A G E N D A
MEETING - City Council
City Council Chambers

Tuesday, June 2, 2026
6:00 PM

Meeting Format
This meeting will be conducted in person in the Sanford City Council Chambers and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure. Members of the public may join the meeting by phone by dialing 1 (929) 205-6099 using Meeting ID 841 5472 7932 and Password 068924, or via computer at https://us02web.zoom.us/j/84154727932?pwd=vUEchnZ2gRlALFGgVZ7w6yTCJ6VhUv.1. Members of the public may also submit comments via the City of Sanford website at www.sanfordmaine.org under Government/ City Council/ Contact the Council.

Pledge of Allegiance

Moment of Silence

Roll Call

Minutes

26-166-01 Ordered, to approve the minutes from the regular City Council Meeting held on May 19, 2026.

26-167-01 Ordered, to approve the minutes from the Executive Session of the City Council held on May 19, 2026.

Mayor's Report/City Council Sub-Committee Reports

City Manager's Report

Homelessness Update

Communications/Presentations

26-138-01 Presentation of a Certificate of Recognition on the occasion of the 100th birthday of Marjorie Lewis

Public Participation

Public Hearings
The City Council will take public comment on the following:

26-159-01 A Public Hearing to receive public comment on the "The Second Amendment to the

Route 109 Development Corridor Municipal Development and Tax Increment Financing District" The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

26-168-01 A Public Hearing to receive comments on proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City.

26-172-01 A Public Hearing to take comments on a proposed citizen-initiated ordinance to institute a moratorium on biosolids and sewage thermal processing facilities.

Consent Agenda

26-162-01 Ordered to approve the following license request:

1. An off premise catering permit from M Gill Enterprises, LLC for the Sanford Mainers games, 38 Roberts Street, Sanford, Me for the following dates 6/8/26, 6/20/26, 6/21/26, 6/22/26, 6/30/26, 7/4/26, 7/10/26, 7/12/26, 7/13/26, 7/17/26, 7/19/26, and 7/26/26.

2. An off premise catering permit from Poppin Bottles, LLC for the Sanford Mainers Games, 38 Roberts Street, Sanford, Me for the following dates 6/4/26, 6/6/26, 6/12/26, 6/13/26, 6/14/26, 7/6/26, 7/7/26, 7/20/26, 7/28/26, 7/29/26.

Old Business

26-127-01 Ordered, to authorize the City Manager to enter into a Contract Zoning Agreement with Stenton Mill, LLC, regarding the redevelopment of 13 River Street, as presented. (This item must be read on two separate occasions. This is the second reading.)

New Business

26-152-01 This is a hearing to determine whether 26 Nason Street, identified as Tax Map L28, Lot 56 and further described in a deed recorded in the York County Registry of Deeds at Book 14508 Page 697-698 and Mortgage recorded at Book 14508, Page 699-718, is a dangerous building or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate.

26-152-01 After hearing testimony and other evidence presented and then making findings of fact and if then adjudging 26 Nason Street to be a dangerous building or a nuisance pursuant to 17 M.R.S.A §§ 2851-2859, the City Council now makes the following orders to abate the nuisance and appropriate corrective actions taken.

26-171-01 Ordered, to appoint Jamie Cole, Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as City of Sanford Code Enforcement Officers; and to appoint Jamie Cole as Local Plumbing Inspector, and Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Alternate Plumbing Inspectors for the period beginning on July 1, 2026 and ending on June 30, 2027.

26-170-01 Ordered, to appoint Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Constables for the period beginning July 1, 2026 and ending on June 30, 2027. Be

it further ordered, that this appointment is empowered to enforce civil violations of the City Code, including any amendments made, or any Emergency Ordinances that are approved and adopted by City Council Order, and is empowered to serve civil summons for violations of said City Code.
Be it further ordered, that this appointment is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

26-160-01 Ordered, to adopt and approve the "The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District". The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

26-174-01 Ordered, to implement an inter-governmental agreement with the Veterans Association for leased space at the Anderson Learning Center.

26-176-01 Ordered, to make appointments to the Lot Rent Stabilization Board.

26-169-01 Ordered, to adopt proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City. (This item must be read on two separate occasions. This is the first reading.)

26-172-01 Ordered, to move to enact a citizen-initiated ordinance instituting a 180-day moratorium on biosolids and sewage thermal processing facilities, pursuant to City Charter Section 1301, or to vote to submit the proposed ordinance for a Referendum Vote on November 3, 2026.

Council Member Comments

Future Agenda Items

Adjournment

Memo

Number: 26-166-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to approve the minutes from the regular City Council Meeting held on May 19, 2026.

RECOMMENDATION
Ordered, to approve the minutes from the regular City Council Meeting held on May 19, 2026.

Background Information:

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):
5-19-26 City Council Minutes.pdf

Sanford City Council
DRAFT Meeting Minutes
Tuesday, May 19, 2026

The Sanford City Council met on Tuesday, May 19, 2026 in person in the City Council Chambers and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure.

MAYOR: Becky A. Brink; **DEPUTY MAYOR:** Maura A. Herlihy; **CITY COUNCILORS:** Councilor Ayn M. Hanselmann; Councilor Jonathan L. Martell; Councilor Peter E. Tranchemontagne; Councilor Nathan H. Hitchcock; Councilor Charlene S. Plante. **CITY STAFF:** Manager Steve Buck; Assistant City Manager Michelle LaBree; Executive Administrator Lorisa Ricketts; Assistant Director of Information Systems Ben Gore; Codes and Planning Director Jamie Cole; Public Works Director Matt Hill; Airport Manager Allison Navia

Others Present in the City Council Chambers: Rep. Anne-Marie Mastraccio; Rick Stanley; Matt Nelson –Superintendent, Sanford School District; Abigail Driscoll – Portland Press Herald; Seth Kimball – Aceto Kimball Landscape Architects; Bobette Gordy; Jim Shepard; Brian Compteau; Rick Stanley; Jennifer Putnam - Waypoint

Others Present via Zoom: Parks and Recreation Director Brady Lloyd; Andrea Knight; Brenda Smith; Jessica Lehoux, Mark Vigliotta; John Henkelman; Cheryl Bergeron; Maggie Somers; Kevin McKeon

Meeting Format

Mayor Brink called the meeting to order at 6:00 PM.

This meeting was conducted in person and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure.

Pledge of Allegiance

Moment of Silence

Roll Call:

Mayor Brink performed the roll call of Councilors present: Deputy Mayor Herlihy, present; Councilor Martell, present; Councilor Hanselmann, present; Councilor Tranchemontagne, present; Councilor Hitchcock, present; Councilor Plante, present.

Minutes

26-155-01 Ordered, to approve the minutes from the regular City Council Meeting held on May 5, 2026.

Councilor Hanselmann moved to approve. Councilor Tranchemontagne seconded.

Motion passed 7-0

26-156-01 Ordered, to approve the minutes from the Executive Session of the City Council held on May 5, 2026.

Councilor Hitchcock moved to approve. Councilor Plante seconded.

Motion passed 7-0

Mayor's Report/City Council Sub-Committee Reports

Mayor Brink commented on the Mobile Home Lot Rent Stabilization Ordinance that is on the agenda. She thanked Manager Buck for his work on it and thanked the park tenants for their input and for supporting the process.

Property Subcommittee discussed several things on the agenda this evening, and some Department of Public Works policy changes, as well as a safety update on traffic.

Zoning Subcommittee discussed potential changes to marijuana ordinances particularly pertaining to medical dispensaries.

Solid Waste Subcommittee discussed litter from commercial properties and determined that current ordinances are adequate.

Manager's Report and Homeless Task Force Report

See attached.

Communications/Presentations

26-77-01 Presentation of Cobb Stadium Master Plan by Aceto Kimball Landscape Architecture & Urban Design

Seth Kimball from Aceto Kimball presented on this item.

To minimize the maintenance burden on City staff, it is proposed that the lawn/bench seating areas would utilize modern Astro-turf instead of grass. The seating area could accommodate between 200-300 people.

The next step in the process is to look at cost estimates and phasing opportunities. That will happen in the next month or so.

Council asked for a breakdown of potential maintenance costs for a facility of this type.

Mayor Brink commented that the City and School are cooperating to determine the design; the cost for the stadium renovations will be raised by fund-raising, not through taxation.

26-157-01 Information on the upcoming Referendum Vote on the School Budget.

Superintendent Matt Hill presented on this item. (See presentation attached.)

Public Participation

Bobette Gordy of Sanford expressed her concerns about a man who stands on Main Street and uses curse words. She also said that she is noticing trash and needles again and said the homeless people are behaving in ways that need to be regulated.

Public Hearings

The City Council took public comment on the following:

26-149-01 A Public Hearing to discuss a proposed Contract Zoning Agreement with Stenton Mill, LLC, regarding the redevelopment of 13 River Street.

Public Hearing opened at 7:06 PM

Codes and Planning Director Jamie Cole presented on this item. This redevelopment is of the former Stenton Mill property. The property is in an Industrial Reuse zone which requires commercial activity on the first floor. The economics of the area doesn't support that, so the company has asked to be allowed to do residential on all floors. They are also asking for some minor parking allowances and a small increase in the allowed sign size to showcase its historic mill status.

Public Hearing closed at 7:09 PM

Consent Agenda

None.

Old Business

25-217-01 Ordered, to recognize Fife Lane in Sanford as a private roadway.

Public Works Director Matt Hill presented on this item.

Since the last discussion on this item where a resident claimed the road was part of Grace Lane, which was an accepted road, further research has been done and it was determined that the

Deputy Mayor Herlihy moved to recognize Fife Lane as a private way. Councilor Tranchemontagne seconded.

Motion passed 7-0

26-127-01 Ordered, to authorize the City Manager to enter into a Contract Zoning Agreement with Stenton Mill, LLC, regarding the redevelopment of 13 River Street, as presented.

This item requires a second reading before a vote and will be voted on at the June 2 meeting.

26-117-01 Ordered, to adopt a Mobile Home Lot Rent Stabilization Ordinance as presented, to take effect on June 14, 2026. (This item must be read on two separate occasions. This is the second reading.)

City Manager Steve Buck presented on this item. The maximum percentage rate increase of 3% was left in place. If an owner wishes to increase beyond that, they can submit an application pursuant to the ordinance.

The screening fee of $1800 was found to not be for the credit check; however, amendments were added to the ordinance to ensure that non-lot rent fees imposed are legal under state law.

Councilor Plante moved to adopt the ordinance. Councilor Tranchemontagne seconded.

Motion passed 6-1 with Councilor Martell opposed.

New Business

26-114-01 Ordered, to determine the private roadway acceptance statuses on Dunaway Drive, Hermione Lane, Oak Hill Road, Punky Parkway, and Sunny Lane.

Director Hill presented on this item.

Councilor Martell moved to declare these roads private. Councilor Plante seconded.

Jim Shepherd, a resident of Punky Parkway, asked for additional research to be done. He said the maps that were provided to residents were confusing. He said that Punky Parkway was once known as Oak Hill Road and commented that the City has paid for or performed plowing and maintenance on the road for years. He asked for records of grading that has been done on the road. He also commented that this change would affect their property values. He submitted a formal written request for information from the City.

Brian Compteau, a resident of Punky Parkway, spoke. In 2000, he purchased a home on Oak Hill Road which was renamed shortly thereafter to Punky Parkway. In 2006, a turnaround was created at the end of the road for Public Works vehicles and fire trucks. The road has been graded twice a year and is plowed in winter.

Rick Stanley, whose wife owns a lot on Punky Parkway, commented that there has been a pattern of maintenance on the road that he believes sets a legal precedent. He commented that withdrawing public maintenance

on the road creates a hardship for the residents there and there are no new legal risks to the City by continuing maintenance.

Director Hill commented that maintenance has been done in the past and his department is willing to do research to find the maintenance records.

Jennifer Putnam, Executive Director of Waypoint, commented that for 60 years, to their knowledge, the City has done maintenance on this road and that this has taken them by surprise.

John Henkelman of Sanford commented on the value of Waypoint to the community and expressed his concern that this action will put strain on the finances of Waypoint as a nonprofit organization. He asked for plowing to be continued at least for the section of road on which Waypoint is located.

Director Hill mentioned that Waypoint paid to have Dunaway Drive repaved in 2018, it was not the City that performed that work.

Mayor Brink commented that the only question before the Council is whether these roads are City-owned. The reason the City cannot do work on roads it does not own is because our insurance does not cover work on private property.

Director Hill added that State law says that public funds should not be expended on private roads. The City's insurer notes that public funds should not be expended on a private road and that no amount of history of maintenance changes State law.

Councilor Hitchcock commented that these discussions are always difficult. Because of the designation of Oak Rill Road as an accepted road, he asked whether these little roads were once considered part of Oak Hill Road. If they were, then he has a problem with this action.

Director Hill explained that the descriptions of the roads in the records do not match the current Oak Hill Road, and those records were shared in the City Council packet.

Councilor Hanselmann commented that she appreciates the tightness of nonprofit budgets and said that nonprofits can come forward and request funding through the budget process.

Councilor Martell suggested having additional conversations with stakeholders.

Deputy Mayor Herlihy said that any conversation needs to be regarding fee simple ownership of the road by the City, and should not focus on maintenance. There are no records saying that any of these sections of roadway have been accepted by the City. There has to be a deed showing that these roads were transferred to the City.

Councilor Tranchemontagne said he does not disagree, but he also thinks that taking additional time for the determination cannot hurt.

Councilor Hanselmann commented that she is unclear what the councilors who want more time want to have done in that time.

Mayor Brink agreed and said the backup materials are clear that the City does not own these roads.

Deputy Mayor Herlihy said that if the residents are able to find more information, they can bring it back and ask for the determination to be overturned.

Councilor Hitchcock commented that it was poor of the City to re-use the name Oak Hill Road so many times over the years, which created doubts which he feels are reasonable.

Motion to declare the roads private failed 3-4 with Councilors Plante, Hitchcock, Martell and Tranchemontagne opposed.

26-102-01 Ordered, to approve purchase of a Bobcat Skid Steer Sidewalk Tractor for the Department of Public Works from Jordan Equipment in Falmouth, Maine.

Director Hill presented on this item.

Deputy Mayor Herlihy moved to approve. Councilor Martell seconded.

Motion passed 7-0.

26-131-01 Ordered, to accept a Grant Agreement with the United States of America, Department of Transportation, Federal Aviation Administration, identified as Grant No. AIG-041-2026 with a date of offer of to be determined in an amount not to exceed $504,310 (the “Grant Agreement”), and authorizes Steven Buck, in his capacity as City Manager, to execute the Grant Agreement on behalf of the City of Sanford. The Grant

Agreement is made pursuant to the BIL Program to Construct New Runway 14 Vehicle Service Road.

Airport Manager Allison Navia presented on this item and the next two items. It is not typical to have three grant offers for one project. There will be one contractor working on one project. FAA categorizes different activities under different grants, so there are separate grant offers. All three grants are for one project, a vehicle service road, and taxilane reconstruction.

Deputy Mayor Herlihy moved to approve. Councilor Hanselmann seconded.

Motion passed 7-0.

26-132-01 Ordered, to accept a Grant Agreement with the United States of America, Department of Transportation, Federal Aviation Administration, identified as Grant No. AIG-042-2026 with a date of offer of to be determined in an amount not to exceed $332,861 (the "Grant Agreement"), and authorizes Steven Buck, in his capacity as City Manager, to execute the Grant Agreement on behalf of the City of Sanford. The Grant Agreement is made pursuant to the BIL Program to Reconstruct Taxilane Seacoast 1.

Airport Manager Allison Navia presented on this item.

Deputy Mayor Herlihy moved to approve. Councilor Hitchcock seconded.

Motion passed 7-0.

26-133-01 Ordered, to accept a Grant Agreement with the United States of America, Department of Transportation, Federal Aviation Administration, identified as Grant No. AIP-043-2026 with a date of offer to be determined in an amount not to exceed $298,865 (the "Grant Agreement"), and authorizes Steven Buck, in his capacity as City Manager, to execute the Grant Agreement on behalf of the City of Sanford. The Grant Agreement is made pursuant to the AIP Program to Reconstruct Taxilane Seacoast 1.

Airport Manager Allison Navia presented on this item.

Deputy Mayor Herlihy moved to approve. Councilor Tranchemontagne seconded.

Motion passed 7-0.

26-147-01 Ordered, to approve the Roberts Street road closure for the NECBL All-Star Game hosted at Goodall Park on July 26th.

Parks and Recreation Director Brady Lloyd presented on this item.

Councilor Hanselmann moved to approve. Councilor Tranchemontagne seconded.

Motion passed 7-0.

26-148-01 Ordered, to approve the Shaw Road closure from Spur Road to Shaws Ridge Road for the Pete Levasseur Fall Classic on October 10th - 12th and on October 24th & 25th for the U9/10 Soccer Maine Festival from 7:00am - 5:00pm.

Parks and Recreation Director Brady Lloyd presented on this item.

Councilor Plante moved to approve. Councilor Hitchcock seconded.

Motion passed 7-0.

26-144-01 Resolved, to approve an Emergency Ordinance putting in place a temporary moratorium on data center development for 91 days, pursuant to Charter Section 214.1.

Manager Buck presented on this item. At the last Council meeting, he was directed to draft an Emergency Moratorium. He did so and the draft was discussed at Property Subcommittee on May 12. Conditional use under Maine law is a use that is permitted in a zoning district only when the applicant has shown compliance with specific requirements particular to that industry. A task force will be created to examine conditional use standards and make recommendations.

The developer who has proposed a data center in Sanford submitted a letter in support of the proposed moratorium. (See attached.)

Councilor Hanselmann moved to approve the Emergency Ordinance. Councilor Plante seconded.

Mayor Brink commented that we can't just say "data center" – it has to be descriptive, because there are varying sizes and types of data center.

Councilor Tranchemontagne commented that he supports this action but thinks that ultimately, this should go to the voters.

Councilor Plante commented that her question is what this data center is serving. She also has concerns about the national security threat that a large data center could pose and would welcome further discussion on that.

Councilor Martell supports this action and has concerns around data centers.

Motion passed 7-0.

Council Member Comments

Councilor Plante: On May 23, The Hangar food truck park officially opens at Sanford Seacoast Regional Airport. St. Thomas is doing a cleanup on May 30 at 9:00 AM.

Councilor Martell: Reminded people to get out and vote on June 9.

Mayor Brink: None.

Councilor Hitchcock: None.

Councilor Tranchemontagne: None.

Councilor Hanselmann: Thanked the Sanford Springvale Gardening Club for their efforts. As we go into the summer rental season in parks, the City should ensure that the parks are prepared for that use. She announced that she is running for House District 142.

Deputy Mayor Herlihy: None.

Mayor Brink: None.

Future Agenda Items

Councilor Plante: None.

Councilor Hitchcock: None.

Councilor Tranchemontagne: None.

Councilor Hanselmann: Would like to discuss the idea of an "approved beautification volunteer" – a way to encourage volunteers and have a pre-approval system to streamline the way people can take trash bags to the transfer station. Long-term as RAISE Grant improvements are made, it may mean that additional staffing will be needed; she would like a discussion on this.

Councilor Martell: None.

Deputy Mayor Herlihy: None.

Mayor Brink: None.

Adjournment

Meeting adjourned at 8:39 PM.

Respectfully submitted by Lorisa Ricketts, Executive Administrator for the City of Sanford.

Please note that these minutes are a summary of the proceedings, not a complete transcript of the meeting. Full recordings of meetings can be viewed on Town Hall Streams at the following link: https://townhallstreams.com/towns/sanfordme.

MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Manager's Report 5-19-2026

To: City Council

Subject: Manager's Report for May 19, 2026

Date: May 19, 2026

Citizen Petition – Moratorium on Biosolids Thermal Processing Facilities

The City Clerk has completed the review and certification of the citizen petition seeking a referendum on a proposed ordinance establishing a moratorium on biosolids and sewage sludge thermal processing facilities within the City of Sanford. The Clerk has certified that the petition contains more than the 736 valid signatures of registered Sanford voters required under the Sanford City Charter. As a result, the petition has been formally transmitted to the City Council for consideration pursuant to Charter Section 1301, which governs the municipal initiative and referendum process.

The proposed ordinance would establish a 180-day moratorium on the siting, construction, permitting, and operation of any facility that uses thermal processing technologies, including gasification, pyrolysis, or incineration, to treat biosolids or sewage sludge. The petition was filed in response to a proposed facility on Cyro Road that would process up to 400 tons of biosolids per day. The stated purpose of the moratorium is to provide the City time to evaluate potential impacts to public health, air quality, water resources, traffic, infrastructure, property values, and overall quality of life, and to determine whether additional local regulations are needed before such a facility may proceed.

Under Charter Section 1301, the City Council must, within 30 days of certification, either adopt the proposed ordinance without alteration or submit the measure to the voters of Sanford at a municipal election. The certification of the petition reflects significant public interest in this issue and activates the Charter's formal process for citizen-initiated legislation. The City Council will now review the proposed ordinance and determine whether to enact the moratorium directly or refer the question to the voters for final consideration. A Public Hearing on the Proposed Ordinance is being published for June 2, 2026 Council Meeting.

Medical Marijuana Registered Dispensary Ordinance Amendments

The City Council will hold a Public Hearing on June 2, 2026, to consider proposed amendments to Chapter 161, Licenses and Permits, and Chapter 280, Zoning, that would allow State-licensed Registered Medical Marijuana Dispensaries to operate within Sanford under limited and

carefully defined conditions. The proposed amendments were reviewed by the Zoning Subcommittee on May 12, 2026, and are intended to position Sanford to accommodate changes in federal law while maintaining local control over the scope of activities permitted.

The proposed ordinance amendments would authorize Registered Dispensaries to engage in cultivation and manufacturing activities, including the growing, processing, and transfer of medical marijuana products, but would expressly prohibit retail sales to the public. By limiting approval to non-retail operations only, the City seeks to provide an orderly regulatory pathway for existing caregivers and businesses to transition into federally compliant dispensary status while reserving for future Council consideration whether any retail activities should be allowed within Sanford.

The June 2 Public Hearing before the City Council will provide residents and stakeholders with an opportunity to comment on the proposed amendments. Because Chapter 280 is the City's Zoning Ordinance, the Planning Board is also required to review the proposed zoning amendments and make a recommendation to the City Council. The Planning Board has scheduled its own Public Hearing for June 3, 2026, following the Council's hearing. After receiving the Planning Board's recommendation and public input, the City Council may consider final adoption of the ordinance amendments at a subsequent meeting.

ecomaine 2026 Eco-Excellence Award – Municipality of the Year

The City of Sanford has been selected by ecomaine as the recipient of the 2026 Eco-Excellence Award for Municipality of the Year. This annual award recognizes one member community that demonstrates exceptional leadership and commitment to recycling, waste reduction, and broader sustainability initiatives across ecomaine's service area.

Unlike other Eco-Excellence Award categories, Municipality of the Year is not open to public nomination. ecomaine staff identified four finalist communities—Sanford, Topsham, South Portland, and Freeport—and prepared detailed profiles for review by ecomaine's Outreach and Recycling Committee. Each municipality was evaluated based on its recycling rate, participation in public education and outreach activities, local sustainability initiatives, and engagement with ecomaine's Multi-Family Recycling Initiative (MFRI).

Sanford was selected as the 2026 winner due to the strength of its resident education efforts, its impressive recycling performance, and the City's strong partnership with the Sanford Housing Authority in expanding recycling opportunities within multi-family and senior housing developments. The recognition highlights Sanford's continued commitment to environmental stewardship and reflects the collaborative efforts of City staff, the Housing Authority, residents, and community partners to advance recycling and sustainability throughout the community.

Sanford
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MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Manager's Report 5-19-2026

York County FY 2027 Proposed Budget – Public Hearing Notice

The York County Budget Committee has scheduled a public hearing on the proposed Fiscal Year 2027 County Budget for Wednesday, June 3, 2026, at 6:00 p.m. The hearing will be held in the Commissioners' Meeting Room at the York County Government Building, 149 Jordan Springs Road, Alfred, Maine. Municipal officials and residents are encouraged to attend and provide comments before the Budget Committee finalizes its recommendation.

The proposed FY 2027 York County General Fund Budget totals $31,236,169, representing an increase of $2,644,081, or 9.25%, over the FY 2026 budget. Significant increases are reflected in Management and Administration, Facilities and Maintenance, Emergency Management, the York County Regional Training Center, the Regional Recovery Center, and the County Jail assessment. New appropriations are also proposed for a County Food Pantry. The County budget continues to be supported by a combination of revenues and municipal tax assessments, with $27,131,630 to be raised through taxation among York County municipalities.

Sanford's projected share of the FY 2027 York County tax assessment is $1,233,209.65, based on the City's 2026 State Valuation of $3.089 billion. This is an anticipated increase of $109,007 or 9.69% for the year. Sanford is expected to fund approximately 4.55% of the total County tax levy and 3.95% of the overall County budget. This estimate should be compared to the City's current FY 2026 County tax assessment as part of the upcoming municipal budget process. The June 3 public hearing provides the City Council and public with an opportunity to review the proposed County spending plan and comment before the Budget Committee takes final action.

Sanford MAINE

MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Manager's Report 5-19-2026

General Assistance Report – April 2026

General Assistance Monthly Report

April 2026 and Fiscal Year-to-Date through April 30, 2026

Monthly Summary

For April 2026, total General Assistance expenditures were $59,345.62, the lowest month in the current FY. Fiscal year-to-date expenditures through April 30, 2026 totaled $796,269.80. Based on the year-to-date expenditure level reflected in the April report, estimated annual expenses are $955,523.76.

Housing-related assistance, including permanent and temporary housing, totaled $52,589.49 for April and $727,899.93 fiscal year-to-date.

Housing-Related GA Expenditures

Category	April 2026	FY 2025-2026 YTD
Permanent Housing	$41,665.00	$543,587.70
Temporary Housing	$10,924.49	$184,312.23
TOTAL HOUSING-RELATED ASSISTANCE	**$52,589.49**	**$727,899.93**

Permanent Housing

Permanent housing expenditures totaled $41,665.00 for April and $543,587.70 fiscal year-to-date. April expenditures consisted of New Mainer assistance, Non-New Mainer assistance, and Sober Living Housing assistance as reflected below.

Permanent Housing	April 2026	April Share	FY YTD
New Mainers	$9,767.00	23%	$167,920.30
Non-New Mainers	$17,123.00	42%	$212,065.40
Sober Living Housing	$14,775.00	35%	$163,602.00
TOTAL PERMANENT HOUSING	**$41,665.00**	**100%**	**$543,587.70**

Temporary Housing

Temporary housing expenditures totaled $10,924.49 for April and $184,312.23 fiscal year-to-date. April temporary housing expenditures were recorded for Non-New Mainer assistance.

Temporary Housing	April 2026	April Share	FY YTD
New Mainers	$0.00	0%	$12,139.31
Non-New Mainers	$10,924.49	100%	$172,162.92
TOTAL TEMPORARY HOUSING	**$10,924.49**	**100%**	**$184,312.23**

Other General Assistance Expenditures

Sanford
MAINE

MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Manager's Report 5-19-2026

Additional April expenditures were recorded for CMP, Food Vouchers, Non-Food Vouchers, Burials/Cremations, and Other assistance categories. The April and fiscal year-to-date totals are shown below.

Category	April 2026	April Share	FY YTD
CMP	$2,504.86	100%	$20,649.15
Food Vouchers	$2,031.74	100%	$19,788.55
Non-Food Vouchers	$553.68	100%	$10,665.82
Burials/Cremations	$1,125.00	100%	$9,186.00
Other	$489.18	100%	$8,080.35

Monthly Notes

• Housing-related costs (permanent + temporary) totaled $52,589.49 in April, representing 88.6% of all April GA expenditures.

• Permanent Housing totaled $41,665.00 in April (70.2% of the month).

• Temporary Housing totaled $10,924.49 in April (18.4% of the month).

• CMP assistance totaled $2,504.86 in April (4.2% of the month).

• Food Voucher expenditures totaled $2,031.74 in April (3.4% of the month).

• Non-Food Voucher expenditures totaled $553.68 in April (0.9% of the month).

• Burial/Cremation expenditures totaled $1,125.00 in April (1.9% of the month).

• Other expenditures totaled $489.18 in April (0.8% of the month).

• Fiscal year-to-date through April, total GA expenditures are $796,269.80, with housing comprising $727,899.93 (91.4%).

Fiscal Year-to-Date Total

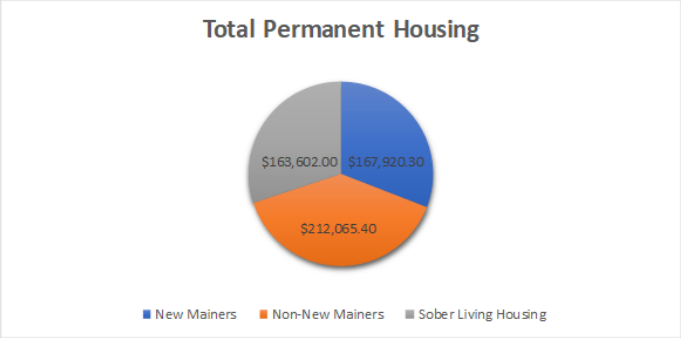
The fiscal year-to-date General Assistance total through April 30, 2026 is $796,269.80. The current estimated annual expense total reflected in the workbook is $955,523.76.

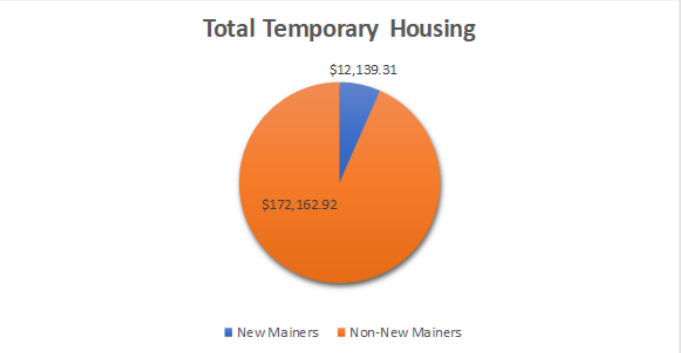
Sanford
MAINE

MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Manager's Report 5-19-2026

General Assistance YTD July 1 to April 30, 2026		
Permanent Housing	$	-
New Mainers	$	167,920.30
Non-New Mainers	$	212,065.40
Sober Living Housing	$	163,602.00
TOTAL PERMANENT HOUSING	**$**	**543,587.70**
Temporary Housing	$	-
New Mainers	$	12,139.31
Non-New Mainers	$	172,162.92
TOTAL TEMPORARY HOUSING	**$**	**184,312.23**
CMP	$	-
New Mainers	$	5,965.67
Non-New Mainers	$	17,178.34
TOTAL CMP	**$**	**20,649.15**
Food Vouchers	$	-
New Mainers	$	6,852.27
Non-New Mainers	$	12,927.28
TOTAL FOOD VOUCHERS	**$**	**19,788.55**
Non-Food Vouchers	$	-
New Mainers	$	374.97
Non-New Mainers	$	10,281.85
TOTAL NON-FOOD VOUCHERS	**$**	**10,665.82**
Burials/Cremations	$	-
New Mainers	$	-
Non-New Mainers	$	9,180.00
TOTAL BURIALS/CREMATIONS	**$**	**9,186.00**
Other	$	-
New Mainers	$	75.00
Non-New Mainers	$	7,997.35
TOTAL OTHER	**$**	**8,080.35**
GRAND TOTAL	**$**	**796,269.80**
Estimated Annual Expenses	**$**	**955,523.76**





School Budget Referendum FY2027 Presentation

City Council Meeting

Public Hearing on School Budget Validation Referendum

May 19, 2026

Mission

Prepare all students with future-ready skills and knowledge to empower success in a rapidly changing world



Create safe, inclusive learning environments where all students are supported and challenged to grow academically, personally, and socially.



