578,084.77	42.4%
TOTAL EXPENSES	1,001,697	1,473	1,003,170	366,659.50	58,425.83	578,084.77	
GRAND TOTAL	1,001,697	1,473	1,003,170	366,659.50	58,425.83	578,084.77	42.4%

CITY OF AUBURN  
 INGERSOLL REVENUES- 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>6100 Ingersoll Turf Facility</b>							
<b>6100 Ingersoll Turf Facility</b>							
420070 Sponsorships-Special Events	-20,000	0	-20,000	-10,300.00	.00	-9,700.00	51.5%
420800 PROGRAM REVENUES	-20,000	0	-20,000	-4,080.00	.00	-15,920.00	20.4%
420903 Programs	-23,000	0	-23,000	-4,375.00	.00	-18,625.00	19.0%
422000 Investment Income	0	0	0	-3,045.95	.00	3,045.95	.0%
429010 Rental Income	-150,000	0	-150,000	-43,971.00	.00	-106,029.00	29.3%
TOTAL Ingersoll Turf Facility	-213,000	0	-213,000	-65,771.95	.00	-147,228.05	30.9%
TOTAL Ingersoll Turf Facility	-213,000	0	-213,000	-65,771.95	.00	-147,228.05	30.9%
TOTAL REVENUES	-213,000	0	-213,000	-65,771.95	.00	-147,228.05	
GRAND TOTAL	-213,000	0	-213,000	-65,771.95	.00	-147,228.05	30.9%

CITY OF AUBURN  
INGERSOLL EXPENDITURES- 2ND QUARTER FY26

FROM 2026 01 TO 2026 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>6100 Ingersoll Turf Facility</b>							
<b>6100 Ingersoll Turf Facility</b>							
611000 Regular Salaries	70,000	0	70,000	16,002.53	.00	53,997.47	22.9%
612000 Part Time	25,000	0	25,000	13,408.73	.00	11,591.27	53.6%
620000 Advertising	500	0	500	.00	.00	500.00	.0%
628000 PS - Gen/Professional	5,300	0	5,300	1,300.00	.00	4,000.00	24.5%
628019 Building Repairs	20,000	0	20,000	538.02	.00	19,461.98	2.7%
629000 Professional Development	500	0	500	.00	.00	500.00	.0%
632000 Dues & Subscriptions	500	0	500	.00	.00	500.00	.0%
633000 Office Supplies	500	0	500	.00	.00	500.00	.0%
633003 Janitorial Supplies	2,000	0	2,000	1,035.88	.00	964.12	51.8%
633033 Misc Expense	20,000	0	20,000	2,326.53	.00	17,673.47	11.6%
640000 Telephones/Cell stipends	1,400	0	1,400	352.14	.00	1,047.86	25.2%
641005 Diesel	300	0	300	.00	.00	300.00	.0%
642000 Postage	50	0	50	.00	.00	50.00	.0%
650000 Capital outlay	4,000	0	4,000	.00	.00	4,000.00	.0%
651069 Rec Programming/Facility Study	0	0	0	.00	.00	.00	.0%
TOTAL Ingersoll Turf Facility	150,050	0	150,050	34,963.83	.00	115,086.17	23.3%
TOTAL Ingersoll Turf Facility	150,050	0	150,050	34,963.83	.00	115,086.17	23.3%
TOTAL EXPENSES	150,050	0	150,050	34,963.83	.00	115,086.17	
GRAND TOTAL	150,050	0	150,050	34,963.83	.00	115,086.17	23.3%