Partner with families, community organizations, and students to build resilience, strengthen learning, promote well-being, and build a sense of shared responsibility.



Empower students to take ownership in their learning and contribute actively in their schools, communities, and a rapidly changing world.

Sanford School Department Challenges

- **Limited Resources:** Meeting the diverse learning needs of our students to prepare them for life beyond the classroom. Our FY25, per pupil expenses are $3,406 below the state average
- **Our Staffing:** Retaining and attracting staff. We have the highest student-to-teacher ratios among comparison districts.
- **Our Fiscal Responsibility:** Rising costs of salaries, benefits, special education, supplies, technology, increased valuation
- **Inflation and Changing Cost Environment:** The cost of labor, insurances and a state payroll tax have been drivers in the escalation of costs
- **Growing Needs**: Enrollment shifts, resources available for students who need additional support and facility systems upkeep.

Expenses and Taxation

For every 1% of expense = 3.6% of taxation
1% of expense = $689,441 and 1% of taxation is $189,215

	Expense		Taxation	
Superintendent's proposed increase as of 02/02/2026	$5,979,806	8.7%	$ 3,990,177	21.1%
	$(508,099)		$(1,351,726)	
School Committee's proposed increase as of 03/02/2026	$5,471,707	7.9%	$ 2,638,341	13.9%
	$(355,060)		$(737,035)	
City Council's proposed increased as of 04/21/2026	$5,116,647	7.4%	$ 1,901,306	10.0%

2026/2027
City of Sanford School Budget
Public Notice

A public hearing was held in the City Council Chambers at City Hall on Tuesday, March 17th, 2026 to receive public comment on the proposed 2026/2027 Sanford School budget. The Referendum Vote will be held Tuesday, June 9, 2026.

A summary of the proposed 2026/2027 budget is printed below. The 2026/2027 School Budget is available in the School Department and is also available online.

During the Hearing, the public had time to provide written or oral comments on any portion of the School Budget or ask any questions pertaining to the School Budget.

	Enacted Budget FY 25/26	Proposed Budget FY 26/27	Variance
Regular Instruction	$19,829,160.00	$22,423,216.00	$2,594,056.00
Special Education	$13,975,269.00	$14,793,749.00	$818,480.00
Career/Technical Education	$4,857,276.00	$5,418,598.00	$561,322.00
Other Instruction	$1,344,509.00	$1,373,465.00	$28,956.00
Student and Staff Support	$4,108,000.00	$4,414,712.00	$306,712.00
System Administration	$1,198,111.00	$1,282,791.00	$84,680.00
School Administration	$2,949,415.00	$3,089,934.00	$140,519.00
Transportation and Buses	$2,766,487.00	$3,037,580.00	$271,093.00
Facilities Maintenance	$6,567,598.00	$7,039,573.00	$471,975.00
Debt Service	$10,582,856.00	$10,395,420.00	$(187,436.00)
All Other Expenditures	$144,795.00	$157,408.00	$12,613.00
Summary of Total Authorized Expenditures	**$68,323,476.00**	**$73,426,446.00**	**$5,102,970.00**
Adult Education	$620,649.00	$634,326.00	$13,677.00
Total Education Budget	**$68,944,125.00**	**$74,060,772.00**	**$5,116,647.00**

NOTICE OF AMOUNTS ADOPTED AT CITY COUNCIL MEETING FOR VOTERS AT SCHOOL BUDGET VALIDATION REFERENDUM

TO: Susan H. Cote, City Clerk of the City of Sanford, State of Maine

Pursuant to 20-A M.R.S.A ss 1486(2) and 2307 this Notice is to be displayed at all Polling Places for the school budget validation referendum to be held on June 9, 2026, to assist the voters in voting on whether to ratify the school budget approved at the April 21, 2026 City Council Meeting.

Cost Center Summary Budget Category	Amount Recommended by School Committee on 3/2/2026	Amount Approved at the City Council Meeting on 4/21/2026
FY 2027		
Regular Instruction	$22,529,511	$22,423,216
Special Education	14,866,866	14,793,749
Career & Technical Education	5,441,970	5,418,598
Other Instruction	1,460,694	1,373,465
Student & Staff Support	4,433,891	4,414,712
System Administration	1,285,584	1,282,791
School Administration	3,177,349	3,089,934
Transportation & Buses	3,037,580	3,037,580
Facilities Maintenance	6,993,992	7,039,573
Debt Service	10,395,420	10,395,420
All Other Expenditures	158,112	157,408
Summary of Total Authorized Expenditures	**73,780,970**	**73,426,446**
Adult Education	634,862	634,326
Total Education Budget	**74,415,832**	**74,060,772**

The Challenge

Funding Analysis Memorandum: Funding Analysis
Sanford's Funding Presentation: Funding Presentation

Sanford spends the LEAST per student while serving among the HIGHEST need populations.

$15,066

Per-Pupil Spending

DEAD LAST

17.38:1

Student:Teacher Ratio

WORST IN REGION

58.9%

Free/Reduced Lunch Rate

3RD HIGHEST

A child's zip code should not determine their educational experience.

Cost per Student Comparison

District	Cost Per Pupil	vs. State Average	
Yarmouth	$22,208.48	$3,736.22	
RSU 21	$21,886.09	$3,413.83	
Scarborough	$20,421.11	$1,948.85	
Westbrook	$19,283.91	$811.65	
State Average	$18,472.26		
Saco	$17,871.97	-$600.29	Below State Average
MSAD 6	$17,632.82	-$839.44	Below State Average
MSAD 57	$17,317.20	-$1,155.06	Below State Average
Biddeford	$16,466.78	-$2,005.48	Below State Average
Sanford	**$15,066.38**	**-$3,405.88**	**Below State Average**

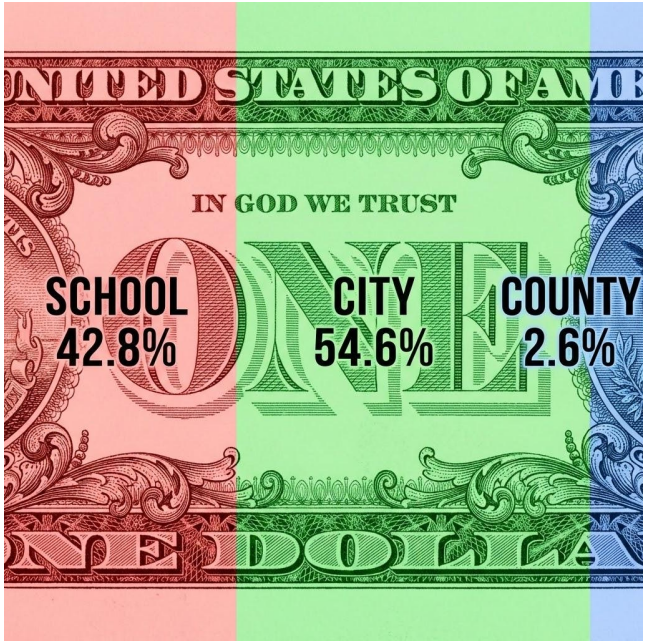
Teacher-to-Student Ratios

District	Students Per Teacher	Teachers Needed at That Ratio	If SSD Staffed at Their Ratio	FRL Rate(2024–2025)
RSU 23	10.37	309.0	+124.6	37.15%
York	11.09	288.9	+104.5	21.82%
Falmouth	11.67	274.6	+90.2	8.40%
Cape Elizabeth	12.25	261.6	+77.2	9.50%
Yarmouth	12.63	253.7	+69.3	15.58%
Scarborough	12.82	249.9	+65.5	20.64%
RSU 21	12.88	248.8	+64.4	18.18%
Brunswick	12.99	246.7	+62.3	36.50%
MSAD 51	12.98	246.8	+62.4	68.10%
Westbrook	13.28	241.3	+56.9	67.51%
Saco	13.49	237.5	+53.1	34.41%
Lewiston	13.92	230.2	+45.8	66.07%
RSU 14	14.56	220.0	+35.6	30.93%
MSAD 6	14.67	218.4	+34.4	41.13%
Biddeford	14.94	214.4	+30.0	64.29%
MSAD 57	15.10	212.2	+27.8	46.19%
Gorham	15.70	204.1	+19.7	21.91%
Augusta	16.77	191.0	+6.6	57.86%
Sanford	**17.38**	**184.4**	**—**	**58.94%**

Budget Summary
2026-2027 School Year

- City Council approved a combined City & School Budget that includes a 5.23% increase and equates to a $.89 increase to the mil rate.
- Possibility that mil rate could reduce further with increased valuation.
- The taxes for the year on a house valued at $300,000 would increase by $267
- Sanford School Department's expenses are by increasing 7.4%
- For every 1% increase in expense is 3.6% increase in taxation
- Sanford is a high receiver of state subsidy 71.52%
- Due to Sanford's valuation increase, the subsidy was reduced by $870,570
- Costs of Special Education Outside Placements continues to increase
- Sanford has York and Cumberland County's lowest per-pupil expenditure rate
- Sanford has the highest student-to teacher ratio, among comparison districts
- Sanford is one the lowest percentage of taxation in southern Maine

Community Comparison of Percentage of Tax Rate



Lebanon	84.0%
Acton	68.9%
Arundel	66.7%
Limerick	65.6%
Kennebunk	63.1%
Buxton	62.4%
Biddeford	61.7%
Westbrook	56.7%
Wells	56.1%
York	55.3%
Waterboro	54.7%
South Berwick	54.1%
Alfred	54.0%
Eliot	53.3%
Saco	52.6%
Newfield	50.0%
Berwick	45.1%
Parsonsfield	44.4%
Sanford	42.8%
Lewiston	41.0%
Old Orchard Beach	41.0%
Average	53.9%

Did you know?

- With over 3,200 students enrolled, Sanford is one of Maine's largest school districts.
- The Sanford School Department provides an all-day Pre-K program for 128 children annually.
- Despite receiving 71.52% state funding, the highest of any comparison district, Sanford's economically disadvantaged students perform comparably to peers across the region, proving our educators maximize every dollar.
- Sanford High School offers 150 different courses across 12 disciplines, and 396 students are currently enrolled in Advanced Placement, dual enrollment, or early college courses – earning real college credit before graduation. Students can also choose from more than 30 co-curricular clubs and activities.
- Sanford School Department's graduation rate is at 92.14%, which is higher than the state average.

Did you know?

- Sanford Regional Technical Center offers 26 Career and Technical Education programs for 778 students, who can earn industry certifications and college credits while still in high school.
- The Sanford Performing Arts Center is one of the finest arts facilities in the state of Maine – hosting over 70 school concerts, performances, speakers, ceremonies, and more than 15 national and international touring performances.
- Sanford has York County's lowest per-pupil expenditure rate (excluding construction debt service and vocational program costs not offered by all districts). **We spend the least per student ($15,066) of any district in York and Cumberland counties**, while serving one of the highest-need student populations in the region, with 58.9% of students qualifying for free and reduced lunch.

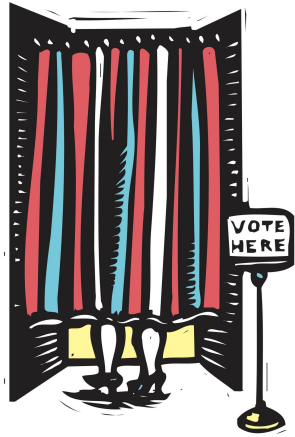
Did you know?

- Sanford's growing Pre-K-12 music program includes the high school marching band, which has won 4 straight state gold medals.
- Every school has dedicated counselors, social workers, and nurses who support the whole child.
- All Sanford students in grade K-12 have access to a 1:1 device – iPads for K-2 and Chromebooks for grades 3-12. The district's technology and physical safety systems allow instant communication with staff, students and first responders.
- Sanford Community Adult Education has grown by 116% over three years, now serving nearly 1,900 community members through English language learning, high school completion, workforce training, and enrichment programs.
- Sanford High School and Sanford Middle School offer more than 60 athletic teams.

Election Day in Sanford is Tuesday, June 9, 2026

Polling location:
Sanford High School

7:00 AM - 8:00 PM



In-Person absentee voting available until June 4th
Monday-Thursday 7:30 AM - 5:30 PM

May 17, 2026

Mr. Steve Buck, City Manager, Sanford, Maine

In Re: City of Sanford 90 Day Moratorium – Data Centers

Dear Mr. Buck,

We write in support of the proposed 90-day moratorium on data center permitting in Sanford.

Our family and a minority shareholder has owned the Sanford Woods property, the largest contiguous undeveloped parcel in Sanford and in all of York County, for fifty plus years. We are not speculative developers passing through. We have deep roots in New England and in Maine, we intend to develop Sanford Woods responsibly, and we will still be here when whatever is built here is operating. For that long-term development horizon, we support the proposed 90-day moratorium.

We will be candid about our interest. A well-designed permitting ordinance serves our interest as much as the City's. Data centers have produced very different outcomes across the country, some have imposed real and unacceptable burdens on their host communities, while others have delivered substantial economic benefit with no adverse impact on residents or the environment. The difference is almost always the standards a community sets before construction begins. A clear, enforceable ordinance protects Sanford and gives a serious developer a defined standard to build against. We would rather meet a high bar than operate in an undefined one.

We would value the opportunity to contribute to the task force's work. We are prepared to share recommendations on the standards we believe any data center in Sanford should be required to meet. We support the development of standards that a committed, well-capitalized developer can meet and that a short-term operator cannot.

This is a consequential moment for Sanford. Done well, Sanford Woods can help restore the city's standing as a center of industry and good jobs in southern Maine and contribute to its prosperity for decades. We believe the path to that outcome runs directly through the careful, deliberate work this moratorium is intended to enable.

We would welcome an opportunity to contribute… whether a seat for our representatives at a task force work session, a scheduled opportunity to present our recommendations, or an invitation to submit proposed standards in writing for the task force's consideration. Please let us know how we can be most useful.

Thank you for your leadership. We look forward to working alongside the City to get this right.

Respectfully,

Randall (“Randy”) Gibbs

Lead Developer, Sanford Woods Industrial and Technical Campus (“Sanford Woods”)

Memo

Number: 26-167-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to approve the minutes from the Executive Session of the City Council held on May 19, 2026.

RECOMMENDATION
Ordered, to approve the minutes from the Executive Session of the City Council held on May 19, 2026.

Background Information:

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):
Executive Session Minutes 5-19-26.pdf

Executive Session – Sanford City Council Meeting Minutes
Tuesday, May 19, 2026

This meeting was conducted in person in the City Manager's Conference Room, Suite 302, Sanford City Hall, and via Zoom pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure.

PRESENT: Mayor Becky A. Brink; Deputy Mayor Maura A. Herlihy; Councilor Ayn M. Hanselmann; Councilor Jonathan L. Martell; Councilor Peter E. Tranchemontagne; Councilor Nathan H. Hitchcock; Councilor Charlene S. Plante; City Manager Steve Buck; Assistant City Manager Michelle LaBree; Executive Administrator Lorisa Ricketts

Mayor Brink opened the meeting at 5:30 PM.

New Business

26-158-01 Ordered, to enter into Executive Session to discuss appointment of Board members pursuant to M.R.S. Title 1, § 405 (6) (A).

Motion to enter into Executive Session by Councilor Tranchemontagne. Seconded by Councilor Hanselmann. The City Council voted 7-0 to enter into executive session at 5:31 PM.

Exited Executive Session at 5:59 PM.

Adjourned meeting at 5:59 PM.

Respectfully submitted by Lorisa Ricketts, Executive Administrator for the City of Sanford.

Memo

Number: 26-138-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Presentation of a Certificate of Recognition on the occasion of the 100th birthday of Marjorie Lewis

RECOMMENDATION

Presentation of a Certificate of Recognition on the occasion of the 100th birthday of Marjorie Lewis

Background Information:

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

Memo

Number: 26-159-01
To: City Council
From: Mary Hastings
Date: 2026-06-02
Subject: A Public Hearing to receive public comment on the "The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District" The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

RECOMMENDATION

A Public Hearing to receive public comment on the "The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District" The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

Background Information:

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Notice of PH Rt 109 - 2nd Amend.pdf
20260526 Route 109 TIF AMD2 DRAFT.pdf

Public Hearing Notice

Sanford City Council Chambers and
Via Remote Video and Teleconference
Pursuant to 1 MRSA §403-B (2) (D)
and Section 6 of the City Council Rules of Procedure
Tuesday, June 2, 2026
6:00 PM

Notice is hereby given that the Sanford City Council will hold a public hearing at 6:00 PM on Tuesday, June 2, 2026 in person at City Hall Council Chambers, 919 Main Street, Third Floor, Sanford, Maine and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure. The purpose of this public hearing is to receive public comments on the following item pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended:

(1) The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District and Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

Further information on the proposed changes may be obtained through the Sanford Regional Economic Growth Council prior to the public hearing. Written comments and questions should be directed to the Sanford Growth Council, 917 Main St, Ste D, Sanford ME 04073. The proposed ordinance can be viewed by visiting the City of Sanford website at www.sanfordmaine.org and clicking on Public Notices.

Instructions for joining the meeting by in-person and remote methods are posted on the City's website on the Meetings calendar. The meeting will be broadcast on cable channel 26 and archived at https://townhallstreams.com/towns/sanfordme.

Posted: May 21, 2026

ECONOMIC DEVELOPMENT
SANFORD, MAINE

An Application for a Municipal Development and Tax Increment Financing District Development Program

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SECOND AMENDMENT TO ROUTE 109 DEVELOPMENT CORRIDOR TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM

DRAFT

Approved by:

City of Sanford

June 2, 2026

TABLE OF CONTENTS

Page

I. Introduction 1

II. Second Amendment to Development Program 1

III. Second Amendment Municipal Approvals 3
A. Notice of Public Hearing 2
B. Minutes of Public Hearing and City Meeting 2
C. Authorizing Votes 3

Exhibit List

A Amended District Map
B Statutory Requirements and Thresholds Form
C-1 Captured Assessed Value & TIF Revenue Projections
C-2 Tax Shift Benefits
D Assessor Certificate of Amended Original Assessed Value
E Notice of Public Hearing
F Public Hearing Minutes
G City Council Order

DRAFT

I. Introduction

The Route 109 Development Corridor Tax Increment Financing District (the "District") was approved by the Maine Department of Economic and Community Development ("DECD") on March 30, 2006 and the Development Program was approved on December 5, 2008 for a term of twenty (20) years, from July 1, 2006 to June 30, 2026. The City of Sanford (the "City") created the District in order to capture increased assessed value from real property improvements made within the district and to utilize tax increment revenues to fund a variety of economic development expenditures by the City.

The District was amended for the first time on March 3, 2009 ("the First Amendment"). The First Amendment added 11.25 acres to the District and revised the approved project costs. The First Amendment was approved by DECD on March 31, 2009.

II. Second Amendment to Development Program

The City now wishes to further amend the Development Program (the "Second Amendment") in order to extend the term of the District by ten (10) years and to add additional project costs. Additionally, the amendment seeks to adjust the District size based on parcel adjustments over time due to newly acquired GIS mapping results. Finally, the City wishes to increase the captured assessed value percentage within the District from 75% to 100%. The existing Development Program shall remain in full force and effect in all other material respects except for the changes described herein.

TABLE 1: City of Sanford's Project Costs
a. Previously Approved Projects

PROJECT COST	STATUTORY CITATION	ESTIMATED COST	STATUS
1. Route 109 Infrastructure Costs	30-A M.R.S. §5225 (1)(A)(1)(a)	$1,000,000	Ongoing
2. Economic Development Administrative Support	30-A M.R.S. §5225 (1)(C)(1)	$5,076,970	Ongoing
3. Downtown Development Sinking Fund	30-A M.R.S. §5225 (1)(B)(3)	$22,500,000	Ongoing
Subtotal		**$28,576,970**	

b. Projects to Be Added in this Second Amendment

PROJECT COST	STATUTORY CITATION	ESTIMATED COST
4. Public Safety Improvement: Costs of public safety improvements related to the establishment of the district	30-A M.R.S. §5225 (1)(B)(2)	$1,500,000
5. Recreational Trails: Costs associated with new	30-A M.R.S. §5225	$250,000

DRAFT

or existing recreational trails determined by the department to have significant potential to promote economic development, including, but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails, which may include bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses	(1)(C)(6)	
6. **Public Safety Facilities:** Costs related to the construction, renovation or operation of municipal public safety facilities, including facilities used as emergency shelters, the need for which is related to general economic development within the municipality, not to exceed 25% of the captured assessed value of the development district.	30-A M.R.S. §5225 (1)(C)(9)	$1,000,000
7. **Housing Services:** Costs associated with the development and operation of affordable housing or housing services for persons who are experiencing homelessness as defined in the municipality's development program.	30-A M.R.S. §5225 (1)(E)(1)	$500,000
TOTAL		**$31,826,970**

The Development District

1. Physical Description

The Second Amendment will decrease the size of the District by 2.24 acres to account for parcel adjustments over time over time due to newly acquired GIS mapping results. The Second Amendment will bring the total acreage to approximately 146.93 acres. The amended map of the District is shown in Exhibit A attached hereto.

2. Statutory Requirements and Thresholds

The Statutory Requirements and Thresholds form addressing the acreage and valuation conditions for approval mandated by 30-A M.R.S. § 5226(3) is set forth in Exhibit B.

The actual and estimated captured assessed values and TIF revenues generated for operating years of the District are shown in Exhibit C-1, and the estimated tax shift benefits are set forth in Exhibit C-2.

3. Amended Certification of Original Assessed Value

DRAFT

The District will retain the original assessed value of 2,807,600 and acreage approved in the First Amendment. The certificate of amended original assessed value is shown in Exhibit D attached hereto.

DRAFT

III. Second Amendment Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit E hereto is a copy of the Notice of Public Hearing regarding adoption of the Second Amendment to the Development Program for the District, published in a newspaper of general circulation in the City, on a date at least ten (10) days prior to the public hearing. The public hearing on the Second Amendment was held on June 2, 2026, in accordance with the requirements of 30-A M.R.S. § 5226(1).

B. Minutes of Public Hearing

Attached as Exhibit F hereto is a certified copy of the minutes of the public hearing held on June 2, 2026, at which time this Second Amendment to the Development Program was discussed by the public.

C. Authorizing Votes

Attached as Exhibit G hereto is a copy of the City Council Order approving this Second Amendment and minutes of the City Council Meeting, which the Order was adopted by the City at the Council Meeting held on June 2, 2026.

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Exhibit A
(Amended District Map)

DRAFT

City of Sanford, ME

Route 109 TIF District

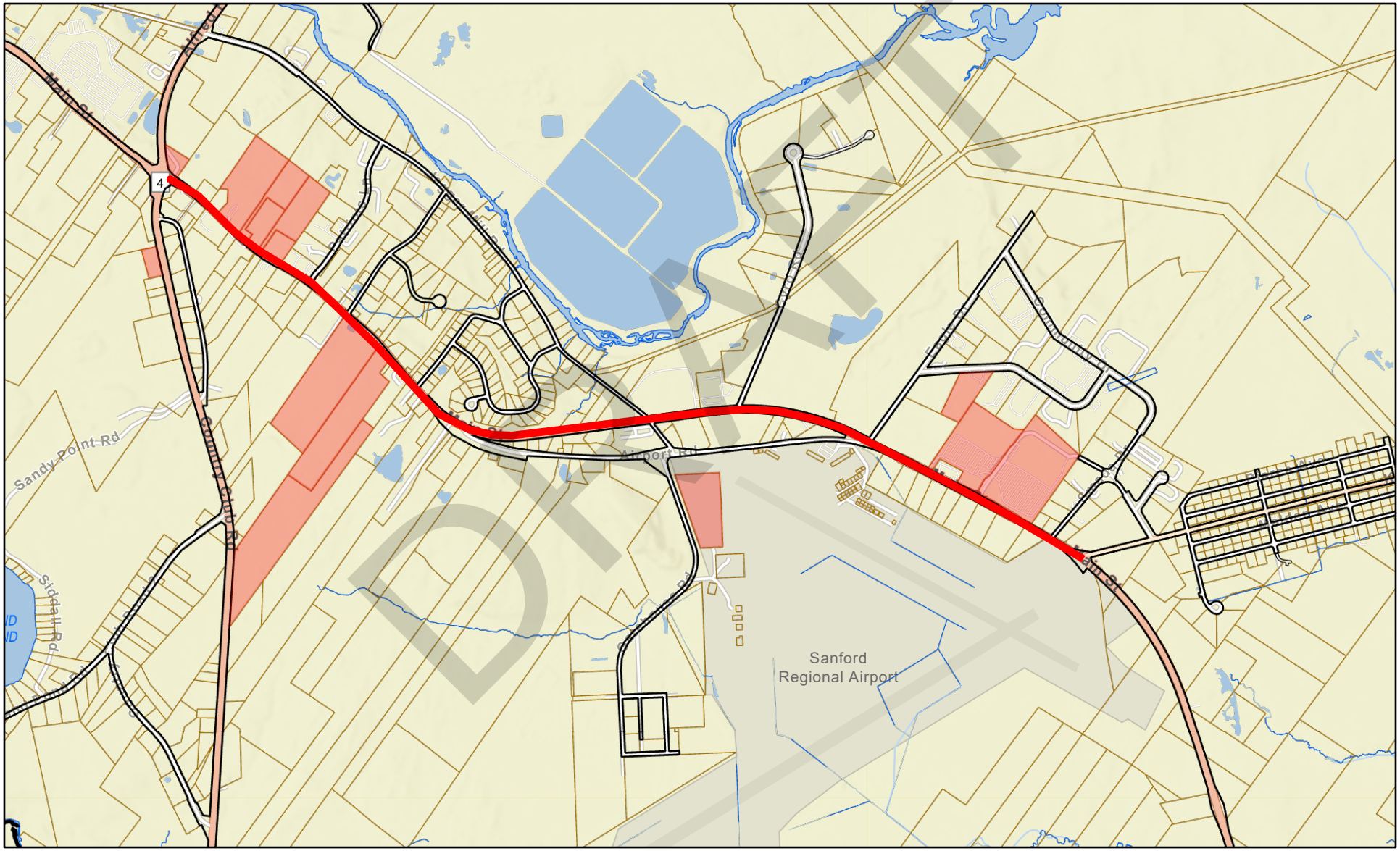
1 inch = 1800 Feet

0 1800 3600 5400

May 26, 2026

CAI Technologies
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City of Sanford, ME

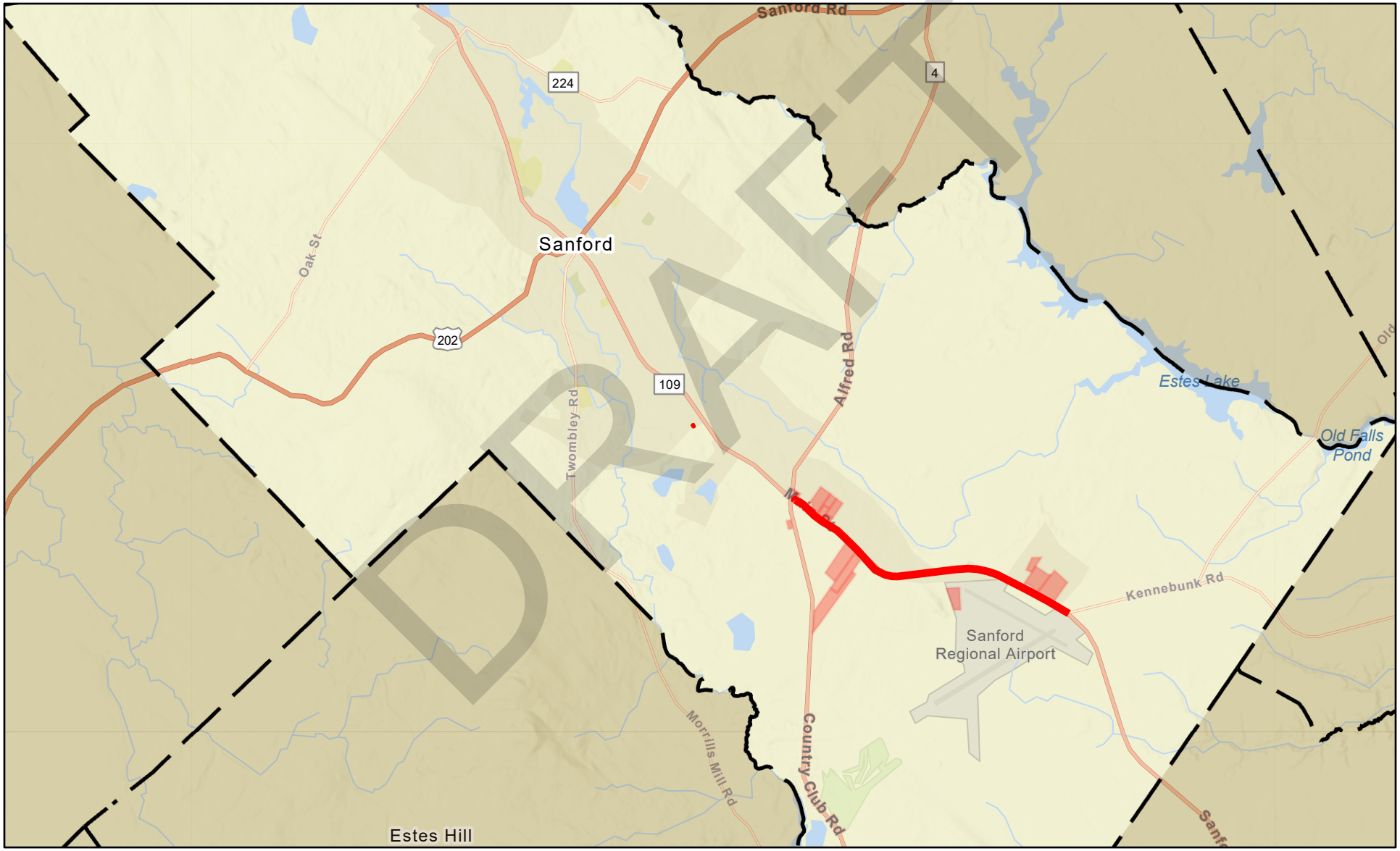
1 inch = 6000 Feet

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May 26, 2026

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Exhibit B

(Statutory Requirements and Thresholds Form)

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STATUTORY REQUIREMENTS AND THRESHOLDS

Route 109 Development Corridor TIF District | AMD2

SECTION A. | Acreage Caps		
1. Total **municipal** acreage;	31,202	
2. Acreage of **proposed** Municipal TIF District;	146.93	
3. **Downtown-designation**[1] acres in proposed Municipal TIF District;	0	
4. **Transit-Oriented Development**[2] acres in proposed Municipal TIF District;	0	
5. **Total acreage [=A2-A3-A4]** of proposed Municipal TIF District counted toward 2% limit;	146.93	
6. **Percentage [=A5÷A1]** of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	0.47%	
7. **Total acreage** of all existing/proposed Municipal TIF districts in municipality **including** Municipal Affordable Housing Development districts:[3] Central Park Residences|0.661 New England Truck Tire Centers|3.5 Kennedy Center|1.68 Sanford Institution for Savings|0.63 Marland Hall|0.89 Rubb, Inc.|16.7 Flemish Master Weavers (f/k/a Rainbow Rugs)|11.89 Roberts and Main Apartments|0.883 Sanford Mill Redevelopment|0.73 Route 109 Development Corridor|149.17 Sanford Property Holdings|4.92 Sanford Summer Commons Senior Care|11.42 Mousam Falls Apartments|0.84 Sanford Airport Omnibus|333 Upper Nasson Apartments|25.64 Mousam River Solar|140.25 Midtown Mall|5.03 Sanford Downtown Omnibus|92.19 St. Ignatius Affordable Housing|1.83 South Sanford Industrial Development Omnibus|74.09	Existing	726.77
	Proposed	146.93
	Total:	873.70

30-A § 5223(3) EXEMPTIONS[4]	
8. Acreage of an existing/proposed **Downtown** Municipal TIF district;	92.19
9. Acreage of all existing/proposed **Transit-Oriented Development** Municipal TIF districts:	0
10. Acreage of all existing/proposed **Community Wind Power** Municipal TIF districts:	0
11. Acreage in all existing/proposed Municipal TIF districts **common to**[5] Pine Tree Development Zones per 30-A § 5250-I (14)(A) **excluding** any such acreage also factored in Exemptions 8-10 above: Route 109 Development Corridor	36.73
12. **Total acreage [=A7-A8-A9-A10-A11]** of all existing/proposed Municipal TIF districts counted toward 5% limit;	744.78
13. **Percentage of total acreage [=A12÷A1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).	2.39%

14. **Real property** in proposed Municipal TIF District that is:	ACRES	% **[=Acres÷A2]**
a. A blighted area;	0	0%
b. In need of rehabilitation, redevelopment or conservation;	0	0%
c. Suitable for commercial or arts district uses.	110.2	75%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		70.3%

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[1] Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

[2] For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

[3] For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

[4] Downtown/TOD overlap nets single acreage/valuation caps exemption.

[5] PTDZ districts approved through December 31, 2008

SECTION B. | Valuation Cap		
1. **Total TAXABLE** municipal valuation—use most recent April 1;	$3,089,800,000	
2. **Taxable Original Assessed Value (OAV)** of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	$2,807,600	
3. **Taxable OAV of all** existing/proposed Municipal TIF districts in municipality **excluding** Municipal Affordable Housing Development districts: Central Park Residences|$282,900 New England Truck Tire Centers|$584,300 Kennedy Center|$191,600 Sanford Institution for Savings|$565,900 Marland Hall|$211,600 Rubb, Inc.|$1,074,200 Mousam River Solar|$377,500 Flemish Master Weavers (f/k/a Rainbow Rugs)|$1,206,538 Roberts and Main Apartments|$537,500 Sanford Mill Redevelopment\|$- Route 109 Development Corridor|$2,807,600 Sanford Property Holdings|$475,200 Sanford Summer Commons Senior Care|$254,900 Mousam Falls Apartments|$172,600 Sanford Airport Omnibus|$2,007,690 Upper Nasson Apartments|$271,800 Sanford Downtown Omnibus|$32,383,400 South Sanford Industrial Development Omnibus|$1,137,400	Existing	$41,735,028
	Proposed	$2,807,600
	Total:	$44,542,628
30-A § 5223(3) EXEMPTIONS		
4. **Taxable OAV** of an existing/proposed **Downtown** Municipal TIF district;	$32,383,400	
5. **Taxable OAV** of all existing/proposed **Transit-Oriented Development** Municipal TIF districts:	0	
6. **Taxable OAV** of all existing/proposed **Community Wind Power** Municipal TIF districts:	0	
7. **Taxable OAV** of all existing/proposed **Single Taxpayer/High Valuation**[6] Municipal TIF districts:	0	
8. **Taxable OAV** in all existing/proposed Municipal TIF districts **common to** Pine Tree Development Zones per 30-A § 5250-I (14)(A) **excluding** any such OAV also factored in Exemptions 4-7 above:	$947,300	
9. **Total taxable OAV [=B3-B4-B5-B6-B7-B8]** of all existing/proposed Municipal TIF districts counted toward 5% limit;	$11,211,928	
10. **Percentage of total taxable OAV [=B9÷B1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).	0.36%	

COMPLETED BY			
PRINT NAME	Philip Saucier, Esq		
SIGNATURE		DATE	
If this form has **not be completed by the municipal or plantation assessor**, the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.			
PRINT NAME	Ben Thompson, CMA-4		
SIGNATURE		DATE	

[6] For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

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Exhibit C-1

(Captured Assessed Value & TIF Revenue Projections)

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Exhibit B-1 | Captured Assessed Value & TIF Revenue Projections

Route 109 Development Corridor Tax Increment District | AMD2

	Tax Year	TIF Year	Original Assessed Value	Projected Increased Assessed Value	Estimated Assessment Ratio	Percent of Value Captured in TIF	TIF District Projected Captured Assessed Value	Projected Mil Rate	Projected Total TIF Revenue	Wilderness Yamaha CEA Payments	Projected TIF Revenue to City
Actual	2006-2007	1	$2,807,600	$1,881,500	100%	75%	$1,411,125	14.60	$20,602	$6,178	$14,424
Actual	2007-2008	2	$2,807,600	$2,225,800	100%	75%	$1,669,350	14.68	$24,506	$6,129	$18,377
Actual	2008-2009	3	$2,807,600	$2,353,800	100%	75%	$1,765,350	15.70	$27,715	$6,555	$21,160
Actual	2009-2010	4	$2,807,600	$15,468,500	100%	75%	$11,601,375	16.42	$190,494	$6,849	$183,645
Actual	2010-2011	5	$2,807,600	$26,389,500	100%	75%	$19,792,125	16.52	$326,965	$6,767	$320,198
Actual	2011-2012	6	$2,807,600	$26,367,300	100%	75%	$19,775,475	17.52	$346,466	$7,077	$339,389
Actual	2012-2013	7	$2,807,600	$26,805,500	100%	75%	$20,104,125	19.32	$388,412	$3,445	$384,967
Actual	2013-2014	8	$2,807,600	$26,726,400	100%	75%	$20,044,800	21.20	$424,949		$424,949
Actual	2014-2015	9	$2,807,600	$26,675,000	100%	75%	$20,006,250	21.62	$432,535		$432,535
Actual	2015-2016	10	$2,807,600	$24,092,200	100%	75%	$18,069,150	22.04	$398,244		$398,244
Actual	2016-2017	11	$2,807,600	$23,850,300	100%	75%	$17,887,725	22.74	$406,766		$406,766
Actual	2017-2018	12	$2,807,600	$24,441,400	100%	75%	$18,331,050	20.74	$380,185		$380,185
Actual	2018-2019	13	$2,807,600	$25,680,400	100%	75%	$19,260,300	20.50	$394,836		$394,836
Actual	2019-2020	14	$2,807,600	$23,479,800	100%	75%	$17,609,850	20.70	$364,524		$364,524
Actual	2020-2021	15	$2,807,600	$22,781,100	100%	75%	$17,085,825	20.16	$344,449		$344,449
Actual	2021-2022	16	$2,807,600	$23,145,100	100%	75%	$17,358,825	18.18	$315,583		$315,583
Actual	2022-2023	17	$2,807,600	$23,594,700	100%	75%	$17,696,025	14.80	$261,901		$261,901
Actual	2023-2024	18	$2,807,600	$22,233,400	100%	75%	$16,675,050	15.14	$252,460		$252,460
Actual	2024-2025	19	$2,807,600	$22,445,400	100%	75%	$16,834,050	16.14	$271,702		$271,702
Actual	2025-2026	20	$2,807,600	$20,549,400	100%	75%	$15,412,050	17.10	$263,546		$263,546
	2026-2027	21	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2027-2028	22	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2028-2029	23	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2029-2030	24	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2030-2031	25	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2031-2032	26	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2032-2033	27	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2033-2034	28	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2034-2035	29	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
	2035-2036	30	$2,807,600	$20,549,400	100%	100%	$20,549,400	17.10	$351,395		$351,395
								30-year total:	**$9,350,787**	**$43,000**	**$9,307,787**
								30-year average:	**$311,693**	**$6,143**	**$310,260**

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Assumptions:

1. Projections show anticipated increased assessed values, captured assessed values, and TIF revenues.
2. Assumes a 30-year district term.
3. Projections assume a flat mil rate of 17.10 as reported by the City for the 2025-2026 Tax Year.
4. Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs.
5. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.
6. The preceding financial information contains projections and forward-looking statements that are subject to a number of risks and uncertainties that could cause the actual results, performance, or achievements to differ materially from any future results, performances, or achievements expressed or implied by the financial information reported in this projection. The model is not, nor is it intended to be, an appraisal or guarantee of an assessed value, and there may be positive or negative variations in the actual assessment of the project due to variety of factors, including without limitation, the employment of alternative methods of valuation and then-current market conditions.

Exhibit C-2

(Tax Shift Benefits)

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Exhibit B-2 | Tax Shift Benefits

Route 109 Development Corridor Tax Increment District | AMD2

Tax Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2026-2027	21	$94,131	$6,392	$75,131	$175,654
2027-2028	22	$95,028	$5,853	$68,812	$169,693
2028-2029	23	$87,001	$7,803	$91,617	$186,420
2029-2030	24	$116,001	$7,803	$91,617	$215,421
2030-2031	25	$116,001	$7,803	$91,617	$215,421
2031-2032	26	$116,001	$7,803	$91,617	$215,421
2032-2033	27	$116,001	$7,803	$91,617	$215,421
2033-2034	28	$116,001	$7,803	$91,617	$215,421
2034-2035	29	$116,001	$7,803	$91,617	$215,421
2035-2036	30	$116,001	$7,803	$91,617	$215,421
2056-2057		$116,001	$7,803	$91,617	$215,421
2057-2058		$116,001	$7,803	$91,617	$215,421
2058-2059		$116,001	-	-	$116,001
	Totals:	**$1,436,174**	**$90,274**	**$1,060,109**	**$2,586,556**
	Averages:	**$110,475**	**$7,523**	**$88,342**	**$205,880**

Assumptions:

1. Data sources include the 2025-2026 mil rate reported by the Town, York County's FY Tax Assessment, the State Treasurer's Office Municipal Revenue Sharing projections for FY2027, published 02/20/2026, and the Maine Department of Education 01/29/2026 2026-2027 ED 279 form for Sanford Public Schools.

2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.

3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.

4. Assumes the assessment ratio in the Town is 92% when new property value arrives, such that the market value of new property is used for assessment purposes.

5. The projections above assume that no tax increment financing district is put in place, thus the mil rate is reduced by the influx of new value in the Town. This analysis factors in tax shift impacts resulting from the project's new assessed value into future commitments and mil rate calculations to arrive at projected property

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Exhibit D

(Assessor Certificate of Amended Original Assessed Value)

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CITY OF SANFORD
AMENDED ASSESSOR'S CERTIFICATE

The undersigned Assessor for City of Sanford, Maine hereby certifies pursuant to the provisions of 30-A M.R.S. Section 5227(2) that the Original Assessed Value of the 146.93 acres of the **Route 109 Development Corridor Tax Increment Financing District** in the was $2,807,600 as of March 31, 2005 (April 1, 2004).

Tax Map/Lot	Assessed Value (4/1/2004)	Acreage	
R15-59	$ 38,800.00	4.5	
R15-60	$ 497,800.00	2.3	
R15-94	$ 235,400.00	14	
R15-9C	$ 62,300.00	1.87	
R15-55A	$ 47,500.00	1.63	
R15-59A	$ 329,200.00	4.5	
R15-60A	$ -	6.72	
R15-95B	$ 383,400.00	22.1	
R18-54	$ 127,300.00	25	
R19-02	$ 344,900.00	15.35	PTZ Lot
R19-03	$ 602,400.00	21.38	PTZ Lot
R18A-16-WA	$ -	0	PTZ Lot
R18A-16-WB	$ -	0	PTZ Lot
R15-58	$ 138,600.00	11.29	
R19-2C	$ -	5.04	
R19-2C-1	$ -	0	
Route 109 (from Kennebunk Road to Alfred Road)	$ -	11.25	
TOTAL	**$ 2,807,600.00**	**146.93**	

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In witness whereof, this Certificate has been executed as of this ___ day of June 2026.

_____
Ben Thompson, CMA-4
Assessor
City of Sanford

Exhibit E

(Notice of Public Hearing)

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CITY OF SANFORD
NOTICE OF PUBLIC HEARING

Regarding
"The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Sanford (the "City") will hold a public hearing on:

June 2, 2026 at 6:00 pm
City Hall Annex Chambers
919 Main Street
Sanford, ME 04073

The purpose of the public hearing is to receive public comments on the following item pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended:

(1) The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District and Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

A copy of the relevant materials relating to the proposed District to the will be on file with the City and a copy can be requested from the Sanford Regional Economic Growth Council ("SREGC") by calling Mary Hastings at (207) 324-9155 prior to the public hearing. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Members of the public may join the meeting by Zoom or by phone. Agenda and joining instructions can be found on the meeting calendar at sanfordmaine.org/meetings. Members of the public may also submit comments via email to kmcbride@sanfordmaine.org. Comments may also be submitted in writing to: SREGC, Keith McBride, 917 Main Street, Ste. D, Sanford ME 04073 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City's programs or services, please contact Lorisa Ricketts at (207) 324-9173 so that accommodations can be made.

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Exhibit F

(Public Hearing Minutes)

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Exhibit G

(City Council Order)

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CITY OF SANFORD, MAINE
CITY COUNCIL ORDER

Adopting the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District Development Program

WHEREAS, the City of Sanford (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend previously established tax increment financing ("TIF") districts and development programs within the City; and

WHEREAS, the City designated the Route 109 Development Corridor Tax Increment Financing District (the "District") and adopted a Development Program for the District on March 21, 2006 in order to capture the value of real property improvements made within the District and to enable the use of TIF revenues for various municipal and other economic development projects, which received approval from the Maine Department of Economic and Community Development ("DECD") on December 5, 2008; and

WHEREAS, the City desires to adopt a Second amendment to the District and Development Program (the "Second Amendment") to extend the term of the District by 10 years, decrease the size of the District by 2.24 acres to account for parcel adjustments over time due to newly acquired GIS mapping results, to increase the captured assessed value percentage within the District, and to amend the allowable project costs in order to allow the City to use TIF Revenues to continue to achieve the District's original goals; and

WHEREAS, the City Council has held a public hearing on June 2, 2026, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of adopting the Second Amendment to the Development Program for the District in accordance with the requirements of 30-A M.R.S. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the Second Amendment to the Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department approving the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District and Development Program.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

Section 1. The City of Sanford hereby adopts the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District and Development Program, pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. Pursuant to Title 30-A M.R.S. Section 5226(5) pertaining to TIF district and development program amendments, this Second Amendment to the Development Program does not result in the District being out of compliance with any of the conditions of 30-A M.R.S. Section 5223(3) which

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pertain to the percentage of area within the District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap.

b. The Second Amendment to the Development Program will make a contribution to the economic growth and well-being of the City of Sanford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Sanford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the Second Amendment to the Development Program to the Department for review and approval pursuant to the requirements of 30-A M.R.S. § 5226.

Section 4. The foregoing adoption of the Second Amendment to the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the Second Amendment to the Development Program by the Department, without requirement of any further action by the City, the City Council, or any other party.

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents related to the Second Amendment to the Development Program as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the Second Amendment to the Development Program by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Second Amendment to the Development Program.

Section 6. This Order shall take effect immediately upon adoption.

Adopted by City Council: June 2, 2026

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Memo

Number: 26-168-01
To: City Council
From: Alix Burbank, Building & Permit Safety Specialist
Date: 2026-06-02
Subject: A Public Hearing to receive comments on proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City.

RECOMMENDATION

Hold a Public Hearing to receive comments on proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City.

Background Information:

Legal Review Status:

N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Public Hearing Notice CC 06022026.pdf

Public Hearing Notice

Sanford
MAINE

The City Council will hold a public hearings & receive written & oral comments at its Tuesday, June 2, 2026 meeting, starting at 6:00pm to amend Chapter 280: Zoning Ordinance to allow medical cannabis dispensary cultivation and manufacturing.

The hearings will be held in Council Chambers at City Hall, 919 Main Street, Sanford, and via remote video and teleconference. Testimony may be provided in person, via mail or email, or via Zoom. Meeting information, including how to connect via Zoom, is provided at www.sanfordmaine.org. Questions or written comments should be directed to the Planning Office at 324-9150 or planning@sanfordmaine.org.

Memo

Number: 26-172-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: A Public Hearing to take comments on a proposed citizen-initiated ordinance to institute a moratorium on biosolids and sewage thermal processing facilities.

RECOMMENDATION

Public Hearing to take comments on a proposed citizen-initiated ordinance to institute a moratorium on biosolids and sewage thermal processing facilities.

Background Information:

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Public Hearing for Posting - Citizen Moratorium Ordinance.pdf

Public Hearing Notice

Sanford City Council Chambers and
Via Remote Video and Teleconference
Pursuant to 1 MRSA §403-B (2) (D)
and Section 6 of the City Council Rules of Procedure
Tuesday, June 2, 2026
6:00 PM

Notice is hereby given that the Sanford City Council will hold a public hearing at 6:00 PM on Tuesday, June 2 in person at City Hall Council Chambers, 919 Main Street, Third Floor, Sanford, Maine and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure. The purpose of this public hearing is to take public comments pursuant to Sanford Charter Section 1301 on a proposed citizen-initiated ordinance to institute a moratorium on biosolids and sewage thermal processing facilities.

Further information on the proposed changes may be obtained through the City Manager's Office prior to the public hearing. Written comments and questions should be directed to the City Manager's Office, 919 Main Street Suite 300, Sanford, Maine. The proposed ordinance can be viewed by visiting the City of Sanford website at www.sanfordmaine.org and clicking on Public Notices.

Instructions for joining the meeting by in-person and remote methods are posted on the City's website on the Meetings calendar. The meeting will be broadcast on cable channel 9002 (formerly ch. 26) and archived at https://townhallstreams.com/towns/sanfordme.

Posted: May 22, 2026

Memo

Number: 26-162-01
To: City Council
From: Michelle Vermette
Date: 2026-06-02
Subject: Ordered to approve the following license request:

1. An off premise catering permit from M Gill Enterprises, LLC for the Sanford Mainers games, 38 Roberts Street, Sanford, Me for the following dates
6/8/26, 6/20/26, 6/21/26, 6/22/26, 6/30/26, 7/4/26, 7/10/26, 7/12/26, 7/13/26, 7/17/26, 7/19/26, and 7/26/26.

2. An off premise catering permit from Poppin Bottles, LLC for the Sanford Mainers Games, 38 Roberts Street, Sanford, Me for the following dates
6/4/26, 6/6/26, 6/12/26, 6/13/26, 6/14/26, 7/6/26, 7/7/26, 7/20/26, 7/28/26, 7/29/26.

RECOMMENDATION

Ordered to approve the following license request:

1. An off premise catering permit from M Gill Enterprises, LLC for the Sanford Mainers games, 38 Roberts Street, Sanford, Me for the following dates
6/8/26, 6/20/26, 6/21/26, 6/22/26, 6/30/26, 7/4/26, 7/10/26, 7/12/26, 7/13/26, 7/17/26, 7/19/26, and 7/26/26.

2. An off premise catering permit from Poppin Bottles, LLC for the Sanford Mainers Games, 38 Roberts Street, Sanford, Me for the following dates
6/4/26, 6/6/26, 6/12/26, 6/13/26, 6/14/26, 7/6/26, 7/7/26, 7/20/26, 7/28/26, 7/29/26.

Background Information:

The above businesses submitted the required application with supporting documents needed to comply with all applicable ordinances.

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

M Gill Enterprises LLC 6-2-26.pdf

Poppin Bottles LLC 6-2-26.pdf

State of Maine

Bureau of Alcoholic Beverages & Lottery Operations

Application Copy

File Number: 151607 Job Type: New Application

LICENSE TYPE / EVENT TYPE	APPLICATION DATE RECEIVED
Catering Permit Special Event	2026-05-15
LICENSEE LEGAL NAME	**LICENSEE TYPE**
	Limited Liability Company
DOING BUSINESS AS	**CORPORATE NUMBER**
	20217626DC
INCORPORATION DATE	

CORRESPONDENCE ADDRESS

1491 MAIN ST SANFORD ME 04073-2460

MAILING ADDRESS

PHYSICAL ADDRESS

CONTACT NAME	PREFERRED CONTACT METHOD
Michael J. Gill	Email
CONTACT PHONE	**ALTERNATE PHONE**
(207) 432-6474	
FAX	**EMAIL**
	mgill@metrocast.net

CORPORATE STRUCTURE

None selected

NAME	POSITION/TITLE	% Interest

Michael Joseph Gillen	Owner	100

PARENT LICENSE(S)

LICENSE

License RES-25-110059 (Active) - On-Premises: Beer & Wine
River Junction Brewing Co. (M Gill Enterprises, LLC)

MANAGED BY AGENT

Yes

AGENT	AGENT TYPE
M Gill Enterprises, LLC	Limited Liability Company

LOCATION	EVENT DATE(S)
GOODALL PARK	JUNE 8, JUNE 20, JUNE 21, JUNE 22, JUNE 30, JULY 4, JULY 10, JULY 12, JULY 13, JULY 17, JULY 19, JULY 26

NUMBER OF EVENT DAYS	EVENT HOURS OF OPERATION
12	3:30PM-9:00PM

EVENT CONTACT INFORMATION

ANDREA KNIGHT (978)471-9757

EVENT ADDRESS

38 ROBERTS STREET Sanford ME 04073-3314

Municipality	County
Sanford	York

QUESTIONS

Catering Permit

1. What is the purpose of the event?

   TO SERVE ALCOHOLIC BEVERAGES BEFORE AND DURING SANFORD MAINERS BASEBALL GAMES

2. Is the event open to the public?

   Yes

3. Will the event be outdoors?

   Yes
   (document uploaded)

4. How many people are expected at the event?

   CAPACITY IS 1000 SO 0-1000 PEOPLE

5. Were your services requested by a non-profit organization?

   Yes
   SANFORD MAINERS
CONTACT: ANDREA KNIGHT
PO BOX 26
917 Main Street, Suite C
SANFORD MAINE 04073
(207) 324-0010
office@sanfordmainers.com

6. How will you keep alcohol contained to the event area?

   SECURED IN COOLERS

7. How many staff/volunteers will be working the event? Serving? Security?

   1-2 SERVING

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Event Area Description and Diagram	GOODALL PARK BEER TENT LOCATION.png	ARROW SHOWS LOCATION OF 10'x10' BEER TENT

APPLICANT

MICHAEL GILL

DECLARATION

☑ I certify that I am the applicant as described in this application, or that I am duly authorized to submit this application on the applicant's behalf.

All information provided in this application is accurate and correct. I understand that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ESTD: 1963

EATING PLACE TAKE OUT

EXPIRES 06/14/2026

SKYLINE PIZZA AND PUB
156 MAIN ST
SANFORD ME 04073

SKYLINE PIZZA AND PUB
196 CHASE RD
YORK ME 03909

FEE: $220.00

COMMISSIONER

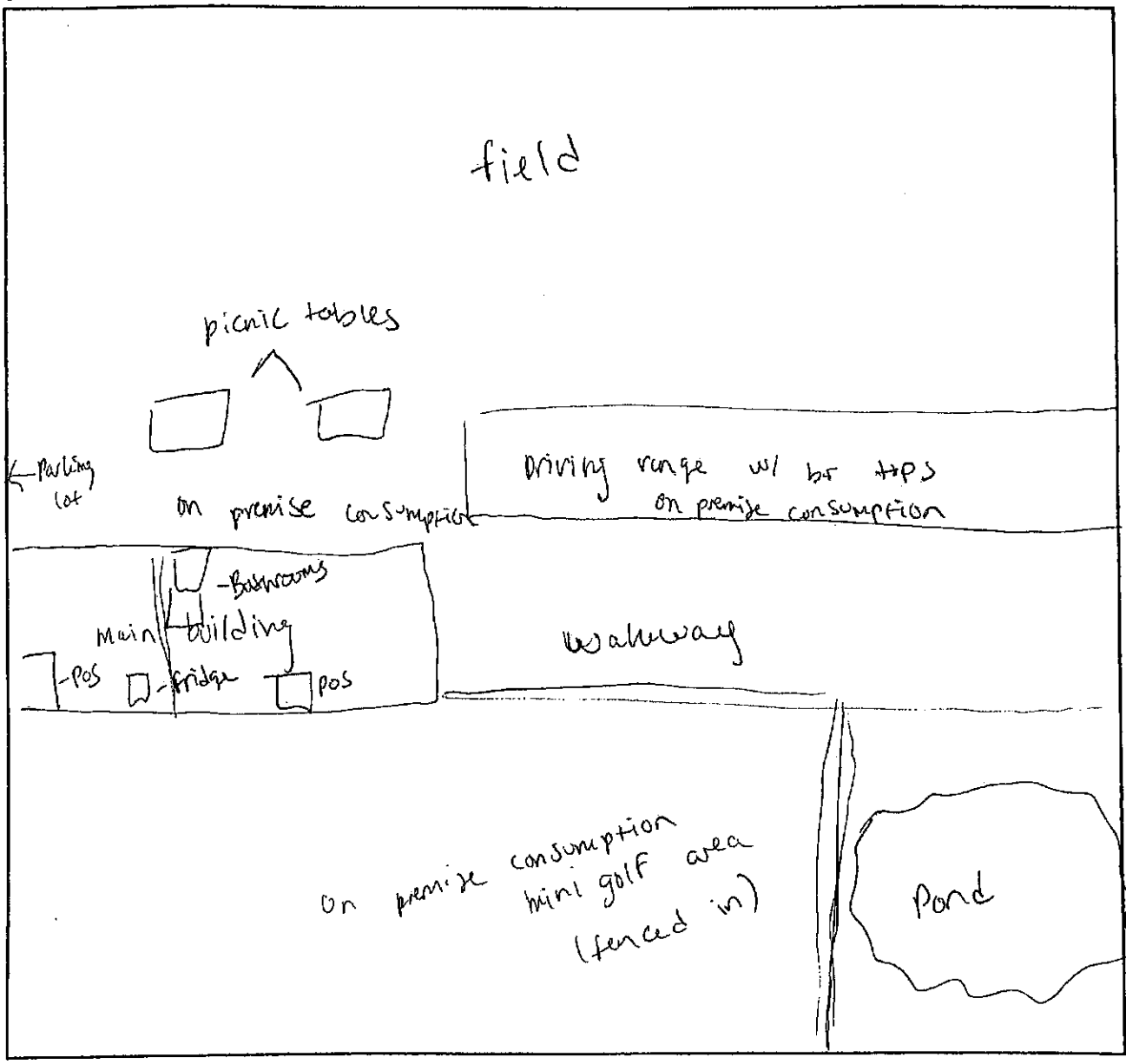
NON-TRANSFERABLE

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Supplemental Ownership Form

28-A M.R.S. §651

All Questions Must Be Answered Completely.

1. Company or sole proprietor legal name:	2. Date of incorporation/registration:	3. State of incorporation:
Sky View Pitch + Putt LLC	06/07/2023	Maine

List the following information for officers, directors, owners equal to or over 10%, and persons with indirect financial interest in the applicant.

Name	Date of Birth	Phone or E-mail	Address	Title	Ownership Stake (%)
Harry Q Pollard IV	07/12/88	harry@tweenterprisesllc.com	196 Chases Pond Rd. York, ME 03909	Owner	100%

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: June 2, 2026

Who is approving this application? ☒ Municipal Officers of Sanford

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

State of Maine

Bureau of Alcoholic Beverages & Lottery Operations

Application Copy

File Number: 151511 Job Type: New Application

LICENSE TYPE / EVENT TYPE Qualified Catering Permit Special Event	APPLICATION DATE RECEIVED 2026-05-18
LICENSEE LEGAL NAME	LICENSEE TYPE Limited Liability Company
DOING BUSINESS AS	CORPORATE NUMBER 202405870DC
INCORPORATION DATE	

CORRESPONDENCE ADDRESS

21 SANCHO DR SACO ME 04072-8831

MAILING ADDRESS

21 SANCHO DR SACO ME 04072-8831

PHYSICAL ADDRESS

77 CARL BROGGI HWY LEBANON ME 04027-3400

CONTACT NAME Stacey Nast	PREFERRED CONTACT METHOD Email
CONTACT PHONE (207) 281-3514	ALTERNATE PHONE
FAX	EMAIL hello@graceweddings.org

CORPORATE STRUCTURE

None selected

NAME	POSITION/TITLE	% Interest
Brittany Dion	Partner	25
Jason D Donato	Manager	25
Robert D Dion Jr.	Manager	25
Stacey Nast	Partner	25

PARENT LICENSE(S)

LICENSE

Secondary License QCS-25-110845 (Active) - Qualified Catering - Self Sponsored Events
Poppin Bottles LLC (Poppin Bottles, LLC)

MANAGED BY AGENT Yes	
AGENT Poppin Bottles, LLC	AGENT TYPE Limited Liability Company
LOCATION Goodall Park	EVENT DATE(S) 6/4/26, 6/6/26, 6/12/26, 6/13/26, 6/14/26, 7/6/26, 7/7/26, 7/20/26, 7/28/26, 7/29/26,
NUMBER OF EVENT DAYS 10	EVENT HOURS OF OPERATION 6:30pm-10:00pm
EVENT CONTACT INFORMATION Nathan Hitchcock nhhitchcock@gmail.com	
EVENT ADDRESS 38 Roberts St. Sanford ME 04073	
Municipality Sanford	County York

QUESTIONS

Qualified Catering Permit

1. What is the purpose of the event?

   Baseball games

2. Is the event open to the public?

   Yes

3. Will the event be outdoors?

   Yes
   (document uploaded)

4. How many people are expected at the event?

   depends on the game

5. Please provide the following details about the person or entity requesting your contracted services.
   Entity Name if business or non-profit:
   Contact Name:
   Address:
   Town/City:
   State:
   Zip Code:
   Telephone Number:
   Email address:

   Nathan Hitchcock
   Vice-Chairman, Board of Directors
   917 Main St., Suite C
   Sanford, ME 04073
   Office: (207) 324-0010
   Cell: (480) 298-2531
   nhhitchcock@gmail.com

6. How will you keep alcohol contained to the event area?

   posted signage

7. How many staff/volunteers will be working the event? Serving? Security?

2-3 serving

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Event Area Description and Diagram	Event Layout.png	

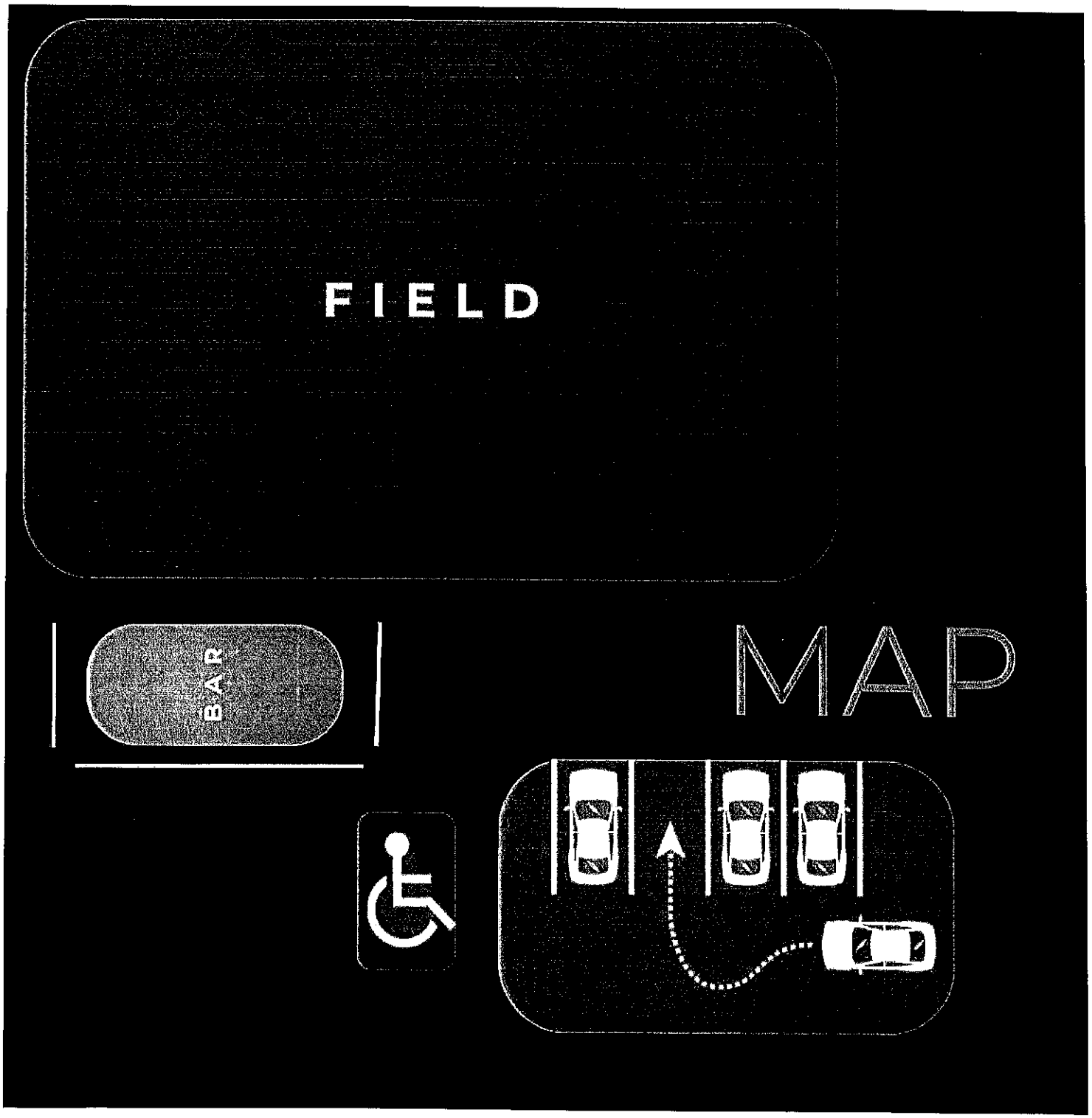
APPLICANT

Kalina Dodier

DECLARATION

☑ I certify that I am the applicant as described in this application, or that I am duly authorized to submit this application on the applicant's behalf.

All information provided in this application is accurate and correct. I understand that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.


FIELD
BAR
MAP

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: June 2, 2026

Who is approving this application? ☒ Municipal Officers of Sanford

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

Memo

Number: 26-127-01
To: City Council
From: Jamie Cole, Codes & Planning Director
Date: 2026-06-02
Subject: Ordered, to authorize the City Manager to enter into a Contract Zoning Agreement with Stenton Mill, LLC, regarding the redevelopment of 13 River Street, as presented. (This item must be read on two separate occasions. This is the second reading.)

RECOMMENDATION

Ordered, to authorize the City Manager to enter into a Contract Zoning Agreement with Stenton Mill, LLC, regarding the redevelopment of 13 River Street, as presented.

Background Information:

Because a Contract Zone is technically an ordinance amendment, the agreement for the Stenton Trust Mill redevelopment project must be read on two occasions. This is the second reading. Draft agreement is attached.

This item has been through the Site Plan Review process and Planning Board review including a public hearing. The project consists of conversion of the historic mill into approximately 155 residential units. It utilizes historic tax credits and will follow the same quality standards that the developer has used at the Jagger Lofts in Springvale. If approved by the City Council, the project will move forward under a Contract Zone agreement to allow for
residential use on the first floor and specific reductions in parking and signage requirements. Construction is anticipated to begin this fall and take 16–18 months.

At its April 15 meeting, the Planning Board voted 6-0 to approve the final subdivision, site plan, and shoreland zoning, subject to obtaining City Council approval for the Contract Zone.

See Contract Zone Agreement attached.

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Stenton Mill - Contract Zoning Agreement (v1) 04-16-26.pdf

280 Attachment 3

City of Sanford APPENDIX

a. CONTRACT ZONING AGREEMENT BETWEEN THE
CITY OF SANFORD
AND
STENTON MILL, LLC
relating to
STENTON MILL DEVELOPMENT

This Contract Zoning Agreement is made as of the ____day of ____, 2026, by and between the CITY OF SANFORD, a body corporate and politic, located in the County of York and State of Maine (the "City"), and Stenton Mill, LLC with an address of 3 Penstock Way, Newmarket, NH 03857 ("Developer"), pursuant to the Contract Zoning provisions of Section 10.4 of the Sanford Zoning Ordinance:[1]

WHEREAS, Developer has entered into an agreement with the Sanford Sewerage District to purchase the parcel of land located at 13 River Street in the City of Sanford, Tax Map J-29 lot 18, consisting of approximately 7 +/- acres, being the property described in the deed of Cornelius Byron Waud et al to Gateway Properties, LLC, in his capacity as Trustee of the Stenton Trust, dated July 15th, 1999 and recorded in the York County Registry of Deeds, Book 9591, Page 224 (hereinafter the "Property"); and

WHEREAS, the Property is currently in an Industrial Reuse Zone (the “IR Zone”) under the Sanford Zoning Ordinance; and

WHEREAS, the IR Zone presently allows, as a permitted use a multifamily dwelling above the ground floor of mixed-use developments, and on the ground floor as a conditional use.

WHEREAS, Developer wishes to develop the Property as a 150 unit multifamily dwelling with dwelling units on the ground floor (the "Project); and

WHEREAS, the Developer and City have agreed to create an overlay zone amending the zoning requirements applicable to the Property as set forth in Attachment 1 known as the “Stenton Mill Overlay Zone”; and

WHEREAS, the Property is located within a "growth area" and is in keeping with the City's comprehensive plan. There will be a reduction in impervious area and pollutant load and as a result there will not be any detrimental impact on the environment. The overall site will be improved from its current state with the addition of lawns and landscaping. The location of the Project will provide the opportunity for residents to utilize local businesses via pedestrian travel. The predicted traffic impacts will not degrade the existing level of service on nearby intersections.

WHEREAS, the rehabilitation of an abandoned property will add to the aesthetics of the surrounding neighborhoods; and

WHEREAS, the size, location, configuration and topography of this site permit a level of buffering,

landscaping, and site design which will be appropriate for this Project, provided the operation is restricted to the density, scale and intensity proposed by the Developer and further provided that the restrictions of this Contract Zoning Agreement are observed; and

WHEREAS, the Developer will concentrate the work within the existing developed footprint, creating an aesthetically pleasing building with approximately 218 parking spaces; and

WHEREAS, the Project will serve the City's goal of providing new housing units accommodating a growing population of persons of all ages in the City; and

WHEREAS, the Project serves the goals of the City's Comprehensive Plan by using existing public sewer and water facilities; and

WHEREAS, the rezoning provided in this Contract Zoning Agreement is consistent with the policies and goals of the Sanford Comprehensive Plan; and

WHEREAS, the City of Sanford, by and through its City Council, therefore, has determined that the said rezoning is made pursuant to and is consistent with the City's Local Growth Program and Comprehensive Plan opted pursuant to Title 30-A, Maine Revised Statutes, Chapter 187, Sub-part 6-A, and Section 10.4 of the City's Zoning Ordinance and has authorized the execution of this Contract Zoning Agreement.

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. The City hereby amends the Sanford Zoning Ordinance and map to create the Stenton Mill Overlay Zone amending the zoning requirements applicable to the Property as set forth in Attachment 1.

2. Subject to the final Planning Board Approval and after public hearing, Developer is authorized to use and develop the Project at the Property in accordance with the Stenton Mill Overlay Zone and other City approvals. Unless extended by the City in writing, construction of the initial phase of the Project will commence within two (2) years after execution of this Contract Zoning Agreement and shall be substantially completed within five (5) years from the date of this Contract Zoning Agreement. Construction and use of the Property shall be subject to the following conditions:

a. Building Footprint and Height:
Please refer to plans submitted in Subdivision Application, a reduced copy of which are attached hereto as Exhibit

b. Permitted Uses: Multifamily Dwellings (with review)

c. Building Design: Please refer to plans submitted in Site Plan Application, a reduced copy of which are attached hereto as Exhibit ____.

d. Landscaping: Please refer to plans submitted in Site Plan Application, a reduced copy of which are attached hereto as Exhibit____.

e. Sewer and Water: The project will be serviced by public water and public sewer.

f. Setbacks: Please refer to plans submitted in Subdivision Application, a reduced copy of which are attached hereto as Exhibit_____.

g. Parking: Please refer to plans submitted in Subdivision Application, a reduced copy of which are attached hereto as Exhibit_____.

h. Site Plan: Please refer to plans submitted in Subdivision Application, a reduced copy of which are attached hereto as Exhibit _____.

3. Developer shall record this Contract Zoning Agreement in the York County Registry of Deeds within 30 days after its execution by the City Council.

4. The provisions of this Contract Zoning Agreement shall be deemed restrictions on the use of the Property except as this Contract Zoning Agreement may be amended by future written agreement of the City and the Developer or its successors in interest.

5. The provisions of this Contract Zoning Agreement shall operate as an "overlay" zone and except as otherwise set forth in the aforesaid conditions, all other requirements of the underlying Zoning District shall apply (other than the maximum net residential density, use, height and parking). The restrictions, provisions and conditions of this Contract Zoning Agreement are an essential part of the rezoning, shall run with the Property, shall bind the Developer, its successors in interest and assigns of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the City.

6. Except as expressly modified herein, the use and occupancy of the Property shall be governed by and comply with the provisions of the Zoning Ordinance of the City of Sanford, the Shoreland Zoning Ordinance of the City of Sanford (as applicable) and any applicable amendments thereto or replacements thereof.

7. The City shall have the power to enforce all conditions and restrictions of this Contract Zoning Agreement, both through enforcement action pursuant to the applicable sections of the Zoning Ordinance and by temporary injunctive relief without notice and preliminary and permanent injunctive relief. Such relief may, in appropriate cases, include an order to take such affirmative steps as may be required to cure any violation of the covenants and restrictions herein. In addition to the foregoing, the City may impose and collect a civil penalty of up to the maximum allowed by law per day for every day of violation. In the event legal action is taken by the City to enforce the covenants and restrictions of this Contract, and the court determines that the Developer, its successors and assigns, or any other person, is not in compliance with this Contract, the Developer, its successors and assigns, or such other person shall reimburse the City for court costs, reasonable attorneys' fees and any other payments ordered by the court. The City shall have the right, but not the duty, in its sole discretion, to enforce the covenants and restrictions of this Contract.

8. In addition to the foregoing remedies, the City shall have the right to terminate this Contract Zoning Agreement as follows. In the event that the Developer or its successors or assigns fail to develop the Project in accordance with this Contract, or in the event of any other breach hereof, and such failure or breach continues for a period of thirty (30) days after written notice of such failure or breach from the City to the Developer, its successors and assigns, or in the event such failure or breach cannot reasonably be remedied or cured within such thirty (30) day period, if the Developer, its successors or assigns, fails to commence to cure or remedy such failure or breach within said thirty (30) day period and thereafter fails to diligently prosecute such

cure or remedy to completion in a reasonable time, then this Contract may be terminated by vote of the Sanford City Council. In that event, the Property may then be used only for such uses as otherwise allowed by law.

i.

9. Nothing in this section shall limit the right of the City Council to, if the conditions and restrictions set forth herein are not fulfilled or complied with within the specified time limits, after review by the Planning Board, extend the time limits or initiate a rezoning to the original zoning district classification or to another zoning district classification as set forth in Section 10.4.6 of the Zoning Ordinance. Executed on the date first written above. written.

Executed the date first written above**.**

[Signature page follows.]

City of Sanford

By: _____
_____, [City Manager]

Stenton Mill, LLC

By: _____
Eric J. Chinburg, Manager

STATE OF MAINE
YORK, SS

Personally appeared the above-named _____, City Manager of the City of Sanford and acknowledged that the foregoing instrument to be his/her/their free act and deed in said capacity on behalf of the City.

Before me,

_____
Notary Public
My commission expires:

STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS

Personally appeared the above-named Eric J. Chinburg, Manager of Stenton Mill, LLC, and acknowledged that the foregoing instrument to be his free act and deed in said capacity on behalf of Stenton Mill, LLC.

Before me,

_____
Notary Public
My commission expires:

Attachment 1
Stenton Mill Overlay Zone

1. Purpose

The purpose of the Stenton Mill Overlay Zone is to allow for the redevelopment of the mill into residential dwellings.

2. Permitted Uses

The following are permitted with review in the Senton Mill Overlay Zone.

a. Multifamily dwelling
b. All other uses permitted in an IR Zone

3. General Standards

a [Section 14.12.B.4] Parking spaces shall be provided at a ratio of 1.4 spaces per residential dwelling unit.

b [Section 14.12.C.7 In lots with ten (10) or more parking spaces, at least five percent (5%) of the parking spaces shall be designed and designated for handicapped parking, To be revised to] Parking spaces designed for handicapped parking shall be provided at the frequency required by current Federal ADA standards."

c [Section 14.5.C.2.a To be replaced with] The width of curb cuts shall not exceed 70 ft.

d [Section 14.5.C.3.c Notwithstanding the existence of one (1) or more of these circumstances, the minimum separation standard of twenty (20) feet from edge to edge shall apply, to be revised to:] Notwithstanding the existence of one (1) or more of these circumstances, the minimum separation standard of ten (10) feet from edge to edge shall apply.

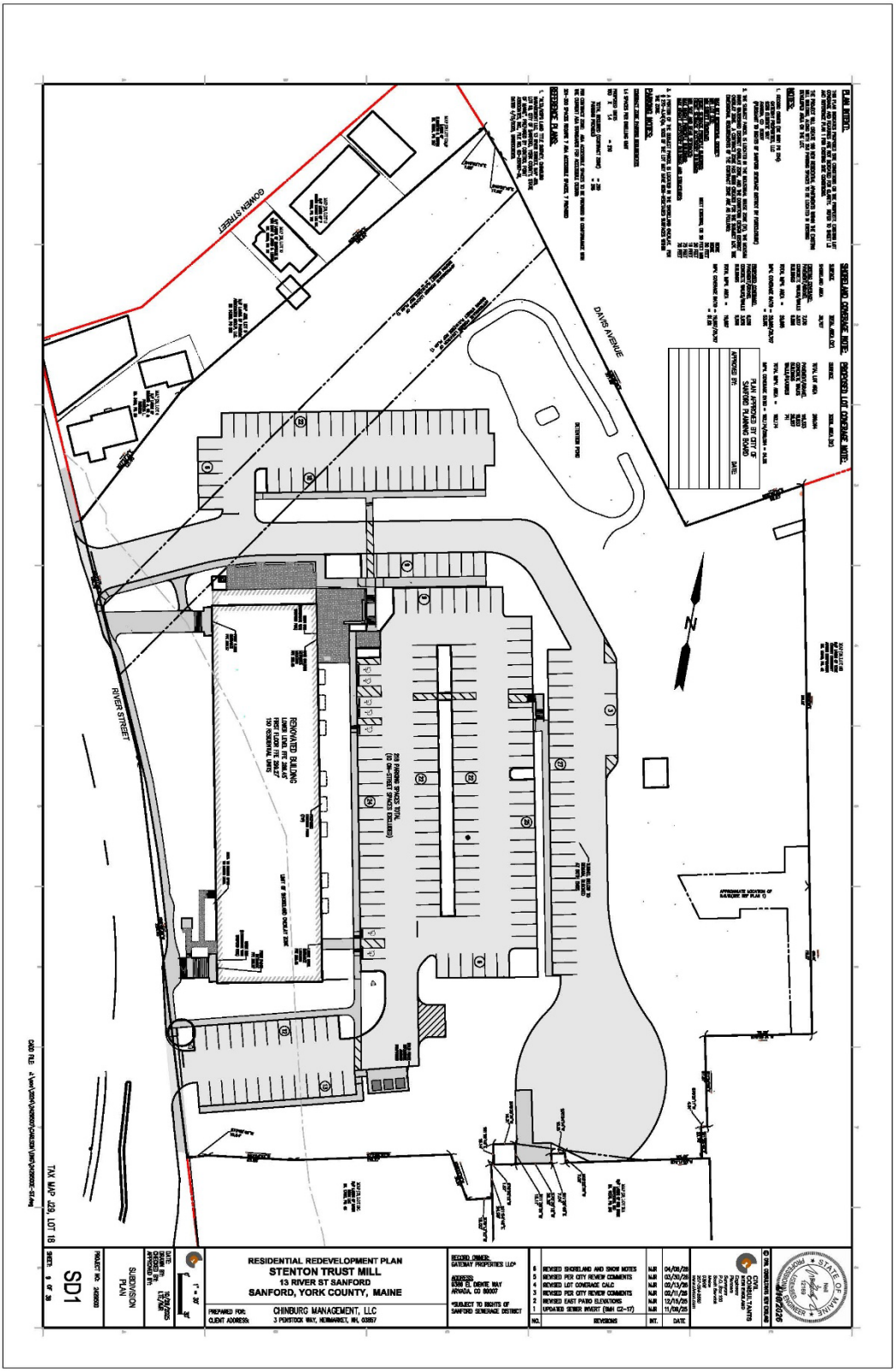
e [Section 14.13.E.2.a. Be allowed one permanent freestanding sign, not to exceed twenty-four (24) square feet. One (1) such sign shall be allowed for each separate street entrance and/or street frontage. No sign shall extend more than six (6) feet above the ground, to be revised to] Be allowed one permanent freestanding sign, not to exceed fifty-five (55) square feet. One (1) such sign shall be allowed for each separate street entrance and/or street frontage. No sign shall extend more than six (6) feet above the ground.

4. Industrial Reuse Zone

a. [11.13.6.1 Space and Bulk Standards – Minimum side and rear setbacks (principal and accessory)] NONE where there is no existing residential structures abutting the line in question.

b. [Section 11.13.6.2.a.1] No limitation on placement of parking areas.

c. EXHIBIT A


RESIDENTIAL REDEVELOPMENT PLAN
STENTON TRUST MILL
53 RIVER ST SANFORD
SANFORD, YORK COUNTY, MAINE
PREPARED FOR: CHINBURG MANAGEMENT, LLC
CLIENT ADDRESS: 3 PENSTOCK WAY, NEWMARKET, NH, 03857
RECORD OWNER: GATEWAY PROPERTIES LLC*
ADDRESS: 4500 EL DENTE WAY ARVADA, CO 80007
*SUBJECT TO RIGHTS OF SANFORD SEWERAGE DISTRICT
SUBDIVISION PLAN
SD1
PROJECT NO. 240000
DATE: 12/8/25
DRAWN BY: JLF
APPROVED BY: MJM
SCALE: 1" = 30'
SHEET 1 OF 1
TAX MAP 229, LOT 18
CAD FILE
REVISIONS
DAVIS AVENUE
RIVER STREET
GOWEN STREET
RENOVATED BUILDING
PLAN APPROVED BY CITY OF SANFORD PLANNING BOARD
DATE
SIGNATURE

Memo

Number: 26-152-01
To: City Council
From: Michelle LaBree, Assistant City Manager
Date: 2026-06-02
Subject: This is a hearing to determine whether 26 Nason Street, identified as Tax Map L28, Lot 56 and further described in a deed recorded in the York County Registry of Deeds at Book 14508 Page 697-698 and Mortgage recorded at Book 14508, Page 699-718, is a dangerous building or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate.

RECOMMENDATION

Based on the testimony and other evidence presented at the hearing, pursuant to 17 M.R.S.A. §§ 2851-2859 regarding 26 Nason Street, what does the City Council find are the facts and what does the City Council adjudge?

Make findings of fact regarding the evidence presented at the hearing, and, if so necessary, adjudge whether the property is dangerous or a nuisance. Pursuant to 17 M.R.S.A. § 2851.2-A: "To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

Background Information:

Per recommendation of the Land Bank Authority at the April 8th Land Bank Commission Meeting, we were advised to proceed with the Dangerous Building or public nuisance process on 26 Nason Street. The hearing has been advertised in the Sanford/Springvale News, posted to the City's website and notice sent to the property owners and mortgage company.

This hearing is an opportunity for the owner or a party in interest to present evidence as to why the property is not a dangerous building or nuisance and to oppose any corrective action ordered by the City Council. This is not a public hearing, however; if the City Council finds that the property is a dangerous building or nuisance, it may order the nuisance to be immediately abated and the appropriate corrective action taken, including, but not limited to, removal and disposal of the building or property and securing of the property. If the nuisance is not abated and the ordered corrective action is not taken by the deadlines established by the City Council's order, and no appeal is taken, the City may abate the nuisance by taking the appropriate corrective action at the City's expense. The city may then recover all of its expenses, including reasonable attorney's fees and costs, by means of a special tax or civil action.

Legal Review Status:

N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

26 Nason St. Hearing Packet.pdf

CITY OF SANFORD CITY COUNCIL MEETING

JUNE 2,2026

DANGEROUS BUILDING HEARING

26 NASON STREET

SANFORD LAND BANK AUTHORITY

EXHIBITS

This is a hearing to determine whether:

26 NASON STREET,
MAP L28, LOT 56
BOOK 14508, PAGE 697-698

is a dangerous building or a nuisance within the meaning of 17 M.R.S.A § 2851-2859, and to determine what, if any, remedy is appropriate.

HOW IS THE BUILDING OR PROPERTY DANGEROUS OR A NUISANCE BY REASONS OF SURROUNDING CIRCUMSTANCE, USE OR ACTION?

1. Is the building or property dangerous or nuisance to life or property, surrounding or otherwise?

2. Is the building or property dangerous or nuisance because it is a fire hazard, structurally unstable, unsanitary, and unsuitable to how it is used or occupied?

3. Is the building or property dangerous or nuisance because of inadequate maintenance, dilapidation, obsolescence, or abandonment?

OWNERSHIP DOCUMENTS

NANCY E HAMMOND, REGISTER OF DEEDS
Bk 19880 PG 921
Instr # 2026011909
04/13/2026 08:45:53 AM
Pages 7 YORK CO

STATE OF MAINE
YORK, ss

DISTRICT COURT
LOCATION: BIDDEFORD
DOCKET NO.: SPRDC-RE-2023-03

U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2016-CTT
PLAINTIFF
v.
LAURIE SEVERANCE; HOWARD SEVERANCE
DEFENDANTS
FIELDING'S OIL AND PROPANE, INC.; PORTFOLIO RECOVERY ASSOCIATES LLC
PARTIES-IN-INTEREST

Consent

JUDGMENT OF FORECLOSURE AND SALE
Title to Real Estate is Involved

PROPERTY ADDRESS: 26 Nason St, Sanford, ME 04073
MORTGAGE RECORDED IN YORK COUNTY REGISTRY OF DEEDS IN BOOK 14854 PAGE 0109

By, counsel & the parties,

This matter came before the Court on March 2, 2026. ~~After hearing,~~ at which time Plaintiff appeared through counsel; and

Defendant, Laurie Severance [having appeared at trial/~~having appeared through counsel at trial/having not appeared at trial~~]; and

Defendant, Howard Severance [having appeared at trial/~~having appeared through counsel at trial/having not appeared at trial~~]; and

Party-in-Interest, Fielding's Oil and Propane, Inc. [~~having appeared at trial/having appeared through counsel at trial/~~having not appeared at trial]; and

Party-in-Interest, Portfolio Recovery Associates LLC [~~having appeared at trial/having appeared through counsel at trial/~~having not appeared at trial];

the Court finds as follows:

1. That the Plaintiff is entitled to judgment as a matter of law.

2. That Defendants have breached the condition of Plaintiff's mortgage dated May 31, 2006, (the "Mortgage") and recorded in the York County Registry of Deeds in Book 14854 at

Page 0109, by failing to make payments on the promissory Note (the "Note"), executed of even date and secured by said Mortgage.

3. As of March 2, 2026, the total amount due under the terms of said Note and Mortgage is $543,697.69.

   A detailed accounting is attached hereto as **Schedule A.**

   Pursuant to 14 M.R.S.A. §§ 1602-B and 1602-C, the prejudgment interest rate is 8.125% per annum of said principal balance and the post-judgment interest rate is 9.51% per annum higher of Note or statutory rate.

   Plaintiff is entitled to add any additional amounts advanced by Plaintiff to protect its mortgage security after the date hereof, including without limitation, additional attorney's fees.

4. The order of priority of the claims of the parties who have appeared in this action is as follows:

   FIRST: Plaintiff, by virtue of its mortgage in the above amounts and attorney fees.

   SECOND: Fielding's Oil and Propane, Inc., should an affidavit be filed regarding same plus interest, fees and costs and/or in accordance with any further order of this Court should there be funds available for payment after Plaintiff's First priority lien.

   SECOND: Portfolio Recovery Associates LLC, should an affidavit be filed regarding same plus interest, fees and costs and/or in accordance with any further order of this Court should there be funds available for payment after Plaintiff's First priority lien.

   LAST: Defendants or in accordance with any further order of this Court.

5. The Plaintiff's claim for attorney's fees is not integral to the relief sought, within the meaning of M.R. Civ. P. 54(b)(2), and there is no just reason for delay in the entry of final judgment for Plaintiff on all claims.

WHEREFORE, it is hereby ordered and decreed that if the Defendants do not pay the Plaintiff the amount due, together with accrued interest and late charges as set forth above, ~~within ninety (90) days of~~ the date hereof, Plaintiff shall sell the mortgaged real estate pursuant to 14 M.R.S.A. §6321 et seq. and disburse the proceeds of said sale after deducting the expenses thereof, in the amounts and priorities as determined above. The surplus, if any, shall be deposited with the Clerk for the benefit of the Defendant in accordance with the statute.

Plaintiff is granted exclusive possession of the real estate mortgaged to it ~~upon expiration of the statutory ninety (90) day redemption period.~~ A Writ of Possession shall be issued to Plaintiff for possession of said real estate if it is not redeemed, as aforesaid.

Find that the Defendants are liable for any deficiency balance remaining due to Plaintiff after the sale of the mortgaged real estate and application of the proceeds of sale to the extent the Defendants may be liable therefore, and/or as affected by the terms of the United States Bankruptcy Code, if applicable;

To the extent that Defendants satisfactorily demonstrate to the Court that they may qualify for the homestead exemption, such interest shall have priority behind Plaintiff and behind consensual encumbrances recorded after Plaintiff's mortgage and may have priority over involuntary liens of record recorded after Plaintiff's mortgage.

Defendants have appeared in this action and requested to participate in the Foreclosure Diversion Program; however, such Program did not resolve the within proceeding and the case was restored to the Civil docket.

The following provisions are set forth pursuant to 14 M.R.S.A.§2401:

1. The names and addresses, if known, of all parties to the action, including the counsel of record, are set forth in **Schedule B** attached hereto

2. The docket number is SPRDC-RE-2023-03

3. The Court finds that all parties have received notice of the proceedings in accordance with the applicable provisions of the Maine Rules of Civil Procedure. Such notice was not given pursuant to an order of court.

4. The street address and a description of the real estate involved is set forth in **Schedule C** attached hereto.

5. The Plaintiff is responsible for recording the attested copy of the judgment and for paying the appropriate recording fees.

The Clerk is hereby directed to enter this Judgment as final judgment pursuant to M.R. Civ. P. 54(b)(1), as follows:

"Order and Judgment of Foreclosure and Sale entered for the Plaintiff on the date indicated as final judgment except for additional Attorney's fees and disbursements and any additional amounts advanced by Plaintiff related to its mortgage security, and said Order is incorporated in the docket by reference. This entry is made in accordance with M.R. Civ. P. 79(a) at the specific direction of the Court."

DATED: March 2, 2026

Judge, District Court

Date entered in the docket book: ENTERED ON THE DOCKET 3/4/26
Copies provided to the parties ___ in hand ✓ mailed
Clerk's Initials SM

CERTIFICATION OF CLERK PURSUANT TO 14 M.R.S. § 2401(3)(F)

Pursuant to 14 M.R.S. § 2401(3)(F), it is hereby certified that no notice of appeal of the Judgment of Foreclosure and Sale in this matter was filed with the Clerk of Court in this action within the appeal period following the entry of judgment.

DATED: March 30, 2026

Stacy Markland
Clerk of Court
Asst.

SEEN AND AGREED:

SEAL

Amber J. Schaefer, Esq.
Atty. for Pl

Howard Severance
Δ

Lorrie Severance
Δ

B&S File No.: 23-18727 FC01

SCHEDULE A

JFIGS Worksheet		
Figures as of:	3/2/2026	
Last Four Digits of Loan #:	8717	
Property Address	26 NASON ST	
Property City	SANFORD	
Property State & Zip Code	ME - 04073	
Unpaid Principal Amount		$ 260,000.00
Deferred Principal		$ 0.00
Interest Breakdown (Total Interest)		$ 185,109.23
Accrued Interest	$ 185,109.23	
Additional Accrued Interest (DSI ONLY)	$ 0.00	
Per Diem (Monthly if FHA)	$ 48.97	
Corporate Advance Balance		$ 23,103.09
- Property Inspections	$ 3,198.50	
- BPO	$ 75.00	
- Appraisal	$ 455.00	
- Property Preservation	$ 0.00	
- Legal fees	$ 19,374.59	
- Misc. Corp Advance	$ 0.00	
- Own Line Item	$ 0.00	
Escrow Advance Balance		$ 74,145.48
- FLOOD	$ 0.00	
- HAZARD	$ 5,507.24	
- TAX	$ 68,638.24	
- PMI	$ 0.00	
- PREVIOUS SERVICER ESCROW	$ 0.00	
- MISC ADVANCE	$ 0.00	
- MISC RECOVERY	$ 0.00	
Streamline Mods		$ 0.00
Tax Lien		$ 0.00
Late Charges		$ 1,297.89
NSF Fees		$ 0.00
Subsidy		$ 0.00
Mortgage Insurance Premium (Pro Rata MI)		$ 0.00
Other Fee		$ 42.00
- Other Fees Due	$ 0.00	
- County Recording Fee	$ 42.00	
TOTAL AMOUNT DUE		$ 543,697.69

SCHEDULE B

Plaintiff:
U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT
c/o Nationstar Mortgage LLC d/b/a Mr Cooper
8950 Cypress Waters Boulevard
Coppell, TX 75019

Plaintiff's Counsel:
Andrew J. Schaefer, Esq.
Brock & Scott, PLLC
30 Danforth Street, Suite 104
Portland, ME 04101

Defendants:
Laurie Severance
607 Bragdon Road
Wells, ME 04090

Howard Severance
607 Bragdon Road
Wells, ME 04090

Parties-in-Interest:
Fielding's Oil and Propane, Inc.
c/o Kelly, Remmel &Zimmerman
53 Exchange Street
Portland, ME 04101
cremmel@KRZ.com

Portfolio Recovery Associates LLC
120 Corporate Boulevard
Norfolk, VA 23502

SCHEDULE C

PROPERTY ADDRESS: 26 Nason St, Sanford, ME 04073

A certain lot or parcel of land, with the buildings thereon, situated on the Southeasterly side of Nason Street in the Town of Sanford, County of York and State of Maine, being more particularly bounded and described as follows:

Beginning at the Northerly corner of land now or formerly of Jerry A. Low and running thence Southeasterly by said Low land a distance of 58 feet, more or less, to land now or formerly of Louis B. Moody et ux., thence Northeasterly by land of said Moody a distance of 36 feet to a right of way called Lebanon Court; thence Northwesterly by said right of way a distance of 75 feet, more or less, to said Nason Street; thence southwesterly by said Nason Street 36 feet to the point of beginning.

Also another certain lot or parcel of land, together with the buildings thereon, situated on the Northwesterly side of Nason Street, in the Town of Sanford, County of York and State of Maine being more particularly bounded and described as follows:

Beginning at a stake at the Southwesterly corner of land now or formerly of William Garvin and running thence along said Garvin land in a westerly direction a distance of 100 feet to another stake and other land formerly of said William Garvin and running thence in a Southwesterly direction a distance of 50 feet to another stake and other land of said William Garvin; thence running in a Southeasterly direction along said Garvin land and land now or formerly of one S.H. Watson a distance of 100 feet, to said Nason Street; thence running along said Nason Street a distance of 50 feet, more or less, to the point of beginning.

Premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

Doc# 2005035244
Bk 14508 Pg 0697 - 0698
Received York SS
06/28/2005 9:58AM
Debra L. Anderson
Register of Deeds

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT, **KIET T. PHAN,** of Saco, County of York and State of Maine, FOR CONSIDERATION PAID, grants to **LAURIE SEVERANCE AND HOWARD SEVERANCE**, both of Somersworth, County of Strafford and State of New Hampshire, as JOINT TENANTS and not as tenants in common, with WARRANTY COVENANTS, the following described real property located in the City of Sanford, County of York and State of Maine:

A certain lot or parcel of land, with the buildings thereon, situated on the Southeasterly side of Nason Street in the Town of Sanford, County of York and State of Maine, being more particularly bounded and described as follows:

Beginning at the Northerly corner of land now or formerly of Jerry A. Low and running thence Southeasterly by said Low land a distance of 58 feet, more or less, to land now or formerly of Louis B. Moody et ux., thence Northeasterly by land of said Moody a distance of 36 feet to a right of way called Lebanon Court; thence Northwesterly by said right of way a distance of 75 feet, more or less, to said Nason Street; thence southwesterly by said Nason Street 36 feet to the point of beginning.

Also another certain lot or parcel of land, together with the buildings thereon, situated on the Northwesterly side of Nason Street, in the Town of Sanford, County of York and State of Maine being more particularly bounded and described as follows:

Beginning at a stake at the Southwesterly corner of land now or formerly of William Garvin and running thence along said Garvin land in a westerly direction a distance of 100 feet to another stake and other land formerly of said William Garvin and running thence in a Southwesterly direction a distance of 50 feet to another stake and other land of said William Garvin; thence running in a Southeasterly direction along said Garvin land and land now or formerly of one S.H. Watson a distance of 100 feet, to said Nason Street; thence running along said Nason Street a distance of 50 feet, more or less, to the point of beginning.

Being the same premises as described in the deed from David P. Bourque to Kiet T. Phan dated March 13, 2004 and recorded in Book 14027 Page 79 York County Registry of Deeds.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

WITNESS my hand(s) and seal(s) this 23rd day of June, 2005.

Witness

Kiet T. Phan

MAINE R.E. TRANSFER TAX PAID

STATE OF Maine
COUNTY OF Cumberland, ss. June 23, 2005

Personally appeared the above-named Kiet T. Phan, and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public/Attorney-at-Law
Melissa A. Cummings, Notary Public
State of Maine
My Commission Expires 02/21/2006

END OF DOCUMENT

GATEWAY TITLE OF MAINE, INC.
21 ATLANTIC PLACE, BLG A
SOUTH PORTLAND, ME 04106

Doc# 2005035245
Bk 14508 Pg 0699 - 0718
Received York SS
06/28/2005 9:58AM
Debra L. Anderson
Register of Deeds

After Recording Return To:

FIRST FRANKLIN
c/o SECURITY CONNECTIONS
1935 INTERNATIONAL WAY
IDAHO FALLS, ID 83402

[Space Above This Line For Recording Data]

MORTGAGE

WORDS USED OFTEN IN THIS DOCUMENT

Words used in multiple sections of this document are defined below. Other words are defined in Sections 3, 5, 8, 10, 11, 13, 18, 20 and 21. Certain rules about the usage of words used in this document are also provided in Section 16.

(A) **"Security Instrument"** means this document, which is dated June 23, 2005
The term "Security Instrument" includes any Riders recorded with the Security Instrument.
(B) **"Borrower"** means LAURIE SEVERANCE and HOWARD SEVERANCE

who sometimes will be called "Borrower" and sometimes simply "I" or "me." "Borrower" is granting a mortgage under this Security Instrument. "Borrower" is not necessarily the same as the Person or Persons who signed the Note. The obligations of Borrowers who did not sign the Note are explained further in Section 13.
(C) **"Lender"** means FIRST FRANKLIN A DIVISION OF NAT. CITY BANK OF IN
Lender is a corporation or association which exists under the laws of United States of America
Lender's address is 2150 NORTH FIRST STREET, SAN JOSE, California 95131

Except as provided in Sections 13 and 20, the term "Lender" may include any Person who takes ownership of the Note and this Security Instrument.
(D) "Note" means the note signed by LAURIE SEVERANCE, HOWARD SEVERANCE

and dated June 23, 2005 . The Note shows that its signer or signers owe Lender
Two Hundred Twenty Three Thousand Five Hundred and no/100
Dollars (U.S. $223,500.00) plus interest and promise to pay this debt in Periodic Payments and to pay the debt in full by July 01, 2035
(E) **"Property"** means the property that is described below in the section titled "Description of the Property" or any portion of the Property.
(F) **"Sums Secured"** means the unpaid balance of amounts described below in the section titled "Borrower's Transfer to Lender of Rights in the Property."
(G) **"Loan"** means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

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(H) **"Riders"** means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

[X] Adjustable Rate Rider	[ ] Condominium Rider	[ ] Second Home Rider
[ ] Balloon Rider	[ ] Planned Unit Development Rider	[ ] Other(s) [specify]
[X] 1-4 Family Rider	[ ] Biweekly Payment Rider	

(I) **"Applicable Law"** means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.
(J) **"Community Association Dues, Fees, and Assessments"** means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.
(K) **"Electronic Funds Transfer"** means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.
(L) **"Escrow Items"** means those items that are described in Section 3.
(M) **"Miscellaneous Proceeds"** means any monies or other thing of value paid by any third party, other than insurance proceeds paid under the coverages described in Section 5, for: (i) damage to, or destruction of, the Property; (ii) Condemnation or other taking of all or any part of the Property (see Section 11 for an explanation of "Condemnation"); (iii) conveyance in lieu of Condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.
(N) **"Mortgage Insurance"** means insurance protecting Lender against the nonpayment of, or default on, the Loan.
(O) **"Periodic Payment"** means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.
(P) **"RESPA"** means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. When this Security Instrument refers to a requirement or restriction under "RESPA," Lender intends to abide by that requirement or restriction, even if it is not technically applicable to the Loan.
(Q) **"Successor in Interest of Borrower"** means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.
(R) **"Ground Rents"** means amounts I owe if I rented the real property under the buildings covered by this Security Instrument. Such an arrangement usually takes the form of a long-term "ground lease."

BORROWER'S TRANSFER TO LENDER OF RIGHTS IN THE PROPERTY

I mortgage, grant and convey the Property to Lender, with mortgage covenants, subject to the terms of this Security Instrument, to have and to hold all of the Property to Lender, and to its successors and assigns, forever. This means that, by signing this Security Instrument, I am giving Lender those rights that are stated in this Security Instrument and also those rights that Applicable Law gives to Lenders who hold mortgages on real property. Those rights that Applicable Law gives to Lenders who hold mortgages on real property include those rights known as "Mortgage Covenants." I am giving Lender these rights to protect Lender from possible losses that might result if:

(A) Some or all of the Loan is not paid when due;
(B) I fail to pay, with interest, any amounts that Lender spends under Section 9 of this Security Instrument to protect the value of the Property and Lender's rights in the Property; or
(C) I fail to keep any of my other promises and agreements under this Security Instrument. These amounts are the "Sums Secured."

DESCRIPTION OF THE PROPERTY

I grant and mortgage to Lender the Property described in (A) through (G) below:

(A) The Property which is located at 26 NASON STREET [Street]

SANFORD [City], Maine, 04073 [Zip Code] ("Property Address").

This Property is in YORK County. It has the following legal description:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

(B) All buildings and other improvements that are located on the Property described in subsection (A) of this section;
(C) All rights in other property that I have as owner of the Property described in subsection (A) of this section. These rights are known as "easements and appurtenances attached to the Property;"
(D) All rights that I have in the land which lies in the streets or roads in front of, or next to, the Property described in subsection (A) of this section;
(E) All fixtures that are now or in the future will be on the Property described in subsections (A) and (B) of this section;
(F) All of the rights and property described in subsections (B) through (E) of this section that I acquire in the future; and
(G) All replacements of or additions to the Property described in subsections (B) through (F) of this section.

BORROWER'S RIGHT TO MORTGAGE THE PROPERTY AND BORROWER'S OBLIGATION TO DEFEND OWNERSHIP OF THE PROPERTY

I promise that: (A) I lawfully own the Property; (B) I have the right to mortgage, grant and convey the Property to Lender; and (C) there are no outstanding claims or charges against the Property, except for those which are of public record.

I give a general warranty of title to Lender. This means that I will be fully responsible for any losses which Lender suffers because someone other than myself has some of the rights in the Property which I promise that I have. I promise that I will defend my ownership of the Property against any claims of such rights.

PLAIN LANGUAGE SECURITY INSTRUMENT

This Security Instrument contains promises and agreements that are used in real property security instruments all over the country. It also contains promises and agreements that vary, to a limited extent, in different parts of the country. My promises and other agreements are stated in "plain language."

COVENANTS

I promise and I agree with Lender as follows:

1. Borrower's Promise to Pay. If I signed the Note, I will pay to Lender when due principal and interest due under the Note and any prepayment charges and late charges due under the Note. Regardless of whether I signed the Note, I will pay funds for Escrow Items as described in Section 3. I will make all payments in U.S. currency. If any Borrower makes any Loan payment to Lender with a check or other instrument that is returned for any reason (i.e., the check bounces), except

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EXHIBIT A
(05-03309P SEVERANCE)

A certain lot or parcel of land, with the buildings thereon, situated on the Southeasterly side of Nason Street in the Town of Sanford, County of York and State of Maine, being more particularly bounded and described as follows:

Beginning at the Northerly corner of land now or formerly of Jerry A. Low and running thence Southeasterly by said Low land a distance of 58 feet, more or less, to land now or formerly of Louis B. Moody et ux., thence Northeasterly by land of said Moody a distance of 36 feet to a right of way called Lebanon Court; thence Northwesterly by said right of way a distance of 75 feet, more or less, to said Nason Street; thence southwesterly by said Nason Street 36 feet to the point of beginning.

Also another certain lot or parcel of land, together with the buildings thereon, situated on the Northwesterly side of Nason Street, in the Town of Sanford, County of York and State of Maine being more particularly bounded and described as follows:

Beginning at a stake at the Southwesterly corner of land now or formerly of William Garvin and running thence along said Garvin land in a westerly direction a distance of 100 feet to another stake and other land formerly of said William Garvin and running thence in a Southwesterly direction a distance of 50 feet to another stake and other land of said William Garvin; thence running in a Southeasterly direction along said Garvin land and land now or formerly of one S.H. Watson a distance of 100 feet, to said Nason Street; thence running along said Nason Street a distance of 50 feet, more or less, to the point of beginning.

Being the same premises as described in the deed from Kiet T. Phan to the Mortgagors herein of substantially even date to be recorded in the York County Registry of Deeds.

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when prohibited by Applicable Law, the Lender may require that any subsequent payment be made by: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check (all of which must be drawn on an institution whose deposits are insured by a federal agency, instrumentality, or entity); or (d) Electronic Funds Transfer. Lender may reasonably specify which payment form is required.

Payments are only considered received when they reach the Lender's address specified in the Note, or a different address specified by Lender under Section 15 of this Security Instrument. Lender may return any payments or partial payments if the payments are insufficient to bring the Loan current. Lender may accept any payments or partial payments insufficient to bring the Loan current, but doing so will not affect Lender's rights under this Security Instrument, and Lender may still refuse such late, partial payments in the future.

I agree that no claim or legal right I may have against the Lender will excuse my obligation to make timely payments under the Loan or to keep my other promises in this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender will be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts payable under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts will be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from me for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent Periodic Payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from me to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary extra payments must be applied first to any charges for making voluntary extra payments and then as described in the Note.

If voluntary extra payments I may make or the crediting of insurance proceeds or Miscellaneous Proceeds to the Note are enough to pay principal ahead of schedule, I must still make my regularly scheduled Periodic Payments under the Note, when scheduled, without any delay or reduction of amount.

3. Monthly Payments for Taxes and Insurance.

(a) Borrower's Obligations. I will pay to Lender all amounts necessary to pay for taxes, assessments, ground leasehold payments or rents (if any), hazard or property insurance covering the Property, flood insurance (if any), and any required Mortgage Insurance, or a loss reserve as described in Section 10 in the place of Mortgage Insurance. Each Periodic Payment will include an amount to be applied toward the payment of the following items, which are called "Escrow Items:"

(1) The taxes, assessments and other items which under the Applicable Law may be or become superior to this Security Instrument as a lien on the Property. Any claim, demand or charge that is made against property because an obligation has not been fulfilled is known as a "lien;"

(2) The leasehold payment or Ground Rents on the Property (if any);

(3) The premium for insurance covering the Property required under Section 5;

(4) The premium for Mortgage Insurance (if any);

(5) The amount I may be required to pay Lender under Section 10 below instead of the payment of the premium for Mortgage Insurance (if any); and

(6) If Lender requires, Community Association Dues, Fees, and Assessments.

After signing of the Note, or at any time during its term, Lender may include these amounts as Escrow Items. The monthly payment that I will make for Escrow Items will be based on Lender's estimate of the annual amount required.

I will pay all of these amounts to Lender unless Lender tells me, in writing, that I do not have to do so, or unless Applicable Law requires otherwise. I will make these payments on the same day that my Periodic Payments of principal and interest are due under the Note.

I will promptly send Lender a copy of all notices of amounts to be paid under this Section. I must pay Lender for Escrow Items as part of my regular Periodic Payments, unless Lender excuses this requirement in writing. If Lender excuses me in writing, I will pay all Escrow Items covered by the excuse, directly and on time. I will provide receipts proving my direct payments of Escrow Items on request and in the time period Lender requires. If Lender excuses me from paying Escrow Items to Lender and if I fail to pay any amount due for an Escrow Item directly, Lender may pay such amount under Section 9, and I will be obligated to repay Lender, plus interest at the Note rate. Lender may revoke the excuse regarding any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, I will pay to Lender all Funds (defined below), and in such amounts, that are then required under this Section 3.

The amounts that I pay to Lender for Escrow Items under this Section 3 will be called the "Funds." The Funds are pledged as additional security for all Sums Secured.

Lender may, at any time, collect and hold Funds in an amount (1) sufficient to permit Lender to apply the Funds at the time specified under RESPA, but (2) not to exceed the maximum amount a lender can require under RESPA. Lender will estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

(b) **Lender's Obligation.** Lender will keep the Funds in a savings or banking institution which has its deposits insured by a federal agency, instrumentality, or entity, or in any Federal Home Loan Bank. If Lender is such a savings or banking institution, Lender may hold the Funds. Lender will use the Funds to pay the Escrow Items. Lender will give to me, without charge, an annual accounting of the Funds. That accounting must show all additions to and deductions from the Funds and the reason for each deduction in the manner required by RESPA.

Lender may not charge me for holding or keeping the Funds, or for using the Funds to pay Escrow Items, or for making a yearly analysis of my payment of Funds or for receiving, verifying and totaling assessments and bills. Maine law requires payment of, and Lender agrees to pay me, interest on the Funds in the manner and amount set forth in Maine law.

(c) **Adjustments to the Funds.** If there is a surplus of Funds held in escrow, as defined under RESPA, Lender will report to me regarding the excess funds in accordance with RESPA. If there is a shortage or deficiency of Funds held in escrow, as defined under RESPA, Lender will notify me as required by RESPA and I will pay to Lender the amount necessary to make up the shortage or deficiency as required by RESPA, but in no more than 12 monthly payments.

When I have paid all of the Sums Secured, Lender will promptly refund to me any Funds that are then being held by Lender.

4. Borrower's Obligation to Pay Charges, Assessments and Claims. I will pay all taxes, assessments, and any other charges and fines that may be imposed on the Property and that may be or become superior to this Security Instrument. If I am a tenant under a ground lease on the Property, I will also pay Ground Rents or payments due under my ground lease. I will also pay any Community Association Dues, Fees, and Assessments. I will do this either by making the payments to Lender that are described in Section 3 above or, if I am not required to make payments to Lender under Section 3, by making the payments on time to the Person owed them. In this Security Instrument, the word "Person" means any natural person, organization, governmental authority or other party.

I will promptly pay or satisfy all liens against the Property that may be or become superior to this Security Instrument. However, this Security Instrument does not require me to satisfy a superior lien if: (a) I agree, in writing, to pay the obligation which gave rise to the superior lien and Lender approves the way in which I agree to pay that obligation (but I must fully perform my agreement or this exception does not apply); (b) in good faith, I argue or defend against the superior lien in a lawsuit so that, during the lawsuit, the superior lien may not be enforced (but this exception ends when the lawsuit ends); or (c) I secure from the holder of that other lien an agreement, approved in writing by Lender, that the lien of this Security Instrument is superior to the lien held by that Person. If Lender determines that any part of the Property is subject to a superior lien, Lender may give me a notice identifying the superior lien. I will pay or satisfy the superior lien or take one or more of the actions set forth above within 10 days of the giving of notice.

5. Borrower's Obligation to Maintain Hazard Insurance or Property Insurance; Use of Insurance Proceeds. I will obtain hazard or property insurance to cover all buildings and other improvements that now are or in the future will be located on the Property. The insurance must cover loss or damage caused by: (a) fire; (b) hazards normally covered by "extended coverage" hazard insurance policies; and (c) other hazards for which Lender requires coverage, including floods and earthquakes. The insurance must be in the amounts (including deductibles) and for the periods of time required by Lender. Lender's requirements can change during the term of the Loan. I may choose the insurance company, but my choice is subject to Lender's approval. Lender may not refuse to approve my choice unless the refusal is reasonable. If I do not maintain any of the insurance coverages described above, Lender may obtain insurance coverage at its option and charge me in accordance with Section 9 below.

Lender is under no obligation to purchase any particular type or amount of coverage. Lender's coverage will protect Lender, but might or might not protect me, my equity in the Property, or the contents of the Property, against any risk, hazard, or liability and might provide greater or lesser coverage than was previously in effect. I acknowledge that the cost of the Lender's insurance coverage might significantly exceed the cost of insurance that I could have obtained. Any amounts paid by Lender under this Section 5 will become my additional debt secured by this Security Instrument. These amounts will bear interest at the Note rate from the date of disbursement and will be payable, with interest, upon notice from Lender to me requesting payment.

Lender may require me to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or

certification. I will also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from my objection.

All of the insurance policies required by Lender and renewals of those policies: (a) are subject to Lender's right to disapprove; (b) must include what is known as a "standard mortgage clause" to protect Lender; and (c) must name Lender as mortgagee and/or as an additional loss payee. The form of all policies and renewal certificates must be acceptable to Lender. Lender will have the right to hold the policies and renewal certificates. If Lender requires, I will promptly give Lender all receipts for paid premiums and renewal notices that I receive.

If I obtain additional insurance for damage to or destruction of the Property not required by Lender, I will ensure that it contains a standard mortgage clause and names Lender as mortgagee and/or as an additional loss payee.

If there is a loss or damage to the Property, I will promptly notify the insurance company and Lender. If I do not promptly prove to the insurance company that the loss or damage occurred, then Lender may do so.

The amount paid by any insurance company with regard to the Property is called "Proceeds." The Proceeds will be used to repair or to restore the damaged Property whether or not the underlying insurance was required by Lender unless: (a) it is not economically feasible to make the repairs or restoration; (b) the use of the Proceeds for that purpose would lessen the protection given to Lender by this Security Instrument; or (c) Lender and I have agreed in writing not to use the Proceeds for that purpose. If the repair or restoration is not economically feasible or if it would lessen Lender's protection under this Security Instrument, then the Proceeds will be used to pay the Sums Secured. If any of the Proceeds remain after the amount that I owe to Lender has been paid in full, the remaining Proceeds will be paid to me. Such insurance proceeds will be applied in the order provided for in Section 2.

During the repair and restoration period, Lender will have the right to hold insurance proceeds until Lender has had an opportunity to inspect the Property to ensure the work has been completed to Lender's satisfaction. Lender will arrange the inspection promptly. Lender may disburse Proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender will not be required to pay me any interest or earnings on Proceeds. Fees for public adjusters, or other third parties I retain, will not be paid out of the insurance proceeds and will be my sole obligation.

If I abandon the Property, or if I do not answer, within 30 days a notice from Lender stating that the insurance company has offered to settle a claim, Lender may negotiate and settle any insurance claim. The 30-day period will begin when the notice is given.

If I abandon the Property, do not answer the notice, or if Lender acquires the Property under Section 22 below or otherwise, all of my rights in all insurance policies covering the Property will belong to Lender, other than the right to any refund of unearned premiums I have paid. Lender may use the insurance proceeds either to repair or restore the Property or to pay the Sums Secured, whether or not then due. However, Lender's rights in those Proceeds will not be greater than the Sums Secured.

6. Occupancy. I will occupy the Property and use the Property as my principal residence within 60 days after I sign this Security Instrument. I will continue to occupy the Property and to use the Property as my principal residence for at least one year. The one-year period will begin when I first occupy the Property. However, I will not have to occupy the Property and use the Property as my principal residence within the time frames set forth above if Lender agrees in writing that I do not have to do so. Lender may not refuse to agree unless the refusal is reasonable. I also will not have to occupy the Property and use the Property as my principal residence within the time frames set forth above if extenuating circumstances exist which are beyond my control.

7. Borrower's Obligation to Maintain and Protect the Property; Inspections. I will keep the Property in good repair. I will not destroy, damage or harm the Property, and I will not allow the Property to deteriorate or diminish in value due to its condition whether or not I am residing in the Property. In addition, I will promptly repair the Property, if damaged, to avoid further deterioration or damage unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, I will be responsible for repairing or restoring the Property only if Lender has released Proceeds for such purposes. Lender may disburse Proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, I will not be relieved of my obligation to complete such repair or restoration.

Lender or its agents may enter and inspect the Property at reasonable times. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender will give me notice prior to an interior inspection specifying such reasonable cause.

8. Borrower's Loan Application. If, during the application process for the Loan, I made false, misleading, incomplete, or inaccurate statements to Lender about information important to Lender in determining my eligibility for the

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Loan ("Material Information"), Lender will treat my actions as a default under this Security Instrument. I will also be in default if I knew about or consented to any other Person giving false, misleading, incomplete, or inaccurate statements about Material Information to Lender. False, misleading, incomplete, or inaccurate statements about Material Information would include a misrepresentation of my intention to occupy the Property as a principal residence. This is just one example of a false, misleading, incomplete, or inaccurate statement of Material Information. Also, if during the loan application process I failed to provide Lender with Material Information, Lender will treat this as a default under this Security Instrument. I will also be in default if I knew about or consented to any other Person failing to provide Lender with Material Information.

9. Lender's Right to Protect its Rights in the Property. If: (a) I do not keep my promises and agreements made in this Security Instrument; (b) someone, including me, begins a legal proceeding that may significantly affect Lender's interest in the Property or rights under this Security Instrument (such as a legal proceeding in bankruptcy, in probate, for Condemnation or Forfeiture, for enforcement of a lien which may become superior to this Security Instrument or to enforce laws or regulations); or (c) I abandon the Property, then Lender may do and pay for whatever is necessary to protect the value of the Property and Lender's rights in the Property. Lender's actions to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding, may include appearing in court, paying reasonable attorneys' fees, paying superior liens on the Property, protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Securing the Property includes, for example, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. I agree that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

I will pay to Lender any amounts, with interest, which Lender spends under this Section 9. I will pay those amounts to Lender when Lender sends me a notice requesting that I do so. I will also pay interest on those amounts at the Note rate. Interest on each amount will begin on the date that the amount is spent by Lender.

If I do not own but am a tenant on the Property, I will fulfill all my obligations under my lease. I also agree that, if I subsequently purchase or otherwise become the owner of the Property, my interest as the tenant and my interest as the owner will remain separate unless Lender agrees in writing.

10. Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan, I will pay the premiums for the Mortgage Insurance. If, for any reason, the Mortgage Insurance coverage required by Lender lapses or ceases to be available from the original mortgage insurer, I will pay the premiums for substantially equivalent Mortgage Insurance coverage from an alternate mortgage insurer selected by Lender.

If substantially equivalent Mortgage Insurance coverage is not available and if I was required to make separately designated payments toward the premiums for Mortgage Insurance, Lender will establish a loss reserve as a substitute for the Mortgage Insurance coverage. I will pay to Lender each month an amount equal to one-twelfth of the yearly Mortgage Insurance premium (as of the time the coverage lapsed or ceased to be in effect). Lender will retain these payments, and will use these payments to pay for losses that the Mortgage Insurance would have covered. Such loss reserve will not be refundable.

Lender will no longer require loss reserve payments if Mortgage Insurance coverage again becomes available and is obtained. In that case, I will once again make Mortgage Insurance premiums. The Mortgage Insurance coverage must be in the amount and for the period of time required by Lender. Lender must approve the insurance company providing the coverage.

I will pay the Mortgage Insurance premiums, or the non-refundable loss reserve payments, until the requirement for Mortgage Insurance ends according to any written agreement between Lender and me providing for such termination or until termination of Mortgage Insurance is required by Applicable Law. Lender may require me to pay the premiums, or the loss reserve payments, in the manner described in this Section 10.

This Section 10, and the existence or termination of my obligation to pay Mortgage Insurance premiums or reserve payments, does not affect my obligation to pay interest under the Note at the rate set by the Note.

A Mortgage Insurance policy pays Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance policy.

Mortgage insurers assess their total risk on all Mortgage Insurance from time to time. Mortgage insurers may enter into agreements with other parties to share or change their risk, or to reduce losses. These agreements are based on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include Mortgage Insurance premiums).

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As a result of these agreements, Lender, any owner of the Note, another insurer, any reinsurer, or any other entity, may receive (directly or indirectly) amounts that come from a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or changing the mortgage insurer's risk, or reducing losses. If these agreements provide that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." It also should be understood that: (a) any of these agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. These agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund; and (b) any of these agreements will not affect the rights Borrower has—if any—regarding the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right (a) to receive certain disclosures, (b) to request and obtain cancellation of the Mortgage Insurance, (c) to have the Mortgage Insurance terminated automatically, and/or (d) to receive a refund of any Mortgage Insurance premiums that were not earned at the time of such cancellation or termination.

11. Agreements about Miscellaneous Proceeds and Condemnation of the Property. I assign to Lender all Miscellaneous Proceeds (as defined above in subsection (M) of the section entitled "Words Used Often In This Document"). All Miscellaneous Proceeds will be paid to Lender. Miscellaneous Proceeds include, among other things, awards or claims for damages for Condemnation. A taking of property by any governmental authority by eminent domain is known as "Condemnation."

If the Property is damaged, all Miscellaneous Proceeds will be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During the repair and restoration period, Lender will have the right to hold Miscellaneous Proceeds until Lender has had an opportunity to inspect the Property to ensure the work has been completed to Lender's satisfaction. Lender will arrange the inspection promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Miscellaneous Proceeds, Lender will not be required to pay me any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds will be applied to the Sums Secured by this Security Instrument, whether or not then due, with the excess, if any, paid to me. Such Miscellaneous Proceeds will be applied in the order provided for in Section 2.

If all of the Property is taken or destroyed, the Miscellaneous Proceeds will be used to reduce the Sums Secured, whether or not then due. If any of the Miscellaneous Proceeds remain after the Loan has been paid in full, the remaining proceeds will be paid to me.

Unless Lender and I agree otherwise agree in writing, if only a part of the Property is taken or destroyed, and the fair market value of the Property immediately before the partial taking or destruction either is equal to, or greater than, the amount of the Sums Secured immediately before the partial taking or destruction, then a portion of the Miscellaneous Proceeds will be applied to pay a portion of the Loan. That portion will equal the Miscellaneous Proceeds multiplied by a fraction. That fraction is as follows: (a) the total amount of the Sums Secured immediately before the partial taking or destruction; divided by (b) the fair market value of the Property immediately before the partial taking or destruction. The remainder of the Miscellaneous Proceeds will be paid to me.

Unless Lender and I agree otherwise in writing or unless Applicable Law requires otherwise, if only a part of the Property is taken or destroyed, and the fair market value of the Property immediately before the partial taking or destruction is less than the amount of the Sums Secured immediately before the partial taking or destruction, the proceeds will be used to reduce the Sums Secured whether or not then due.

If I abandon the Property, or if I do not answer within 30 days, a notice from Lender stating that the Opposing Party (as defined below) offered to make an award to settle a claim for damages, Lender has the authority to settle any claim and collect the proceeds. "Opposing Party" means the third party that owes me Miscellaneous Proceeds or the party against whom I have a legal action in regard to Miscellaneous Proceeds. Lender may then use the Miscellaneous Proceeds to repair or restore the Property or to reduce the Sums Secured. The 30-day period will begin when the notice is given.

I will be in default if any lawsuit or other legal proceeding is brought seeking Forfeiture of the Property or seeking any other significant reduction of Lender's interest in the Property or rights under this Security Instrument. "Forfeiture" means a legal order or judgment that takes away some or all of my rights in the Property, whether in a civil or in a criminal proceeding. I can cure that default by causing the lawsuit or legal proceeding to be dismissed with a legal ruling that, in Lender's reasonable judgment, precludes any Forfeiture or any other significant reduction of Lender's interest in the Property or rights under this Security Instrument. If there is any award or claim for damages for the reduction of Lender's interest or rights, the proceeds of that award or claim are assigned to and will be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property will be applied in the order provided for in Section 2.

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12. Continuation of Borrower's Obligations and of Lender's Rights.

(a) Borrower's Obligations. Lender may allow me, any Borrower, and any Successor in Interest of Borrower to delay or to change the amount of the Periodic Payments of principal and interest due under the Note or under this Security Instrument. Even if Lender does this, however, that Person and I will both still be fully obligated under the Note and under this Security Instrument.

Lender may allow those delays or changes for a Successor in Interest of Borrower, even if Lender is requested not to do so. Lender will not be required to bring a lawsuit against a Successor in Interest of Borrower for not fulfilling obligations under the Note or under this Security Instrument, even if Lender is requested to do so by Borrower or a Successor in Interest of Borrower.

(b) Lender's Rights. Even if Lender does not exercise or enforce any right of Lender under this Security Instrument or under Applicable Law, Lender will still have all of those rights and may exercise and enforce them in the future. Even if: (1) Lender obtains insurance, pays taxes, or pays other claims, charges or liens against the Property; (2) Lender accepts payments from third Persons or Successors in Interest; or (3) Lender accepts payments in amounts less than the amount then due, Lender will have the right under Section 22 below to demand that I make immediate payment in full of any amounts remaining due and payable to Lender under the Note and under this Security Instrument.

13. Obligations of Borrower and of Persons Taking over Borrower's Rights or Obligations. Except as provided in Section 18, any Successor in Interest of Borrower who takes over my rights or obligations under this Security Instrument in writing and who is approved by Lender will have all of my rights and will be obligated to keep all of my promises and agreements made in this Security Instrument. I will not be released from my liability under this Security Instrument unless Lender agrees to that release in writing. Any Person who takes over Lender's rights or obligations under this Security Instrument will have all of Lender's rights and will be obligated to keep all of Lender's agreements made in this Security Instrument, except as provided in Section 20.

If more than one Person signs this Security Instrument as Borrower, each of us is fully obligated to keep all of Borrower's promises and obligations contained in this Security Instrument. Lender may enforce Lender's rights under this Security Instrument against each of us individually or against all of us together. This means that any one of us may be required to pay all of the Sums Secured. However, if one of us does not sign the Note: (a) that Person is signing this Security Instrument only to give that Person's rights in the Property to Lender under the terms of this Security Instrument; (b) that Person is not personally obligated to pay the Sums Secured; and (c) that Person agrees that Lender can agree with the other Borrowers to delay enforcing any of Lender's rights or to modify or make any accommodations with regard to the terms of this Security Instrument or the Note without that Person's consent.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection, and valuation fees. In regard to any other fees, the fact that this Security Instrument does not expressly authorize Lender to charge a specific fee to Borrower should not be interpreted to be a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits: (a) any such loan charge will be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from me which exceeded permitted limits will be refunded to me. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to me. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). My acceptance of any such refund made by direct payment to me will constitute a waiver of any right of action I might have arising out of such overcharge, unless Applicable Law expressly provides otherwise.

15. Notices Required under this Security Instrument. All notices given by me or Lender in connection with this Security Instrument must be in writing. Any notice that must be given to me under this Security Instrument will be given by delivering it or by mailing it by first class mail unless Applicable Law requires use of another method. The notice will be effective or "given" when mailed (or, if not mailed, when actually delivered) to my address, unless Applicable Law requires otherwise. Notice to any one Borrower will constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice will be addressed to me at the address stated in the section above titled "Description of the Property." A notice will be given to me at a different address if I give Lender a notice of my different address. I will promptly notify Lender of my change of address. If Lender specifies a procedure for reporting my change of address, then I will only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time.

Any notice that must be given to Lender under this Security Instrument will be given by delivering or mailing it to Lender's address stated in subsection (C) of the section above entitled "Words Used Often In This Document." A notice will be mailed or delivered to Lender at a different address if Lender gives me a notice of the different address. A notice to Lender required by this Security Instrument is not given until it is actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Law that Governs this Security Instrument; Interpretation. This Security Instrument is governed by federal law and the law that applies in the place where the Property is located. If any term of this Security Instrument or of the Note conflicts with the Applicable Law, the conflict will not affect other provisions of this Security Instrument or the Note which can operate, or be given effect, without the conflicting provision. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicity allow the parties to agree by contract or it might be silent, but such silence will not be construed as a prohibition against agreement by contract.

As used in this Security Instrument: (a) words of the masculine gender will mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular will mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

17. Borrower's Copy. I will be given one copy of the Note and of this Security Instrument.

18. Agreements about Lender's Rights If the Property Is Sold or Transferred. As used in this Section 18, "Interest in the Property" means any interest in the Property recognized or protected by Applicable Law including, for example, those interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, if the intent is the transfer of title by Borrower at a future date to a purchaser.

Lender may require immediate payment in full of all Sums Secured by this Security Instrument if all or any part of the Property, or if any interest in the Property, is sold or transferred without Lender's prior written permission. If Borrower is not a natural Person and a beneficial interest in Borrower is sold or transferred without Lender's prior written permission, Lender also may require immediate payment in full. However, Lender will not require immediate payment in full if prohibited by Applicable Law.

If Lender requires immediate payment in full under this Section 18, Lender will give me a notice which states this requirement, following the procedures in Section 15. The notice will give me at least 30 days to make the required payment. The 30-day period will begin on the date the notice is mailed or delivered. If I do not make the required payment during that period, Lender may act to enforce its rights under this Security Instrument without giving me any further notice or demand for payment.

19. Borrower's Right to Have Lender's Enforcement of this Security Instrument Discontinued. Even if Lender has required immediate payment in full, I may have the right to have enforcement of this Security Instrument discontinued. I will have this right at any time before the earliest of: (a) five days before sale of the Property under any power of sale granted by this Security Instrument; (b) such other period as Applicable Law might specify for the termination of my right to reinstate; or (c) before a judgment has been entered enforcing this Security Instrument, if I meet the following conditions:

(1) I pay to Lender the full amount that then would be due under this Security Instrument and the Note as if immediate payment in full had never been required;

(2) I correct my failure to keep any of my other promises or agreements made in this Security Instrument;

(3) I pay all of Lender's reasonable expenses in enforcing this Security Instrument including, for example, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and

(4) I do whatever Lender reasonably requires to assure that Lender's Interest in the Property, Lender's rights under this Security Instrument, and my obligations under the Note and under this Security Instrument continue unchanged.

Lender may require that I pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer.

If I fulfill all of the conditions in this Section 19, then the Note and this Security Instrument will remain in full effect as if immediate payment in full had never been required. However, I will not have the right to have Lender's enforcement of this Security Instrument discontinued if Lender has required immediate payment in full under Section 18 above.

20. Holder's Right to Sell the Note or an Interest in the Note; Borrower's Right to Notice of Change of Loan Servicer; Notice of Grievances. The Note, or an interest in the Note, together with this Security Instrument, can be sold one or more times. I might not receive any prior notice of these sales.

The entity that collects my Periodic Payments due under the Note and this Security Instrument and also performs other mortgage loan servicing obligations under the Note, this Security Instrument and Applicable Law is called the "Loan Servicer." There can be a change of the Loan Servicer as a result of the sale of the Note; there also can be one or more changes of the Loan Servicer unrelated to a sale of the Note. The law requires that I be given written notice of any change of the Loan Servicer. The written notice must be given in the manner required under RESPA. The notice will state the name and address of the new Loan Servicer, and also tell me the address to which I should make my payments. The notice also will contain any other information required by RESPA in connection with a notice of transfer of servicing. If the Note is sold, the Purchaser may hire a third party as Loan Servicer. In that case, the Loan Servicer, and not the Note Purchaser, will have mortgage loan servicing obligations to Borrower, except when the Note or Applicable Law expressly requires otherwise.

Lender and I agree that we will not start a lawsuit or legal proceeding or join, or be joined to, an existing lawsuit (such as a class action) that arises from the other party's actions pursuant to the Security Instrument or that claims the other party broke any promise or failed to fulfill any duty under this Security Instrument or relating to the Loan until: (a) the complaining party gives written notice in the manner provided in Section 15 to the other party; (b) the notice clearly describes the promise broken or the duty unfulfilled; and (c) the party receiving the notice is given a reasonable time to correct the problem. This provision does not apply if Applicable Law specifically authorizes a lawsuit by me against Lender under the facts in question and does not permit any cure or correction by Lender. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of default and opportunity to cure given to me pursuant to Section 22 and the demand for immediate payment in full given to Borrower pursuant to Section 18 will be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. Continuation of Borrower's Obligations to Maintain and Protect the Property. The federal laws and the laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection are called "Environmental Laws."

Environmental Laws classify certain substances as toxic or hazardous. There are other substances that are considered hazardous for purposes of this Section 21. These are gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials. The substances defined as toxic or hazardous or as pollutants or wastes by Environmental Laws and the substances considered hazardous for purposes of this Section 21 are called "Hazardous Substances."

An "Environmental Cleanup" includes any removal, remedial action or other response as defined in an Environmental Law. An "Environmental Condition" means a condition that can cause or contribute to or otherwise trigger an Environmental Cleanup.

Except as provided below: (a) I will not permit Hazardous Substances to be present on the Property; (b) I will not use or store Hazardous Substances on the Property; and (c) I will not allow anyone else to do so. I also will not dispose of Hazardous Substances on the Property, or release any Hazardous Substance on the Property, and I will not allow anyone else to do so. However, I may permit the presence on the Property of small quantities of Hazardous Substances that are generally recognized as appropriate for normal residential use and maintenance of the Property, and I may use or store these small quantities on the Property.

I will not do anything affecting the Property that violates Environmental Laws, and I will not allow anyone else to do so. I will not create an Environmental Condition affecting the Property or permit anyone else to do so or do anything which due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property.

If I know of: (a) any investigation, claim, demand, lawsuit or other action by the government or by a private party involving the Property and any Hazardous Substance or Environmental Laws; (b) any Environmental Conditions, for example, any spill or leak of any Hazardous Substance; or (c) any condition relating to a Hazardous Substance that reduces the value of the Property, I will promptly notify the Lender in writing. If the government or a private party notifies me (or I otherwise learn) that it is necessary to remove a Hazardous Substance affecting the Property or to take other remedial actions, I will promptly take all necessary remedial actions as required by Environmental Laws.

This Section does not require the Lender to conduct or pay for any Environmental Cleanup.

NON-UNIFORM COVENANTS

I also promise and agree with Lender as follows:

22. Lender's Rights If Borrower Fails to Keep Promises and Agreements. After the occurrence of the conditions stated in subsections (a), (b) and (c) below, Lender may require that I pay immediately the entire amount

then remaining unpaid under the Note and under this Security Instrument. If all of the conditions stated in subsections (a), (b) and (c) of this Section 22 are met, Lender may do this without making any further demand for payment. *This requirement is called "Immediate payment in full."*

Lender may also require immediate payment in full if any of the events described in Section 18 occur, even if the conditions stated in subsections (a), (b) and (c) below are not met.

If Lender requires immediate payment in full, Lender may bring a lawsuit to take away all of my remaining rights in the Property and have the Property sold. At this sale Lender or another Person may acquire the Property. This is known as "foreclosure and sale." In any lawsuit for foreclosure and sale, Lender will have the right to collect all costs allowed by law. These costs include reasonable attorneys' fees and costs of title evidence.

Lender may require immediate payment in full under this Section 22 only if all of the following conditions are met:

(a) I fail to keep any promise or agreement made in this Security Instrument, including the promises to pay when due the Sums Secured;

(b) Lender sends to me, in the manner described in Section 15 above, a notice that states:

(1) The promise or agreement that I failed to keep;

(2) The action that I must take to correct that default;

(3) A date by which I must correct the default. That date must be at least 30 days from the date on which the notice is given;

(4) That if I do not correct the default by the date stated in the notice, Lender may require immediate payment in full, and Lender or another Person may acquire the Property by means of foreclosure and sale;

(5) That if I meet the conditions stated in Section 19 above, I will have the right to have Lender's enforcement of this Security Instrument discontinued and to have the Note and this Security Instrument remain fully effective as if immediate payment in full had never been required; and

(6) That I have the right in any lawsuit for foreclosure and sale to argue that I did keep my promises and agreements under the Note and under this Security Instrument, and to present any other defenses that I may have; and

(c) I do not correct the default stated in the notice from Lender by the date stated in that notice.

23. Lender's Obligation to Discharge this Security Instrument. When Lender has been paid all amounts due under the Note and under this Security Instrument, Lender will discharge this Security Instrument by delivering to the appropriate Registry of Deeds a discharge or release stating that this Security Instrument has been satisfied. I will not be required to pay Lender for the discharge, but I will pay all costs of recording the discharge in the proper official records (unless those costs were collected in advance of my loan closing).

24. Payment During Foreclosure. I agree that Lender may accept rents from the Property, hazard insurance proceeds, condemnation awards, and any other monies produced by the Property or paid by me, even though Lender has demanded immediate payment in full and begun foreclosure and sale under Section 22 above. Lender may use such monies to pay off any part of the Sums Secured without affecting Lender's right to continue foreclosure and sale.

25. Riders to this Security Instrument. The promises and agreements of each Rider are incorporated as a part of this Security Instrument.

BY SIGNING BELOW, I accept and agree to the promises and agreements contained in pages 1 through 13 of this Security Instrument and in the Rider signed by me and recorded with it.

LAURIE SEVERANCE (Seal) -Borrower

HOWARD SEVERANCE (Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

Witness:

Witness:

State of Maine
County of Cumberland

The foregoing instrument was acknowledged before me this 23rd day of June 2005 (date) by LAURIE SEVERANCE, HOWARD SEVERANCE

(name of person[s] acknowledged).

Notary Public, State of Maine

My commission expires:
Melissa A. Cummings, Notary Public
State of Maine
My Commission Expires 02/21/2006

1-4 FAMILY RIDER
(Assignment of Rents)

THIS 1-4 FAMILY RIDER is made this 23rd day of June 2005, and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust, or Security Deed (the "Security Instrument") of the same date given by the undersigned (the "Borrower") to secure Borrower's Note to FIRST FRANKLIN A DIVISION OF NAT. CITY BANK OF IN

(the "Lender") of the same date and covering the Property described in the Security Instrument and located at:

26 NASON STREET
SANFORD, ME 04073

[Property Address]

1-4 FAMILY COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant and agree as follows:

A. ADDITIONAL PROPERTY SUBJECT TO THE SECURITY INSTRUMENT. In addition to the Property described in Security Instrument, the following items now or hereafter attached to the Property to the extent they are fixtures are added to the Property description, and shall also constitute the Property covered by the Security Instrument: building materials, appliances and goods of every nature whatsoever now or hereafter located in, on, or used, or intended to be used in connection with the Property, including, but not limited to, those for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light, fire prevention and extinguishing apparatus, security and access control apparatus, plumbing, bath tubs, water heaters, water closets, sinks, ranges, stoves, refrigerators, dishwashers, disposals, washers, dryers, awnings, storm windows, storm doors, screens, blinds, shades, curtains and curtain rods, attached mirrors, cabinets, paneling and attached floor coverings, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the Property covered by the Security Instrument. All of the foregoing together with the Property described in the Security Instrument (or the leasehold estate if the Security Instrument is on a leasehold) are referred to in this 1-4 Family Rider and the Security Instrument as the "Property."

B. USE OF PROPERTY; COMPLIANCE WITH LAW. Borrower shall not seek, agree to or make a change in the use of the Property or its zoning classification, unless Lender has agreed in writing to the change. Borrower shall comply with all laws, ordinances, regulations and requirements of any governmental body applicable to the Property.

C. SUBORDINATE LIENS. Except as permitted by federal law, Borrower shall not allow any lien inferior to the Security Instrument to be perfected against the Property without Lender's prior written permission.

D. RENT LOSS INSURANCE. Borrower shall maintain insurance against rent loss in addition to the other hazards for which insurance is required by Section 5.

E. "BORROWER'S RIGHT TO REINSTATE" DELETED. Section 19 is deleted.

F. BORROWER'S OCCUPANCY. Unless Lender and Borrower otherwise agree in writing, Section 6 concerning Borrower's occupancy of the Property is deleted.

G. ASSIGNMENT OF LEASES. Upon Lender's request after default, Borrower shall assign to Lender all leases of the Property and all security deposits made in connection with leases

HS

of the Property. Upon the assignment, Lender shall have the right to modify, extend or terminate the existing leases and to execute new leases, in Lender's sole discretion. As used in this paragraph G, the word "lease" shall mean "sublease" if the Security Instrument is on a leasehold.

H. ASSIGNMENT OF RENTS; APPOINTMENT OF RECEIVER; LENDER IN POSSESSION. Borrower absolutely and unconditionally assigns and transfers to Lender all the rents and revenues ("Rents") of the Property, regardless of to whom the Rents of the Property are payable. Borrower authorizes Lender or Lender's agents to collect the Rents, and agrees that each tenant of the Property shall pay the Rents to Lender or Lender's agents. However, Borrower shall receive the Rents until (i) Lender has given Borrower notice of default pursuant to Section 22 of the Security Instrument and (ii) Lender has given notice to the tenant(s) that the Rents are to be paid to Lender or Lender's agent. This assignment of Rents constitutes an absolute assignment and not an assignment for additional security only.

If Lender gives notice of default to Borrower: (i) all Rents received by Borrower shall be held by Borrower as trustee for the benefit of Lender only, to be applied to the sums secured by the Security Instrument; (ii) Lender shall be entitled to collect and receive all of the Rents of the Property; (iii) Borrower agrees that each tenant of the Property shall pay all Rents due and unpaid to Lender or Lender's agents upon Lender's written demand to the tenant; (iv) unless applicable law provides otherwise, all Rents collected by Lender or Lender's agents shall be applied first to the costs of taking control of and managing the Property and collecting the Rents, including, but not limited to, attorney's fees, receiver's fees, premiums on receiver's bonds, repair and maintenance costs, insurance premiums, taxes, assessments and other charges on the Property, and then to the sums secured by the Security Instrument; (v) Lender, Lender's agents or any judicially appointed receiver shall be liable to account for only those Rents actually received; and (vi) Lender shall be entitled to have a receiver appointed to take possession of and manage the Property and collect the Rents and profits derived from the Property without any showing as to the inadequacy of the Property as security.

If the Rents of the Property are not sufficient to cover the costs of taking control of and managing the Property and of collecting the Rents any funds expended by Lender for such purposes shall become indebtedness of Borrower to Lender secured by the Security Instrument pursuant to Section 9.

Borrower represents and warrants that Borrower has not executed any prior assignment of the Rents and has not performed, and will not perform, any act that would prevent Lender from exercising its rights under this paragraph.

Lender, or Lender's agents or a judicially appointed receiver, shall not be required to enter upon, take control of or maintain the Property before or after giving notice of default to Borrower. However, Lender, or Lender's agents or a judicially appointed receiver, may do so at any time when a default occurs. Any application of Rents shall not cure or waive any default or invalidate any other right or remedy of Lender. This assignment of Rents of the Property shall terminate when all the sums secured by the Security Instrument are paid in full.

I. CROSS-DEFAULT PROVISION. Borrower's default or breach under any note or agreement in which Lender has an interest shall be a breach under the Security Instrument and Lender may invoke any of the remedies permitted by the Security Instrument.

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BY SIGNING BELOW, Borrower accepts and agrees to the terms and provisions contained in pages 1 through 3 of this 1-4 Family Rider.

LAURIE SEVERANCE (Seal) -Borrower

HOWARD SEVERANCE (Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

ADJUSTABLE RATE RIDER

(LIBOR 6 Month Index (As Published In The Wall Street Journal) - Rate Caps)

THIS ADJUSTABLE RATE RIDER is made this 23rd day of June 2005 , and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust or Security Deed (the "Security Instrument") of the same date given by the undersigned (the "Borrower") to secure Borrower's Adjustable Rate Note (the "Note") to FIRST FRANKLIN A DIVISION OF NAT. CITY BANK OF IN (the "Lender") of the same date and covering the property described in the Security Instrument and located at:

26 NASON STREET
SANFORD, ME 04073

[Property Address]

THE NOTE CONTAINS PROVISIONS ALLOWING FOR CHANGES IN THE INTEREST RATE AND THE MONTHLY PAYMENT. THE NOTE LIMITS THE AMOUNT THE BORROWER'S INTEREST RATE CAN CHANGE AT ANY ONE TIME AND THE MAXIMUM RATE THE BORROWER MUST PAY.

ADDITIONAL COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant and agree as follows:

A. INTEREST RATE AND MONTHLY PAYMENT CHANGES

The Note provides for an initial interest rate of 7.3750%. The Note provides for changes in the interest rate and the monthly payments, as follows:

4. INTEREST RATE AND MONTHLY PAYMENT CHANGES

(A) Change Dates

The interest rate I will pay may change on the first day of July 2008 , and on that day every 6th month thereafter. Each date on which my interest rate could change is called a "Change Date."

(B) The Index

Beginning with the first Change Date, my interest rate will be based on an Index. The "Index" is the average of interbank offered rates for 6 month U.S. dollar-denominated deposits in the London market ("LIBOR"), as published in *The Wall Street Journal*. The most recent Index figure available as of the first business day of the month immediately preceding the month in which the Change Date occurs is called the "Current Index."

If the Index is no longer available, the Note Holder will choose a new index that is based upon comparable information. The Note Holder will give me notice of this choice.

(C) Calculation of Changes

Before each Change Date, the Note Holder will calculate my new interest rate by adding Five and One Half percentage points (5.5000%) to the Current Index. The Note Holder will then round the result of this addition to the nearest one-eighth of one percentage point (0.125%). Subject to the limits stated in Section 4(D) below, this rounded amount will be my new interest rate until the next Change Date.

The Note Holder will then determine the amount of the monthly payment that would be sufficient to repay the unpaid principal that I am expected to owe at the Change Date in full on the Maturity Date at my new interest rate in substantially equal payments. The result of this calculation will be the new amount of my monthly payment.

(D) Limits on Interest Rate Changes

The interest rate I am required to pay at the first Change Date will not be greater than 10.3750% or less than 7.3750%. Thereafter, my interest rate will never be increased or decreased on any single Change Date by more than One percentage point(s) (1.0000%) from the rate of interest I have been paying for the preceding 6 months; subject to the following limits: My interest rate will never be greater than 13.3750%, nor less than 7.3750%.

(E) Effective Date of Changes

My new interest rate will become effective on each Change Date. I will pay the amount of my new monthly payment beginning on the first monthly payment date after the Change Date until the amount of my monthly payment changes again.

(F) Notice of Changes

The Note Holder will deliver or mail to me a notice of any changes in my interest rate and the amount of my monthly payment before the effective date of any change. The notice will include information required by law to be given me and also the telephone number of a person who will answer any question I may have regarding the notice.

B. TRANSFER OF THE PROPERTY OR A BENEFICIAL INTEREST IN BORROWER

Uniform Covenant 17 of the Security Instrument is amended to read as follows:

Transfer of the Property or a Beneficial Interest in Borrower. If all or any part of the Property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if exercise is prohibited by federal law as of the date of this Security Instrument. Lender also shall not exercise this option if: (a) Borrower causes to be submitted to Lender information required by Lender to evaluate the intended transferee as if a new loan were being made to the transferee; and (b) Lender reasonably determines that Lender's security will not be impaired by the loan assumption and that the risk of a breach of any covenant or agreement in this Security Instrument is acceptable to Lender.

To the extent permitted by applicable law, Lender may charge a reasonable fee as a condition to Lender's consent to the loan assumption. Lender also may require the transferee to sign an assumption agreement that is acceptable to Lender and that obligates the transferee to keep all the promises and agreements made in the Note and in this Security Instrument. Borrower will continue to be obligated under the Note and this Security Instrument unless Lender releases Borrower in writing.

If Lender exercises the option to require immediate payment in full, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is delivered or mailed within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in pages 1 through 3 of this Adjustable Rate Rider.

LAURIE SEVERANCE (Seal) -Borrower

HOWARD SEVERANCE (Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

(Seal) -Borrower

END OF DOCUMENT

[Sign Original Only]

20 Pgs

GATEWAY TITLE OF MAINE, INC.
21 ATLANTIC PLACE, BLG A
SOUTH PORTLAND, ME 04106

NOTICE OF HEARING

PROCESS OR SERVICE

NANCY E HAMMOND, REGISTER OF DEEDS
Bk 19889 PG 37
Instr # 2026013434
04/23/2026 12:02:00 PM
Pages 1 YORK CO

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
Dangerous Buildings

US BANK NATIONAL ASSOCIATION TRUST
17650 NE SANDY BOULEVARD
PORTLAND, OR 97230

SEVERANCE, LAURIE/HOWARD
607 BRAGDON ROAD
WELLS, ME 04090

26 NASON STREET, SANFORD, MAINE

You are hereby notified that the City Council of the City of Sanford, Maine will hold a hearing on Tuesday, June 2, 2026, the meeting beginning at 6:00 p.m. in City Council Chambers, 919 Main Street, Sanford Maine and by remote methods, pursuant to 1 M.R.S.A. § 403-B(2)(D) and Section 6 of the City Council Rules of Procedure. Video and teleconference remote login information to participate by remote methods will be published on the City website at www.sanfordmaine.org/meetings on and not necessarily before Saturday May 30, 2026.

This hearing is to determine whether the property at 26 Nason Street, identified as Tax Map L28, Lot 56, and further described in a deed recorded in the York County Registry of Deeds at Book ~~14508 Page 697-698~~ and Mortgage recorded at Book 14508, Page 0699-0718 is a dangerous building or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. This hearing is your opportunity to present evidence as to why the property is not a dangerous building or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property. 14854-0109-0136

If the City Council finds that the property is a dangerous building or a nuisance, it may order the nuisance to be immediately abated and the appropriate corrective action taken, including, but not limited to, removal and disposal of the building and property and securing of the property. If the nuisance is not abated and the ordered corrective action is not taken by the City Council's order, and no appeal is taken, the City may abate the nuisance by taking the appropriate corrective action at the City's expense. The City may recover all expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

Attending the hearing and this notice can be discussed with Jamie Cole, Director of Code Enforcement for the City of Sanford prior to the hearing at (207) 324-9145 between the hours of 7:30 AM and 5:30 PM Monday through Thursday.

Dated: April 22, 2026

Susan H. Cote, City Clerk

STATE OF MAINE
YORK, ss

Date: 4-22-2026

Before me this day personally appeared, Susan H. Cote, who acknowledges the forgoing instrument to be her free act and deed.

Notary Public

SEAL

JESSICA LAROSE
NOTARY PUBLIC
State of Maine
My Commission Expires
JUNE 27, 2029

web - City of Sanford

UNITED STATES POSTAL SERVICE®

PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 04/23/2026

CITY OF SANFORD MUNICIPAL GOVERNMENT:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8369 7718 27

Our records indicate that this item was accepted by the USPS at:

USPS IN POSSESSION OF ITEM SANFORD,ME 04073 04/23/2026 12:20

ORIGINAL INTENDED RECIPIENT:

US BANK NATIONAL ASSOCIATION TRUST
17650 NE SANDY BOULEVARD
PORTLAND OR 97230

NOTICE OF HEARING

The above information represents information provided by the United States Postal Service.

UNITED STATES POSTAL SERVICE

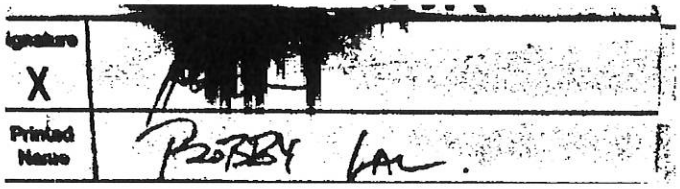
Mailer: City of Sanford Municipal Government

Date Produced: 04/29/2026

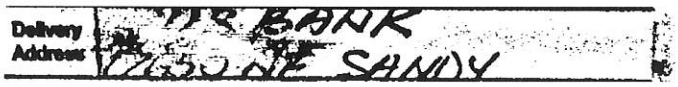
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8369 7718 27. Our records indicate that this item was delivered on 04/28/2026 at 11:19 a.m. in PORTLAND, OR 97230. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

US BANK NATIONAL ASSOCIATION TRUST
17650 NE SANDY BOULEVARD
PORTLAND, OR 97230

Customer Reference Number: C6771815.41426718

UNITED STATES POSTAL SERVICE®

PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 04/23/2026

CITY OF SANFORD MUNICIPAL GOVERNMENT:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8369 7723 29

Our records indicate that this item was accepted by the USPS at:

USPS IN POSSESSION OF ITEM SANFORD,ME 04073 04/23/2026 12:19

ORIGINAL INTENDED RECIPIENT:

LAURIE & HOWARD SEVERANCE
607 BRAGDON ROAD
WELLS ME 04090

NOTICE OF HEARING

The above information represents information provided by the United States Postal Service.

UNITED STATES POSTAL SERVICE

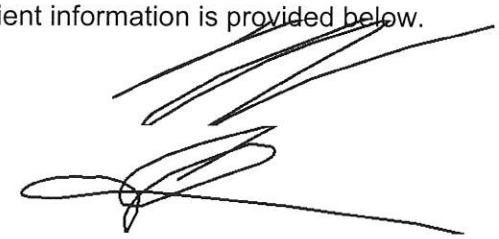
Mailer: City of Sanford Municipal Government

Date Produced: 04/28/2026

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8369 7723 29. Our records indicate that this item was delivered on 04/27/2026 at 03:29 p.m. in WELLS, ME 04090. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 607 BRAGDON RD, WELLS, ME 04090

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

LAURIE & HOWARD SEVERANCE
607 BRAGDON ROAD
WELLS, ME 04090

Customer Reference Number: C6771815.41426719

NOTICE OF DANGEROUS BUILDING HEARING JUNE 2, 2026
CITY OF SANFORD, MAINE

Parties in Interest are hereby notified that the City Council of the City of Sanford, Maine will hold dangerous building hearing on Tuesday, June 2, 2026 the meeting beginning at 6:00 p.m. in City Council Chambers, 919 Main Street, Sanford Maine and by remote methods, pursuant to 1 M.R.S.A. § 403-B(2)(D) and Section 6 of the City Council Rules of Procedure. Video and teleconference remote login information to participate by remote methods will be published on the City website at www.sanfordmaine.org/meetings on and not necessarily before Saturday, May 30, 2026.

26 Nason Street, Tax Map L28, Lot 56 and further described in a deed recorded in the York County Registry of Deeds at Book 14508, Page 697-698 and a mortgage recorded at Book 14508, Page 699-718.

This hearing is to determine whether this property is a dangerous building or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate and are a party in interest's opportunity to present evidence as to why these properties are not a dangerous building or a nuisance and to oppose or consent to any corrective action ordered by the City Council. A party in interest's failure to attend these hearings may result in the waiver of certain rights with regard to this property.

If the City Council finds that the property is a dangerous building or a nuisance, it may order the nuisance to be immediately abated and the appropriate corrective action taken, including, but not limited to, removal and disposal of the building and securing of the property. If the nuisance is not abated and the ordered corrective action is not taken by the City Council's order, and no appeal is taken, the City may abate the nuisance by taking the appropriate corrective action at the City's expense. The City may recover all expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

Parties in interest can discuss attending the hearing and this notice with Michelle LaBree, Assistant City Manager for the City of Sanford prior to the hearing at (207) 608-4104 between the hours of 7:30 AM and 5:30 PM Monday through Thursday.

TURN UP THE VOLUME- Cont'd from pg 6

What's the next step for the Performing Arts Center?' It means a lot to have neighbors and community who understand what we're doing here," Williams said. "We're really grateful for their generosity."

The gift addressed two needs at once. The center's outgoing Soundcraft board was repurposed for the cafetorium at Sanford Middle School, which already had quality ceiling speakers but no way to connect a microphone to them. Pro AV completed the full installation over April vacation, giving the middle school a functioning audio system for the first time.

"This will be a big help for presentations, small assemblies, faculty meetings, parent nights, the talent show, theatre company, and so much more," said Sanford Middle School Principal Joe Mastraccio.

"We kind of hit two targets with one shot," Williams said. "This gift allowed us to fix the deficiencies at the Sanford Middle School Cafeteria at the same time that we're fixing the deficiency with the soundboard at the Performing Arts Center. It was exactly what we needed."

Williams said the new board is the right tool for the job. "This Allen & Heath board is appropriate for what we need, and it does it with excellence. It's what we need to continue the quality of programming that we're bringing here." ●

GOT PHOTOS?

Did you take a photo in Sanford or Springvale that you'd like us to consider for photo of the week?

If so, send it along to ssnews@sanford-springvalenews.com. Tell us where it was taken and provide some descriptive information. Bonus points if you include people doing interesting things around town.

PASSAGES

By Rev Susan Murphy



Gale Delta Bergeron, 74, passed away on Wednesday, March 18, 2026. She was born and grew up in Sanford.

Gale raised her two sons while working hard to provide for them, instilling in them the values of strength, dedication, and hard work. She was a strong, resilient woman whose dedication to her family never wavered. She carried that same love and commitment into her role as a mother, grandmother, and great-grandmother. She cherished being present for her grandchildren, supporting them in school, cheering them on at sporting events, and celebrating every milestone. Her love was steady, selfless, and deeply felt.

Later in life, Gale made her home in Indiana. She lived with her son Chad and his family surrounded by them and her sidekick companion, Mr. Charlie (the family dog).

She was preceded in death by her son, Shawn Bergeron; her parents, Kermit Albright Baltzley and Lois Anne Alexander Baltzley; and her brothers, Steve Baltzley and Glen Baltzley.

She is survived by her son, Chad (Rebecca) Bergeron; her three grandchildren; four great-grandchildren; and her siblings, Sue (Kenneth) Davis, Linda (Colin) Greene, Starr (Ronnie) Cote, and Nancy Baltzley.

Visitation for Gale and her son, Shawn, will be held on Friday, May 8, from 4 to 7 pm at Black-Heald & Walker Funeral Home, 580 Main St. in Springvale.

E.M. Coots' Sons Funeral Home in Jeffersonville, IN, was entrusted with her local arrangements. For more: https://tinyurl.com/mpp9v2k2 ●

INVITATION TO BID
FACADE WORK
SANFORD, MAINE

EQUAL HOUSING OPPORTUNITY

An invitation for sealed bids on façade work at 949 Main Street in Sanford, Maine, a two-story wood structure, will be received at the Sanford Growth Council Office located at 917 Main Street, Sanford, Maine 04073 until 2:00 P.M., local time Monday, May, 11, 2026, and then at said office publicly opened and read aloud.

The work will be funded, in part, through a Community Development Block Grant from the United States Department of Housing and Urban Development, as administered by the State of Maine, Department of Economic and Community Development.

The project involves the sanding, scraping and painting of buildings, light carpentry repair of buildings and signage, demolition and rebuild of side stairs, removal of moss and repair of roof structure.

The Bid Package/Contract Documents may be obtained by contacting the Sanford Regional Economic Growth Council office located at 917 Main Street, Sanford, Maine 04073, or calling 207-608-4176. An Equal Opportunity Employer.

NOTICE OF DANGEROUS BUILDING HEARING
JUNE 2, 2026 CITY OF SANFORD, MAINE

Parties in Interest are hereby notified that the City Council of the City of Sanford, Maine will hold dangerous building hearing on Tuesday, June 2, 2026 the meeting beginning at 6:00 p.m. in City Council Chambers, 919 Main Street, Sanford Maine and by remote methods, pursuant to 1 M.R.S.A. § 403-B(2)(D) and Section 6 of the City Council Rules of Procedure. Video and teleconference remote login information to participate by remote methods will be published on the City website at www.sanfordmaine.org/meetings on and not necessarily before Saturday, May 30, 2026.

26 Nason Street, Tax Map L28, Lot 56 and further described in a deed recorded in the York County Registry of Deeds at Book 14508, Page 697-698 and a mortgage recorded at Book 14508, Page 699-718.
This hearing is to determine whether this property is a dangerous building or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate and are a party in interest's opportunity to present evidence as to why these properties are not a dangerous building or a nuisance and to oppose or consent to any corrective action ordered by the City Council. A party in interest's failure to attend these hearings may result in the waiver of certain rights with regard to this property.

If the City Council finds that the property is a dangerous building or a nuisance, it may order the nuisance to be immediately abated and the appropriate corrective action taken, including, but not limited to, removal and disposal of the building and securing of the property. If the nuisance is not abated and the ordered corrective action is not taken by the City Council's order, and no appeal is taken, the City may abate the nuisance by taking the appropriate corrective action at the City's expense. The City may recover all expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

Parties in interest can discuss attending the hearing and this notice with Michelle LaBree, Assistant City Manager for the City of Sanford prior to the hearing at (207) 608-4104 between the hours of 7:30 AM and 5:30 PM Monday through Thursday.

SCHOOL notes

Compiled by Carolyn Cadigan



A Sanford Middle School JMG student explores a career option at the Sanford Fire Department. Photo: Sanford School Department

JMG connects students to career and college pathways: This spring Sanford Middle School Jobs for Maine Graduates students in grades 7 and 8 took part in career exploration experiences, visiting the Sanford Fire Department, the Center for Wildlife, both the Wells and Sanford campuses of York County Community College, and the newly opened First Responder Training Facility in Alfred. Students were given the opportunity to participate in activities connected to careers in emergency services, environmental science, electrical work and welding. By exposing students to real workplaces and professionals, JMG helps students build confidence, discover new interests, and begin making meaningful connections between their education and their future.

Kindergarten and Pre-K events aim to ease the transition to school: Stop #3 on the Kindergarten Trail is Thursday, May 14, 5 - 6 pm at each of the elementary schools in Sanford. This Playground Exploration event gives parents and incoming kindergarten students a chance to meet the teachers and staff, explore the school playground, meet other students, and learn more about the transition to kindergarten.

A Pre-K Meet and Greet for all incoming Pre-K families is also scheduled for Thursday, May 14, 5 - 6 pm. Parents and incoming students can meet teachers and staff, check out their school, visit a Pre-K classroom, and play on the playground. This event includes the Sanford elementary schools as well as Sanford Regional Technical Center, Sanford-Springvale YMCA, and Kids Kove Childcare & Learning Center. FMI, email spalmer@sanford.org.

Stock market competition has its ups and downs: Again this year, students at Sanford Middle School participated in the statewide SIFMA Stock Market Game, where students are given $100,000 in virtual money to invest in a real-time simulated stock market. Three students finished in the top 11 in Maine — Billy Chaplain in third place, followed by Owen Jutras in sixth and Laila Matthews in 11th. For Chaplain, the path to success had its ups and downs as he held first place about five weeks into the competition, only to have it slip away. It wasn't until near the end of the competition that he decided to invest in Booking.com after seeing that its stock had dropped. That move proved to be wise, rewarding Chaplain with $50,000 when the stock recovered.

After teaching the students how to read the stock charts, Sanford Middle School JMG Specialist Tara Houle had a feeling Chaplain would do well. "He wasn't afraid to take risks on lesser-known stocks if he thought the charts and news about the stock looked good," she said. "No doubt his commitment to researching companies and checking his investments daily were a big part of his success." Chaplain spent around 30 minutes each day checking his portfolio and monitoring stock activity. Regardless of their individual outcomes, the students in the competition improved their financial literacy while experiencing the impact their investment decisions can have on their financial goals.

Scholarship opportunity for green energy careers: If you are pursuing a career in renewable energy, HVAC, electrical technology, sustainability or another green energy field, then you should explore the new Green Futures Scholarship Program, offered through the Sanford Regional Economic Growth Council. The program aims to help build a skilled local workforce by providing financial assistance to Sanford-area students pursuing education or training in green energy fields.

There are two types of awards available – Toolship Awards ($1,000) to offset the cost of tools, equipment, uniforms and safety gear needed for a trade or technical training program; and Training & Education Scholarships ($2,000) to go toward tuition, fees or books needed for a college or certificate program. Preference will be given to Sanford residents, students who attend or plan to attend York County Community College's Center for Excellence in Manufacturing & Trades (CEMT), or students who attend or previously attended the Sanford Regional Technical Center. To learn more, and to apply, visit Green Futures Scholarship. The deadline to apply is May 15. https://tinyurl.com/59dasjxs

Head Start educators celebrated at early childhood event in Augusta: Two York County Head Start staff members were among the early childhood educators recognized in an April event celebrating the Week of the Young Child in Augusta. Brianna Hansen, lead teacher, and Michelle Langlais, Early Head Start education manager, were among those nominated from across the state to celebrate the Week of the Young Child at the Maine State House in Augusta. Every year, the Maine Department of Education Early Learning Team, in collaboration with the Maine DHHS Office of Child and Family Services, celebrates the Week of the Young Child by highlighting outstanding early childhood professionals across the state. Each year, community

Cont'd page 7

NOTICE OF DANGEROUS BUILDING HEARING
JUNE 2, 2026 CITY OF SANFORD, MAINE

Sanford
MAINE

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Voting Has Begun: More on Primary, School Ballots

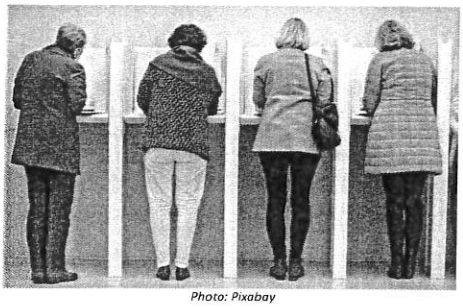


Photo: Pixabay

By Connie Garber

Early in-person voting began Monday in advance of the June 9 primary. Republican and Democratic candidates for several offices are vying for their parties' selection:

- Maine House of Representatives (Districts 141, 142 & 143)
- Maine Senate (District 33)
- Governor
- US House of Representatives (District 1)
- US Senate

These races will be decided with ranked choice voting (RCV), which means voters can state their first, second and third choices (or more, in a crowded field). This allows for an "instant runoff" if no candidate gets more than 50 percent of the vote.

In York County, there are uncontested races for county treasurer and district attorney.

There have been some changes to Maine's primary elections, with the Maine Secretary of State explaining it is now a "semi-open" primary: Maine law allows Unenrolled registered voters – those who have chosen not to enroll in a party – to select a party primary to vote in without enrolling in that party. There are limitations: Unenrolled voters may only vote in one party's primary. And voters who are enrolled in a party may vote only on that party's primary ballot. Qualified parties for Maine elections are: Democratic, Green Independent, Libertarian, and Republican.

Enrolled voters do not have the option to select another party's ballot unless they change enrollment at least 15 days prior to the primary (May 26 for June 9 primary election). When a voter enrolls in a new party, they may not change their party enrollment again for three months unless they move to a new town or city and establish a new voting residence there. (More information is available on the city's website at Upcoming Election Information.)

The other important vote in Sanford is the school budget validation, an opportunity to vote on the proposed budget for the upcoming year. Sample Ballot, and City and School Budget documents are available online on the City of Sanford website, sanfordmaine.org.

There are three main ways to vote.

- In person at Sanford High School on June 9 between 7 am and 8 pm.
- In person at the City Clerk's office from 7:30 am to 5:30 pm, Monday through Thursday. (City offices are closed on Fridays.)
- By absentee ballot. More information is available from the Secretary of State's office, State of Maine Online Absentee Ballot Request & Tracking Service. ●

NOTICE OF DANGEROUS BUILDING HEARING JUNE 2, 2026 CITY OF SANFORD, MAINE

Sanford MAINE

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NEWS NOTES - Cont'd from pg 1

Wire transfer scam alert: PeoplesChoice Credit Union recently posted a fraud alert regarding wire transfer scams. The credit union shared on social media that scammers are posing as tech support staff and convincing people to wire money to "new accounts" with their own name. In reality, however, the money is sent to accounts that are controlled by fraudsters. According to the credit union, warning signs include pop-ups or calls that claim your account is compromised, urgent instructions that require you to move money, and requests to wire funds to another bank, even if the account is in your name. If you suspect suspicious activity, contact your credit union directly.

For May, the city's Comprehensive Plan looks at quality of life: Each month, the City of Sanford shares a few short Questions of the Month as part of the Comprehensive Plan update. These questions are designed to gather your ideas, priorities, and vision for the community, so your voice helps guide decisions about land use, development, parks, roads, sidewalks, and more over the next 20 years. For May, the three questions address the quality of life in Sanford and your vision for the future.

Responses will be used to inform the plan's vision statement, which describes shared hopes and priorities. It's forward-looking and aspirational, reflecting shared values and how community members live, work, connect, and enjoy life in Sanford. Your input will help ensure the vision truly represents the community's values and guides future goals, policies, and actions. Share your feedback at https://tinyurl.com/3c3haezz through May 31.

Be a "home away from home" for a Mainers player: The Sanford Mainers are looking for families to host a player during the upcoming season. This is an opportunity to support a student-athlete, build lasting relationships, and become part of the player's journey — both on and off the field. Many host families say it has become one of the most rewarding parts of their summer. To learn more about becoming a host family, contact the organization at hostfamily@sanfordmainers.com.

Pride Picnic festivities: The Sanford Pride Picnic is scheduled for Sunday, June 7, noon - 3 pm at Gowen Park. Meet local LGBTQ+ organizations and allied services, have a free lunch, and enjoy music and drag performers while connecting with the community in pride and solidarity. This event is free.

Put your summer luck to the test: The Oldtimers' Shop is holding a Fun in the Summer raffle. The list of items to win continues to grow. So far, a charcoal grill, grill accessories and a beach bag top the list. Tickets cost $1 per ticket or $5 for 6 tickets. The drawing will be held on July 18. Visit the shop at 917 Main St. in Sanford to purchase tickets. ●

Michelle A. LaBree

From: Andrew Schaefer <Andrew.Schaefer@brockandscott.com>
Sent: Thursday, May 7, 2026 3:29 PM
To: Michelle A. LaBree
Subject: RE: Dangerous Property Hearing- 26 Nason Street

EXTERNAL
This e-mail originated from outside of the City of Sanford E-mail System. **Do Not** click links or open attachments unless you recognize the sender address and know the content is safe.

Thanks Michelle for the info. We'll look into it ASAP

Andrew Schaefer
Managing Attorney
Foreclosure
844-856-6646

From: Michelle A. LaBree <malabree@sanfordmaine.org>
Sent: Thursday, May 7, 2026 1:57 PM
To: Andrew Schaefer <Andrew.Schaefer@brockandscott.com>
Subject: Dangerous Property Hearing- 26 Nason Street

You don't often get email from malabree@sanfordmaine.org. Learn why this is important

Good Afternoon Mr. Schaefer,

I understand that you handle the foreclosures for US Bank and we recently notified them of a property that is going to City Council next month for a hearing under 17 MRSA 2851-2859 Dangerous Buildings: 26 Nason Street here in Sanford.

This email is to provide you awareness of the hearing and an opportunity to attend if you so choose.

If there are any rehabilitation or sale plans underway with regards to this property, please let me know as soon as able. I do prepare a packet for the Council's consideration a few days out, so any materials would need to be rec'd by May 30th if they wish to be included otherwise we can have discussions during the hearing.

Thank you,

Sanford
MAINE

Michelle LaBree
Assistant City Manager
The City of Sanford
(207) 608-4104
919 Main Street, Sanford, ME 04073
www.sanfordmaine.org

DISCLAIMER: This e-mail, and any file or attachment transmitted with it, is only intended for the use of the person and/or entity to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient or otherwise responsible for delivering the message to the intended recipient, be

CITY CORRESPONDENCE

City of Sanford, Maine
Land Bank Authority
919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4127

Sanford Maine
Explore. Create. Grow.

VIA EMAIL, FIRST CLASS MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jan 23, 2019

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090-6615

ORDER TO VACATE

26 Nason St, SANFORD, ME (TAX MAP L28-56)

Dear Mr. & Mrs. Severance,

Pursuant to the Notice of Violation and Order to Correct attached hereto, dated August 21, 2019 and January 23, 2020 by Jeannie Wood, Code Enforcement Officer/Constable and pursuant to City Code § 90-13, 2015 International Property Maintenance Code (IPMC) §§ 105.1, 105.2, 105.4, 107.1, 107.3, 108.3, the person responsible for the property at 26 Nason St, SANFORD, ME (TAX MAP L28-56) is hereby noticed that the property is condemned as unfit for human occupancy or use and must be secured. This notice will also be posted at conspicuous locations at the property.

YOU ARE HEREBY ORDERED TO VACATE AND SECURE THE PROPERTY ON OR BEFORE MARCH 18, 2020.

Pursuant to City Code § 90-13 2015 IPMC 108.5, it is unlawful for any person to occupy or use the condemned property after that date. You may not occupy or use the property again until repairs are made to the approval of the Code Enforcement Officer of a design satisfactory and in compliance with provisions of the Code, and that the materials, methods, or work is, for the purpose intended and of quality, strength, effectiveness, fire resistance, durability, and safety.

Pursuant to City Code § 90-13 2015 IPMC 107.6, it is unlawful for the owner of a structure who has received a compliance order or notice of violation to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Any person who violates the provision of City Code and who fails to comply therewith, or with any of the requirements of repairing the property, shall be penalized not less than $100 and not more than $2,500 for each specific violation, and subject to other remedies, injunctive relief and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to

the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that any violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The City Council may also hold a hearing and determine whether the building is dangerous or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859. If the City Council finds that the building is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to securing the structure, demolition, and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.
You may appeal this Order and request a hearing before State of Maine Superior Court within 30 days of the receipt of this notice. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,



Jeannie Wood, Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4127
jwood@sanfordmaine.org

City of Sanford, Maine

Land Bank Authority

919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4133

Sanford Maine
Explore. Create. Grow.

VIA FIRST CLASS MAIL

Aug 21, 2019

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090-6615

NOTICE OF VIOLATION, ORDER TO CORRECT

INSPECTION: 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

Dear SEVERANCE LAURIE/HOWARD,

On Aug 21, 2019, the City of Sanford inspected this property and found VIOLATIONS listed on this notice pursuant to City Code §90-13 et seq., City Code §149-5.1 et seq., City Code §149-6.1 et seq., City Code §220 et seq. and City Code §280 which you are hereby ORDERED TO CORRECT by the DATE FOR COMPLIANCE listed. You must sign and return the CERTIFICATION to the Code Enforcement Office no later than 10 business days from the receipt of this Notice. If you require additional time to correct the violations due to a substantial hardship, you must contact the Code Enforcement Office to request additional time, within 10 business days. If you have not remedied the violations by the date for compliance listed or have not been approved for a compliance time extension, the City of Sanford will take actions as deemed necessary to remedy the violations and recover the City's direct, legal and administrative cost from you.

FAILURE TO SIGN AND RETURN THIS NOTICE ON TIME OR CORRECT ALL VIOLATIONS WITHIN THE APPLICABLE TIMEFRAME WILL RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.

Any person who violates a provision of City Code and who fails to comply therewith, or with any of the requirements thereof, shall be penalized in the amount of $500 for unlicensed activity and penalized not less than $100 and not more than $2,500 for each specific violation, and other remedies, injunctive relief, and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that a license be obtained for the rental housing and any other violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.

You may appeal this Order and request a hearing before the City of Sanford Board of Appeals by filing a written petition at the Code Enforcement Office within 30 days of the receipt of this notice. This petition shall be submitted on a form provided by the Code Enforcement Office along with the appeal fee. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,

Jeannie Wood , Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4127
jwood@sanfordmaine.org

NOTICE OF VIOLATION, ORDER TO CORRECT (CONTINUED)

INSPECTION: Aug 21, 2019, 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

VIOLATIONS	CORRECTIVE ACTION REQUIRED	DATE FOR COMPLIANCE
UNIT A		
City Code §90-13.5 2015 IPMC 704.2 Smoke alarms. Single or multi-station smoke alarms shall be installed and maintained in accordance with the National Fire Protection Association Codes as per Chapter 128, Fire Protection, Article IV, Adoption of Codes, of the Ordinances of the City of Sanford.	Replace missing smoke alarms.	Sep 21, 2019
City Code §90-13.5 2015 IPMC 703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.	Drywall around sprinkler head in closet is missing. Provide fire resistance to that area. Submit to this office a copy of the label of the product used.	Aug 21, 2021
UNIT B – WE WERE UNABLE TO INSPECT THIS UNIT BECAUSE LANDLORD DID NOT HAVE KEY. CONTACT THIS OFFICE WITHIN 10 DAYS TO RESCHEDULE AN INSPECTION OF THIS UNIT.		
UNIT C		
City Code §90-13.5 2015 IPMC 305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.	All surfaces in unit must be cleaned. **THIS UNIT MUST BE RE-INSPECTED IN 30 DAYS.**	Sep 21, 2019
City Code §90-13.5 2015 IPMC 703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.	Replace cracked ceiling tile in living room.	Nov 21, 2019
City Code §90-13.5 2015 IPMC 305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.	Repair/replace broken bedroom door.	Oct 21, 2019
UNIT D		
City Code §90-13.5 2015 IPMC 302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.	Back deck cannot be used for pet elimination. Clean and sanitize. **BACK DECK MUST BE RE-INSPECTED WITHIN 30 DAYS TO VERIFY CLEANLINESS.**	Sep 14, 2019
EXTERIOR		
City Code §90-13.5 2015 IPMC 308.1 Accumulation of rubbish or garbage. Exterior	Remove all trash, rubbish and debris on side of building.	Sep 21, 2019

NOTICE OF VIOLATION, ORDER TO CORRECT (CONTINUED)

INSPECTION: Aug 21, 2019, 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

VIOLATIONS	CORRECTIVE ACTION REQUIRED	DATE FOR COMPLIANCE
property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.		
City Code §90-13.5 2015 IPMC 304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Front deck system shows signs of deterioration and movement. Must be evaluated by structural engineer and repaired with building permit.	Oct 21, 2019
BOILER ROOM City Code §90-13.5 2015 IPMC 603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.	Provide to this office the most recent copy of invoice/service report for heating system from a licensed solid fuel technician.	Oct 21, 2019
City Code §128-25.A.2 2009 NFPA 101 7.8.1.2 Illumination of Egress: General: Illumination of means of egress shall be continuous during the time that the conditions of occupancy require that means of egress be available for use, unless otherwise provided in 7.8.1.2.2.	Install continuous lighting at ALL exits to provide lighted path from door to public way.	Aug 21, 2022
City Code §90-13.5 2015 IPMC 704.1.1. Automatic sprinkler systems. Inspection, testing, and maintenance of automatic sprinkler systems shall be in accordance with applicable the National Fire Protection Association Codes as per Chapter 128, Fire Protection, Article IV, Adoption of Codes, of the Ordinances of the City of Sanford.	Provide copy of most recent sprinkler inspection and testing report.	Sep 21, 2019

CERTIFICATION

INSPECTION: Aug 21, 2019, 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

I agree to remedy the violations listed in this notice by the date for compliance provided. If I require additional time to comply, I understand I must contact the Code Enforcement Office ten days prior to the compliance date to request an extension, which is entirely within the Code Enforcement Officer's discretion to grant or deny. If I fail to comply with this agreement, I understand I am liable for penalties pursuant to the City of Sanford City Code §90-13 et seq., City Code §149-5.1 et seq., City Code §149-6.1 et seq., City Code §220 et seq. and City Code §280 and 30-A M.R.S.A. §§ 4452 and 3758-A and 17 M.R.S.A. §§ 2851-2859.

Date: _____ Signature: _____

Name: _____

City of Sanford, Maine
Land Bank Authority
919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4127

Sanford Maine
Explore. Create. Grow.

VIA EMAIL, FIRST CLASS MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED

Nov 13, 2019

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090-6615

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Dear Mr. & Mrs. Severance,

Pursuant to the Notice of Violation and Order to Correct attached hereto, dated August 21, 2019 by Jeannie Wood, Code Enforcement Officer/Constable and pursuant to City Code § 90-13, 2015 International Property Maintenance Code (IPMC) §§ 105.1, 105.2, 105.4, 107.1, 107.3, 108.3, the person responsible for the property at 26 Nason St, SANFORD, ME (TAX MAP L28-56) is hereby noticed that the property is condemned as unfit for human occupancy or use and must be secured. This notice will also be posted at conspicuous locations at the property.

YOU ARE HEREBY ORDERED TO VACATE AND SECURE THE PROPERTY ON OR BEFORE FEBRUARY 13, 2020.

Pursuant to City Code § 90-13 2015 IPMC 108.5, it is unlawful for any person to occupy or use the condemned property after that date. You may not occupy or use the property again until repairs are made to the approval of the Code Enforcement Officer of a design satisfactory and in compliance with provisions of the Code, and that the materials, methods, or work is, for the purpose intended and of quality, strength, effectiveness, fire resistance, durability, and safety.

Pursuant to City Code § 90-13 2015 IPMC 107.6, it is unlawful for the owner of a structure who has received a compliance order or notice of violation to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Any person who violates the provision of City Code and who fails to comply therewith, or with any of the requirements of repairing the property, shall be penalized not less than $100 and not more than $2,500 for each specific violation, and subject to other remedies, injunctive relief and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to

the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that any violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The City Council may also hold a hearing and determine whether the building is dangerous or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859. If the City Council finds that the building is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to securing the structure, demolition, and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.
You may appeal this Order and request a hearing before State of Maine Superior Court within 30 days of the receipt of this notice. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,



Jeannie Wood, Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4127
jwood@sanfordmaine.org

City of Sanford, Maine

Land Bank Authority

919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4133

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VIA EMAIL, FIRST CLASS MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED
Jan 23, 2020

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090-6615

NOTICE OF VIOLATION, ORDER TO CORRECT

INSPECTION: 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

Dear SEVERANCE LAURIE/HOWARD,

On Aug 21, 2019 and Jan 22, 2020, the City of Sanford inspected this property and found VIOLATIONS listed on this notice pursuant to City Code §90-13 et seq., City Code §149-5.1 et seq., City Code §149-6.1 et seq., City Code §220 et seq. and City Code §280 which you are hereby ORDERED TO CORRECT by the DATE FOR COMPLIANCE listed. You must sign and return the CERTIFICATION to the Code Enforcement Office no later than 10 business days from the receipt of this Notice. If you require additional time to correct the violations due to a substantial hardship, you must contact the Code Enforcement Office to request additional time, within 10 business days. If you have not remedied the violations by the date for compliance listed or have not been approved for a compliance time extension, the City of Sanford will take actions as deemed necessary to remedy the violations and recover the City's direct, legal and administrative cost from you.

FAILURE TO SIGN AND RETURN THIS NOTICE ON TIME OR CORRECT ALL VIOLATIONS WITHIN THE APPLICABLE TIMEFRAME WILL RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.

Any person who violates a provision of City Code and who fails to comply therewith, or with any of the requirements thereof, shall be penalized in the amount of $500 for unlicensed activity and penalized not less than $100 and not more than $2,500 for each specific violation, and other remedies, injunctive relief, and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that a license be obtained for the rental housing and any other violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.

You may appeal this Order and request a hearing before the City of Sanford Board of Appeals by filing a written petition at the Code Enforcement Office within 30 days of the receipt of this notice. This petition shall be submitted on a form provided by the Code Enforcement Office along with the appeal fee. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,

Jeannie Wood , Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4127
jwood@sanfordmaine.org

NOTICE OF VIOLATION, ORDER TO CORRECT (CONTINUED)

INSPECTION: Aug 21, 2019, 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

VIOLATIONS	CORRECTIVE ACTION REQUIRED	DATE FOR COMPLIANCE
City Code §90-13.5 2015 IPMC 304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	1. Front deck system shows signs of deterioration and movement. Must be repaired with building permit to engineer design.	Mar 18, 2020
	2. Lack of handrail at front deck system. Must be installed to Code.	Mar 18, 2020

THIS BUILDING WILL BE VACATED ON MARCH 18, 2020 IF THE ABOVE ITEMS ARE NOT CORRECTED.

CERTIFICATION

INSPECTION: Aug 21, 2019, 26 NASON ST, SANFORD, ME (TAX MAP L28-56)

I agree to remedy the violations listed in this notice by the date for compliance provided. If I require additional time to comply, I understand I must contact the Code Enforcement Office ten days prior to the compliance date to request an extension, which is entirely within the Code Enforcement Officer's discretion to grant or deny. If I fail to comply with this agreement, I understand I am liable for penalties pursuant to the City of Sanford City Code §90-13 et seq., City Code §149-5.1 et seq., City Code §149-6.1 et seq., City Code §220 et seq. and City Code §280 and 30-A M.R.S.A. §§ 4452 and 3758-A and 17 M.R.S.A. §§ 2851-2859.

Date: _____ Signature: _____

Name: _____

City of Sanford, Maine
Land Bank Authority
919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4127

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May 27, 2020

OCCUPANT, APT D
26 NASON ST
SANFORD, ME 04073

Re: 26 NASON ST, SANFORD, ME - Map L28-56

Dear APT D OCCUPANT,

This is to inform you that your landlords, LAURIE & HOWARD SEVERANCE, do not hold a Rental License for the property located at 26 NASON ST, SANFORD, ME 04073. Rental property owners were required to obtain a Rental License by December 31, 2019 according to City Ordinance Chapter 149, Article V.

We have reached out to LAURIE & HOWARD SEVERANCE to obtain the proper license and inspections so that their ability to rent out this and other units does not become hindered. We wanted to make you aware of this, and we hope that LAURIE & HOWARD SEVERANCE will contact the City of Sanford to complete the Rental License process.

Please contact me if you have any questions or concerns regarding this matter

Sincerely,

Jeannie Wood, Code Enforcement Officer/Constable
City of Sanford, Maine
919 Main Street
Sanford, ME 04073
207-608-4127
jwood@sanfordmaine.org

City of Sanford, Maine
Code Enforcement Office
919 Main Street
SANFORD, MAINE 04073-3589
(207) 608-4133 FAX (207) 324-9166

November 17, 2025

SENT FIRST CLASS MAIL

LAURIE/HOWARD SEVERANCE
607 BRAGDON RD
WELLS, ME 04090

UNIT C – CURRENT OCCUPANT
26 NASON ST UNIT C
SANFORD, ME 04073

RE: Property at 26 Nason St (Tax Map L27-59)
NOTICE OF VIOLATION

Dear Property Owner:

The Codes Enforcement Office completed an inspection at 26 Nason St (Tax Map L28-56). Our inspection of the property on November 17, 2025 found the following violations of the City of Sanford Ordinance.

- **Unit C – Unsanitary conditions. Dirty counters, floors, walls in all rooms.** City Code §90-13.5 2015 IPMC 305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.
- **Various insects and flies in kitchen.** City Code §90-13.5 2015 IPMC 309.1 Infestation. Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.
- **Unit C unfit for human occupancy due to insanitary conditions.** City Code §90-13.5 2015 IPMC 108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which

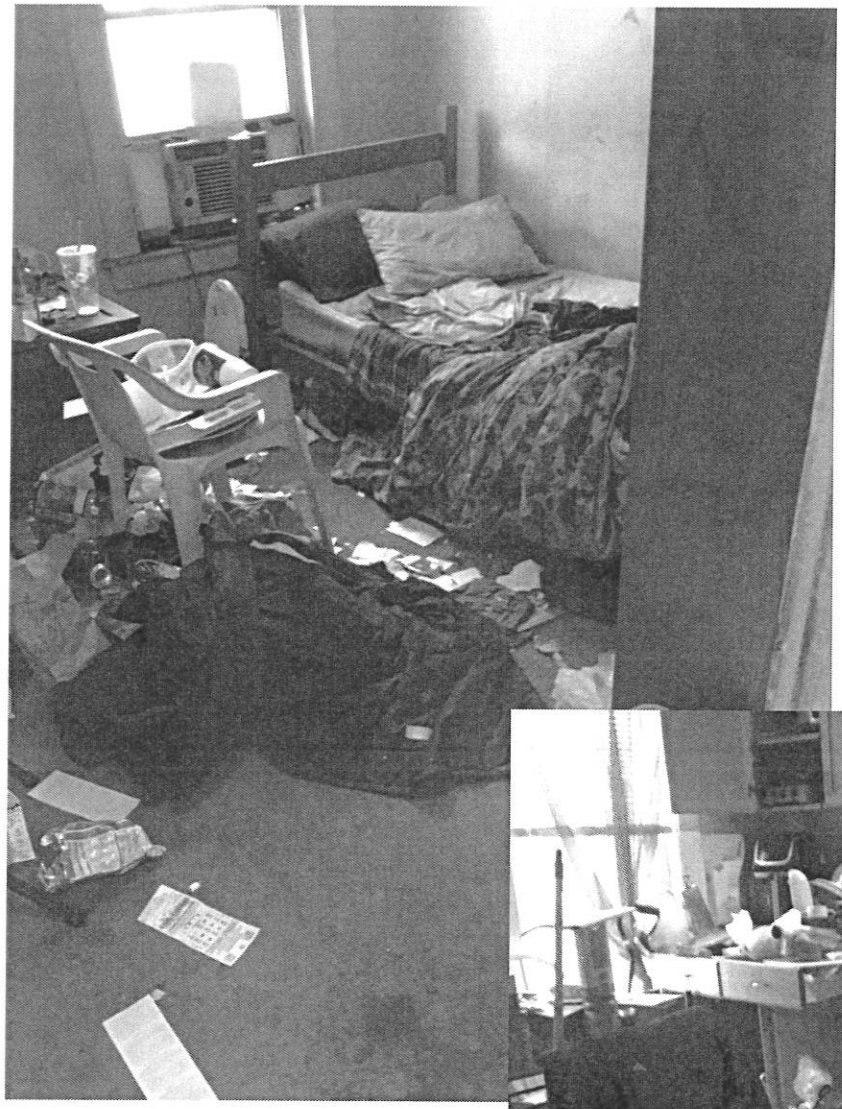
the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

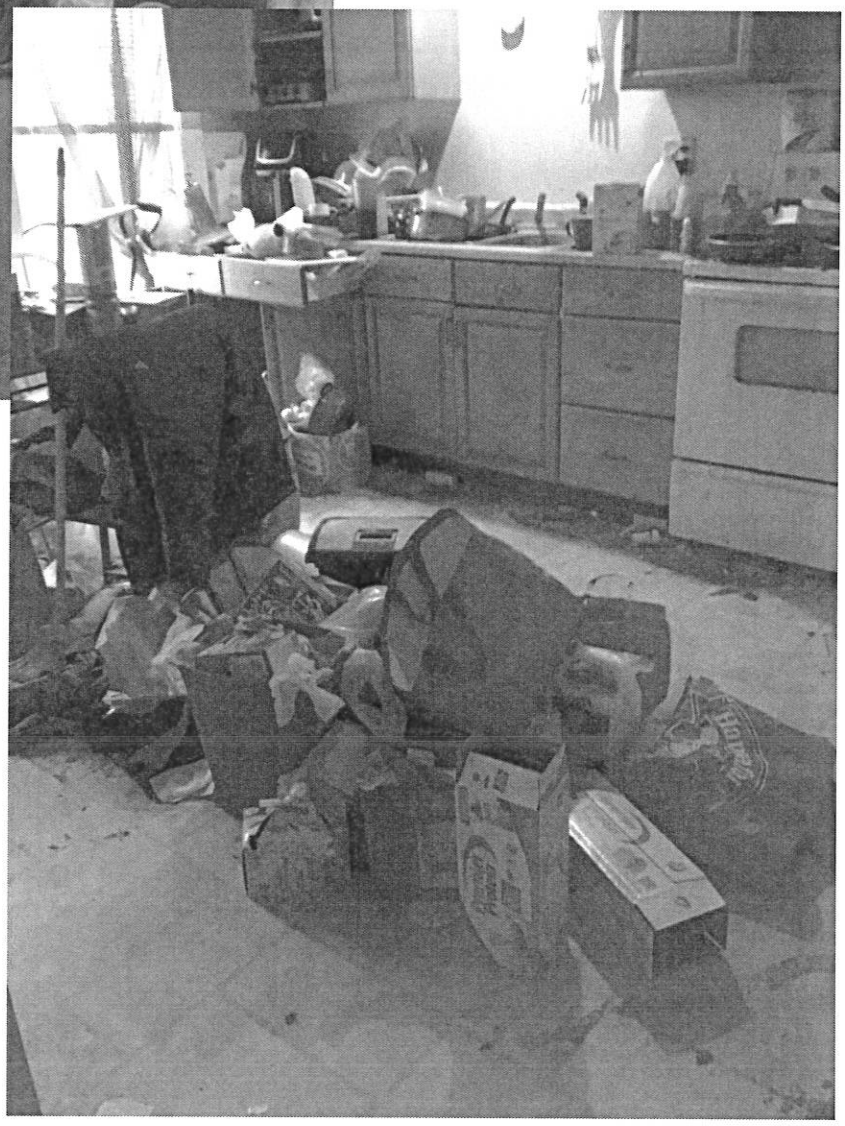
- **Unit C – Order to Vacate (see compliance date)** City Code §90-13.5 2015 IPMC 108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.
- **Unit C - Missing carbon alarm.** City Code §90-13.5 2015 IPMC 704.3 Carbon monoxide alarms. Single or multi-station carbon monoxide alarms shall be installed and maintained in accordance with the National Fire Protection Association Codes as per Chapter 128, Fire Protection, Article IV, Adoption of Codes, of the Ordinances of the City of Sanford.
- **Unit C - Missing smoke alarm. -** City Code §90-13.5 2015 IPMC 704.2 Smoke alarms. Single or multi-station smoke alarms shall be installed and maintained in accordance with the National Fire Protection Association Codes as per Chapter 128, Fire Protection, Article IV, Adoption of Codes, of the Ordinances of the City of Sanford.

Correct all of the above violations on or before December 17, 2025. Failure to comply may also result in fines per local code and State statute. Copies of all ordinances and statutes cited herein are available for review at the Codes Enforcement Office. If you have any questions, or wish to schedule an inspection, please call the Office at (207) 324-9145.
You may appeal this Order and request a hearing before the City Board of Appeals by filing a written petition at the Code Enforcement Office within 30 days of the receipt of this Notice.

Sincerely,

Aaron Lederer
Codes Enforcement Officer/Constable
207-608-4128
allederer@sanfordmaine.org





City of Sanford, Maine
Land Bank Authority
919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4127

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VIA FIRST CLASS MAIL

12/17/2025

LAURIE/HOWARD SEVERANCE
607 BRAGDON RD
WELLS, ME 04090

ORDER TO VACATE/ PROHIBITED FROM OCCUPANCY

26 NASON ST – (Tax Map L28-56)

Dear LAURIE/HOWARD SEVERANCE,

Pursuant to the Notice of Violation and Order to Correct attached hereto, dated November 17, 2025 by Aaron Lederer, Code Enforcement Officer/Constable and Pursuant to City Code § 90-13, 2015 International Property Maintenance Code (IPMC) §§ 105.1, 105.2, 105.4, 107.1, 107.3, 108.3, the person responsible for the property 26 NASON ST – (Tax Map L28-56) is hereby noticed that the property is prohibited from occupancy or use and must be secured. This notice will also be posted at conspicuous locations at the property.

YOU ARE HEREBY ORDERED TO VACATE AND SECURE THE PROPERTY ON OR BEFORE DECEMBER 17, 2025

Pursuant to City Code § 90-13 2015 IPMC 108.5, it is unlawful for any person to occupy or use the property after that date. You may not occupy or use the property again until repairs are made to the approval of the Code Enforcement Officer of a design satisfactory and in compliance with provisions of the Code, and that the materials, methods, or work is, for the purpose intended and of quality, strength, effectiveness, fire resistance, durability, and safety.

Pursuant to City Code § 90-13 2015 IPMC 107.6, it is unlawful for the owner of a structure who has received a compliance order or notice of violation to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Any person who violates the provision of City Code and who fails to comply therewith, or with any of the requirements of repairing the property, shall be penalized not less than $100 and not more than $2,500 for each specific violation, and subject to other remedies, injunctive relief and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to

the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that any violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The City Council may also hold a hearing and determine whether the building is dangerous or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859. If the City Council finds that the building is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to securing the structure, demolition, and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.
You may appeal this Order and request a hearing before State of Maine Superior Court within 30 days of the receipt of this notice. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,

Aaron Lederer, Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4128
alllederer@sanfordmaine.org

City of Sanford, Maine
Land Bank Authority
919 MAIN STREET, SANFORD, MAINE 04073
(207) 608-4127

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VIA FIRST CLASS MAIL & CERTIFIED MAIL

03/31/2026

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090

US BANK NATIONAL ASSOCIATION TRUST
17650 NE SANDY BOULEVARD
PORTLAND, OR 97230

ORDER TO VACATE/ PROHIBITED FROM OCCUPANCY

26 NASON ST ALL UNITS – (Tax Map L28-56)

Dear LAURIE/HOWARD SEVERANCE,

Pursuant to the Notice of Violation and Order to Correct attached hereto, dated November 17, 2025 by Aaron Lederer, Code Enforcement Officer/Constable and Pursuant to City Code § 90-13, 2015 International Property Maintenance Code (IPMC) §§ 105.1, 105.2, 105.4, 107.1, 107.3, 108.3, the person responsible for the property 26 NASON ST (ALL UNITS) – (Tax Map L28-56) is hereby noticed that the property is prohibited from occupancy or use and must be secured. This notice will also be posted at conspicuous locations at the property.

YOU ARE HEREBY ORDERED TO VACATE AND SECURE THE PROPERTY ON OR BEFORE APRIL 31, 2026

Pursuant to City Code § 90-13 2015 IPMC 108.5, it is unlawful for any person to occupy or use the property after that date. You may not occupy or use the property again until repairs are made to the approval of the Code Enforcement Officer of a design satisfactory and in compliance with provisions of the Code, and that the materials, methods, or work is, for the purpose intended and of quality, strength, effectiveness, fire resistance, durability, and safety.

Pursuant to City Code § 90-13 2015 IPMC 107.6, it is unlawful for the owner of a structure who has received a compliance order or notice of violation to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Any person who violates the provision of City Code and who fails to comply therewith, or with any of the requirements of repairing the property, shall be penalized not less than $100 and not more than $2,500 for each specific violation, and subject to other remedies, injunctive relief and costs as set forth in accordance with 30-A M.R.S.A. § 4452. Each day during which a violation of said code continues, 10 days after notification by the Code Official, shall constitute a separate offense. In lieu of or in addition to

the issuance of a citation for the violations listed in this notice, a land use complaint may be initiated pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 and § 3758-A. A judgement from such a lawsuit in the City's favor will result in a court order that any violations be abated; the imposition of a penalty of not less than $100 per day for each specific violation; and the payment of court costs and the City's legal fees.

The City Council may also hold a hearing and determine whether the building is dangerous or a nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859. If the City Council finds that the building is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to securing the structure, demolition, and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorney's fees and costs, by means of special tax or civil action.

The above referenced City Codes are available for review at the Code Enforcement Office or at www.sanfordmaine.org/citycode. Contact the Code Enforcement Officer with any questions.
You may appeal this Order and request a hearing before State of Maine Superior Court within 30 days of the receipt of this notice. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Order in any further legal proceedings.

Sincerely,

Aaron Lederer, Code Enforcement Officer/Constable
Sanford Land Bank Authority
919 Main St., Sanford ME 04073
207-608-4128
alllederer@sanfordmaine.org

Sanford
LAND BANK AUTHORITY

Land Bank Authority
919 Main Street
Sanford, ME 04073
housing@sanfordmaine.org

SENT VIA FIRST CLASS MAIL & CERTIFIED MAIL

3/31/2026

SEVERANCE LAURIE/HOWARD
607 BRAGDON RD
WELLS, ME 04090

US BANK NATIONAL ASSOCIATION TRUST
17650 NE SANDY BOULEVARD
PORTLAND, OR 97230

RE: 26 NASON ST (TAX MAP: L28, LOT 56)

NOTICE OF VIOLATION

Dear Property Owner/Manager:

Our inspection of the property on 3/31/2026 found the following violations of local code.

Exterior

- **ALL UNITS MUST BE VACATED DUE TO SANITATION AND THE LACK OF ESSENTIAL EQUIPMENT.** City Code §90-13.5 2015 IPMC 108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
- **LACKS WATER SERVICE, WATER SUPPLY TURNED OFF -** City Code §90-13.5 2015 IPMC 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous: 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- **REQUIRED FIRE PROTECTION SYSTEM IS NOT FUNCTIONAL -** City Code §90-13.5 2015 IPMC 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous: 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

- **UNITS C & D ARE NOT SECURED, BROKEN LOCKS AND EXTERIOR DOORS -** City Code §90-13.5 2015 IPMC 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous: 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- **PEOPLE AND DOGS FOUND IN UNIT ALREADY PROHIBITED FROM OCCUPANCY. SEE PREVIOUS NOTICE OF VIOLATIONS.** City Code §90-13.5 2015 IPMC 108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.
- **LARGE PILES OF TRASH AND RUBBISH INCLUDING FECES AND DISCARDED NEEDLES.** City Code §90-13.5 2015 IPMC 308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Please correct all of the above violations on or before 4/31/2026. Failure to comply may also result in fines per local code and State statute. Copies of all ordinances and statutes cited herein are available for review at the Codes Enforcement Office. If you have any questions, or wish to schedule an inspection, please call the Office at (207) 608-4133.You may appeal this Order and request a hearing before the City Board of Appeals by filing a written petition at the Code Enforcement Office within 30 days of the receipt of this Notice.

Sincerely,

Aaron Lederer
Code Enforcement Officer/Constable
Sanford, Maine 04073
Office: 207-608-4128
alllederer@sanfordmaine.org



26 NASON STREET




26

















26 Nason St

Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2026 05 20 1203	ASSIST CITIZEN	Services Rendered	26-45831		N
	2026 05 17 1808	INTOXICATED/INCAPACITATED SUBJ	Investigated	26-44845		N
A	2026 05 03 1537	DISTURBANCE - 2 man call	Could Not Locate	26-40139		N
	2026 04 29 0712	WELFARE CHECK	Investigated	26-38718		N
C	2026 04 28 1856	SUSPICIOUS ACTIVITY	No Action Taken	26-38586	2268	N
	2026 04 25 1627	EMD IN PROGRESS	Transported to Hospital	26-37558		N
C	2026 04 25 0233	INTEL	Will Check On Patrol	26-37371	2268	N
	2026 04 24 0518	DRUG INCIDENTS	Unfounded	26-37062		N
	2026 04 23 1556	SUSPICIOUS ACTIVITY	Could Not Locate	26-36900		N
A	2026 04 21 1124	TERRORIZING/THREATENING	Completed	26-36053		N
	2026 04 20 0930	TERRORIZING/THREATENING	Services Rendered	26-35684		N
B	2026 04 20 0251	Trespassing	Services Rendered	26-35574		N
	2026 04 19 0303	Mental Health Support	Transported to Hospital	26-35312	2268	N
	2026 04 17 2329	DISTURBANCE - 2 man call	Unfounded	26-34999		N
C	2026 04 17 2202	Assist Other Agency - Police	No Action Taken	26-34978	2268	N
	2026 04 06 1748	FOLLOW-UP INVESTIGATION	Completed	26-31044		N
A	2026 04 06 0418	DISTURBANCE - 2 man call	report taken	26-30795		N
D	2026 04 04 0039	INTEL	No Action Taken	26-30282	612	N
	2026 04 01 1121	Trespassing	Services Rendered	26-29327		N
	2026 03 31 1458	COMPLAINT	Services Rendered	26-29105		N
C	2026 03 27 0934	Mental Health Support	Completed	26-27686	2268	N
	2026 03 26 2347	INTEL	Will Check On Patrol	26-27569		N
A	2026 03 24 2309	DOMESTIC DISTURBANCE - 2 man	Investigated	26-26892		N
A	2026 03 18 1737	TERRORIZING/THREATENING	report taken	26-24926		N
A	2026 03 18 1105	Trespassing	Could Not Locate	26-24810		N
C	2026 03 12 1920	Trespassing	Services Rendered	26-22856	2268	N
	2026 03 10 1208	SUSPICIOUS ACTIVITY	Investigated	26-22013		N
C	2026 03 06 1726	INTEL	No Action Taken	26-20795	2268	N
	2026 03 02 1356	SUSPICIOUS ACTIVITY	Could Not Locate	26-19465		N
	2026 02 28 2224	ASSAULT IN PROGRESS - 2 UNITS	Could Not Locate	26-18977	2268	N
D	2026 02 26 1320	BURGLARY IN PROGRESS - 2 UNITS	Investigated	26-18117	612	N
D	2026 02 25 1917	DISTURBANCE - 2 man call	Investigated	26-17890	612	N
	2026 02 24 1755	BUILDING/AREA CHECK	Investigated	26-17510		N
C	2026 02 20 2246	Trespassing	No Action Taken	26-16439	2268	N
B	2026 02 20 1834	DISTURBANCE - 2 man call	Investigated	26-16387		N
	2026 02 19 2059	SUSPICIOUS ACTIVITY	Investigated	26-16051		N
	2026 02 18 1141	Assist Other Agency - Other	Completed	26-15540		N
	2026 02 18 0156	SUSPICIOUS ACTIVITY	Services Rendered	26-15408		N
A	2026 02 17 1305	Trespassing	Investigated	26-15253		N
C	2026 02 07 1850	Trespassing	Services Rendered	26-12079	2268	N

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Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
C	2026 02 05 1911	BURGLARY IN PROGRESS - 2 UNITS	Investigated	26-11438	2268	N
	2026 02 05 1617	DRUG INCIDENTS	Investigated	26-11382		N
C	2026 02 05 1545	Trespassing	Could Not Locate	26-11379	2268	N
C	2026 02 05 1104	Mental Health Support	Transported to Hospital	26-11293	2268	N
C	2026 02 05 0952	Assist Other Agency - Police	Arrest(s) Made	26-11272	2268	N
C	2026 02 02 1856	FOLLOW-UP INVESTIGATION	Services Rendered	26-10449	2268	N
C	2026 02 02 1839	DISTURBANCE - 2 man call	Peace Restored	26-10446	2268	Y
C	2026 02 01 1917	INTEL	No Action Taken	26-10151	2268	N
C	2026 01 30 0707	DISTURBANCE - 2 man call	Could Not Locate	26-9319	2268	N
C	2026 01 24 0301	INTEL	No Action Taken	26-7653	2268	N
C	2026 01 21 1528	INTEL	Completed	26-6768	2268	N
C	2026 01 20 0924	FOLLOW-UP INVESTIGATION	Services Rendered	26-6321	2268	N
C	2026 01 03 1820	ASSIST CITIZEN	Could Not Locate	26-858	2268	N
C	2025 12 22 1853	WELFARE CHECK	Completed	25-116132	2268	N
	2025 12 22 1403	ASSIST CITIZEN	Services Rendered	25-116048		N
C	2025 12 21 1531	COMPLAINT	Completed	25-115756	2268	N
C	2025 12 20 1307	CIVIL COMPLAINT	Peace Restored	25-115386	2268	N
C	2025 12 12 0837	COMPLAINT	Services Rendered	25-112683	2268	N
A	2025 12 05 0030	WATER PROBLEM	Investigated	25-110160	2268	N
	2025 12 03 1039	ELECTRICAL HAZARD	Services Rendered	25-109672		N
C	2025 11 30 1129	FOLLOW-UP INVESTIGATION	Services Rendered	25-108752	2268	N
C	2025 11 29 2013	ASSAULT - past	report taken	25-108623	2268	N
C	2025 11 28 2044	EMD IN PROGRESS	Transported to Hospital	25-108357	2268	N
C	2025 11 28 1953	ASSIST CITIZEN	Services Rendered	25-108349	2268	N
C	2025 11 28 0307	ASSIST CITIZEN	Services Rendered	25-108125	2268	N
	2025 11 24 1654	TERRORIZING/THREATENING	Services Rendered	25-107132	2268	N
	2025 11 15 2358	SUSPICIOUS ACTIVITY	Investigated	25-104231		Y
C	2025 11 09 0958	SUSPICIOUS ACTIVITY	Investigated	25-101978	2268	N
A	2025 11 07 2331	SUSPICIOUS ACTIVITY	Could Not Locate	25-101521	2268	N
C	2025 11 05 2301	BURGLARY IN PROGRESS - 2 UNITS	Peace Restored	25-100815	2268	N
C	2025 11 04 1808	COMPLAINT	Services Rendered	25-100453	2268	N
C	2025 11 03 2321	SUSPICIOUS ACTIVITY	Investigated	25-100100	2268	N
C	2025 10 25 0140	ASSIST CITIZEN	Services Rendered	25-96806	2268	N
C	2025 10 17 1943	ASSIST CITIZEN	Services Rendered	25-94442	2268	N
C	2025 10 10 1841	INTEL	Services Rendered	25-92230	2268	N
C	2025 09 24 0412	SUSPICIOUS ACTIVITY	Unfounded	25-86558	2268	N
C	2025 09 20 2039	DISTURBANCE - 2 man call	Could Not Locate	25-85553	2268	N
C	2025 09 09 1852	FOLLOW-UP INVESTIGATION	Services Rendered	25-82017	2268	N
	2025 09 09 1148	HOMELESS	report taken	25-81891	2268	N
	2025 08 29 2347	DRUG INCIDENTS	Investigated	25-78681		Y

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Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2025 08 29 0039	BUILDING/AREA CHECK	Building/Area Checked/Secured	25-78364	2268	N
	2025 08 26 2153	COMPLAINT	Services Rendered	25-77747	2268	N
C	2025 08 12 0619	COMPLAINT	Services Rendered	25-73139	2268	N
C	2025 08 10 0443	Mental Health Call	Transported to Hospital	25-72433	2268	N
C	2025 07 29 1818	ASSIST CITIZEN	No Action Taken	25-68751	2268	N
C	2025 07 18 0210	INTEL	Summons Issued	25-64832	2268	N
	2025 07 07 2330	HARASSMENT	Building/Area Checked/Secured	25-61184	2268	N
C	2025 07 07 0110	ASSIST CITIZEN	Completed	25-60833	2268	N
C	2025 06 29 0304	PROWLER - 2 UNIT RESPONSE	Investigated	25-58010	2268	N
A	2025 06 28 1350	DISTURBANCE - 2 man call	Arrest(s) Made	25-57867	2268	N
A	2025 06 28 0148	PROWLER - 2 UNIT RESPONSE	report taken	25-57771	2268	N
	2025 06 27 0244	SUSPICIOUS ACTIVITY	Investigated	25-57480	2268	N
A	2025 06 22 2236	DRUG INCIDENTS	Services Rendered	25-56031	2268	N
C	2025 06 17 2215	INTEL	Services Rendered	25-54289	2268	N
	2025 06 13 1503	DISTURBANCE - 2 man call	Unfounded	25-52986	2268	N
C	2025 06 13 0320	MEDICAL w/ Assist	Transported to Hospital	25-52812	2268	N
C	2025 06 13 0248	Phone/Mail/Computer Fraud	Services Rendered	25-52810	2268	N
A	2025 06 08 2243	DOMESTIC DISTURBANCE - 2 man	Services Rendered	25-51405	2268	N
C	2025 06 08 0350	WELFARE CHECK	Investigated	25-51115	2268	N
C	2025 06 07 1859	ASSIST CITIZEN	Completed	25-51016	2268	N
C	2025 06 05 1957	Paraphernalia/Sharps/Drugs	Services Rendered	25-50438	2268	N
C	2025 06 05 0521	COMPLAINT	Could Not Locate	25-50160	2268	N
C	2025 06 05 0330	ASSIST CITIZEN	Services Rendered	25-50153	2268	N
	2025 06 01 2233	ANIMAL COMPLAINT	Could Not Locate	25-49007		N
C	2025 06 01 1928	Paraphernalia/Sharps/Drugs	No Action Taken	25-48957	2268	N
D	2025 06 01 1900	MEDICAL w/ Engine	Transported to Hospital	25-48947		N
	2025 05 23 1757	FOLLOW-UP INVESTIGATION	Completed	25-46173		N
	2025 05 23 1441	SUSPICIOUS ACTIVITY	Services Rendered	25-46111	2268	N
A	2025 05 19 1249	Mental Health Support	Could Not Locate	25-44729	2268	N
A	2025 05 19 1033	DOMESTIC DISTURBANCE - 2 man	Peace Restored	25-44685	2268	N
	2025 05 19 0908	Mental Health Call	Peace Restored	25-44648		N
A	2025 05 15 1427	WELFARE CHECK	Completed	25-43535	2268	N
A	2025 05 15 1403	DISTURBANCE - 2 man call	No Action Taken	25-43526	2268	N
C	2025 05 10 0312	TERRORIZING/THREATENING	Services Rendered	25-41749	2268	N
C	2025 05 01 1847	FOLLOW-UP INVESTIGATION	Services Rendered	25-39135	2268	N
C	2025 04 11 2247	ASSIST CITIZEN	Completed	25-32424	2268	N
	2025 04 09 0341	DISTURBANCE - 2 man call	Could Not Locate	25-31425	2268	N
C	2025 04 03 2318	INTEL	No Action Taken	25-29718	2268	N
C	2025 04 02 2242	ASSIST CITIZEN	Services Rendered	25-29405	2268	N
C	2025 04 02 0022	INTEL	Services Rendered	25-29055	2268	N

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C	2025 03 28 0551	ASSIST CITIZEN	Services Rendered	25-27590	2268	N
C	2025 03 27 1322	HARASSMENT	Completed	25-27416	2268	N
C	2025 03 26 1707	Trespassing	Peace Restored	25-27148	2268	N
C	2025 03 26 1046	Mental Health Support	Completed	25-27012	2268	N
C	2025 03 24 2328	HARASSMENT BY PHONE	Services Rendered	25-26559	2268	N
	2025 03 22 1438	ASSIST CITIZEN	Services Rendered	25-25782		N
A	2025 03 22 1315	DISTURBANCE - 2 man call	Peace Restored	25-25756	2268	N
C	2025 03 20 1820	ASSIST CITIZEN	Services Rendered	25-25230	2268	N
C	2025 03 20 1722	CIVIL COMPLAINT	No Action Taken	25-25216	2268	N
	2025 03 20 1024	Mental Health Call	Services Rendered	25-25076		N
	2025 03 18 2313	COMPLAINT	Investigated	25-24607	2268	N
	2025 03 18 2256	COMPLAINT	Services Rendered	25-24604		N
C	2025 03 18 1354	ASSIST CITIZEN	No Action Taken	25-24476	2268	N
C	2025 03 16 0450	Trespassing	Completed	25-23713	2268	N
C	2025 03 12 0741	ASSIST CITIZEN	Services Rendered	25-22332	2268	N
C	2025 03 09 1809	TERRORIZING/THREATENING	Services Rendered	25-21450	2268	N
C	2025 03 08 0228	ASSIST CITIZEN	Services Rendered	25-21054	2268	N
A	2025 03 05 2009	ASSIST CITIZEN	Could Not Locate	25-20186	2268	N
A	2025 03 05 1934	DISTURBANCE - 2 man call	Investigated	25-20179	2268	N
C	2025 03 02 1817	ASSIST CITIZEN	Services Rendered	25-19104	2268	N
C	2025 02 25 2116	ASSIST CITIZEN	Services Rendered	25-17638		N
C	2025 02 21 0237	SUSPICIOUS ACTIVITY	Unfounded	25-16072	2268	N
	2025 02 19 0015	COMPLAINT	Could Not Locate	25-15413		N
C	2025 02 13 2255	ASSIST CITIZEN	Services Rendered	25-14015	2268	N
C	2025 01 29 1717	ASSIST CITIZEN	Services Rendered	25-9403	2268	N
C	2025 01 23 2050	ASSIST CITIZEN	Services Rendered	25-7362	2268	N
	2025 01 22 1227	FIRE ALARM BOX DETAIL	Services Rendered	25-6931	2268	N
C	2025 01 15 0239	HARASSMENT	Unfounded	25-4650	2268	N
C	2025 01 14 1557	ASSIST CITIZEN	Completed	25-4509	2268	N
C	2025 01 11 2116	ASSIST CITIZEN	Services Rendered	25-3578		N
C	2025 01 08 2238	ASSIST CITIZEN	Services Rendered	25-2637	2268	N
	2025 01 08 0257	COMPLAINT	Arrest(s) Made	25-2381	2268	N
	2025 01 08 0011	SUSPICIOUS ACTIVITY	Investigated	25-2340	2268	N
C	2025 01 06 0426	ASSIST CITIZEN	Completed	25-1630	2268	N
C	2025 01 04 1859	ASSIST CITIZEN	Services Rendered	25-1202	2268	N
C	2025 01 03 2326	DISTURBANCE - 2 man call	Peace Restored	25-962	2268	N
C	2025 01 01 1553	FOLLOW-UP INVESTIGATION	Services Rendered	25-168	2268	N
	2025 01 01 0031	ASSIST CITIZEN	Services Rendered	25-16		N
A	2024 12 31 2104	COMPLAINT	ALARM - UNEXPLAINED	24-118387	2268	N
	2024 12 31 0048	SUSPICIOUS ACTIVITY	Investigated	24-118087	2268	N

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C	2024 12 29 0424	SUSPICIOUS ACTIVITY	Arrest(s) Made	24-117570	2268	Y
C	2024 12 28 0443	EMD IN PROGRESS	Transported to Hospital	24-117306	2268	N
C	2024 12 23 2109	LARCENY /FORGERY/ FRAUD	Services Rendered	24-116166	2268	N
C	2024 12 21 2253	COMPLAINT	Investigated	24-115599	2268	N
A	2024 12 16 1152	DISTURBANCE - 2 man call	report taken	24-113836	2268	N
A	2024 12 16 1038	ASSIST CITIZEN	Services Rendered	24-113820	2268	N
C	2024 12 14 2018	ASSIST CITIZEN	Completed	24-113377	2268	N
A	2024 12 13 1111	DISTURBANCE - 2 man call	Completed	24-112943	2268	N
C	2024 12 05 0105	INTEL	No Action Taken	24-110390	2268	N
	2024 12 04 2134	SUSPICIOUS ACTIVITY	Unfounded	24-110342		N
C	2024 12 01 1724	SUSPICIOUS ACTIVITY	Could Not Locate	24-109235	2268	N
A	2024 11 18 1331	CIVIL COMPLAINT	Services Rendered	24-105346	2268	N
C	2024 11 14 1255	Mental Health Support	Completed	24-104097	2268	N
C	2024 11 10 2351	ASSIST CITIZEN	Services Rendered	24-102980	2268	N
A	2024 11 06 1152	Trespassing	No Action Taken	24-101619	2268	N
C	2024 11 03 1117	ASSIST CITIZEN	Completed	24-100644	2268	N
C	2024 11 03 1049	ASSIST CITIZEN	No Action Taken	24-100640	2268	N
	2024 11 01 1426	Mental Health Support	Services Rendered	24-100107	2268	N
C	2024 11 01 0445	SUSPICIOUS ACTIVITY	Could Not Locate	24-99949	2268	N
C	2024 10 17 2249	EMD IN PROGRESS	Transported to Hospital	24-95417	2268	N
C	2024 10 14 0534	ASSIST CITIZEN	Services Rendered	24-94275	2268	N
	2024 10 09 0324	COMPLAINT	Services Rendered	24-92878		N
C	2024 09 28 0049	ASSIST CITIZEN	Completed	24-89512	2268	N
C	2024 09 25 0422	ASSIST CITIZEN	Services Rendered	24-88631	2268	N
	2024 09 15 2309	ANIMAL COMPLAINT	Could Not Locate	24-85763		Y
C	2024 08 30 2146	ASSIST CITIZEN	Services Rendered	24-80778	2268	N
C	2024 08 27 1749	Mental Health Call	Transported to Hospital	24-79632	2268	N
C	2024 08 19 1651	ASSIST CITIZEN	Services Rendered	24-76899	2268	N
C	2024 08 18 1935	ASSIST CITIZEN	Could Not Locate	24-76634	2268	N
C	2024 08 18 1554	HARASSMENT BY PHONE	Completed	24-76581	2268	N
C	2024 08 10 2247	ASSIST CITIZEN	Services Rendered	24-73991	2268	N
C	2024 08 10 2153	ASSIST CITIZEN	Services Rendered	24-73981	2268	N
C	2024 08 10 1951	EMD IN PROGRESS	Transported to Hospital	24-73932	2268	N
	2024 07 31 0421	SUSPICIOUS ACTIVITY	Investigated	24-70236	2268	N
C	2024 07 23 0927	HARASSMENT	PAPERWORK SERVED	24-67297	2268	N
	2024 07 21 1702	Mental Health Call	Transported to Hospital	24-66706		N
	2024 07 18 1105	Mental Health Support	Completed	24-65499		N
C	2024 07 17 1428	Mental Health Call	Completed	24-65202	2268	N
C	2024 07 14 0710	ASSIST CITIZEN	Completed	24-63927	2268	N
C	2024 07 09 0814	ASSIST CITIZEN	Services Rendered	24-62220	2268	N

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Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
C	2024 07 08 1422	Mental Health Support	Completed	24-61983	2268	N
C	2024 07 04 2247	EMD IN PROGRESS	Transported to Hospital	24-60877	2268	N
C	2024 07 01 1116	HARASSMENT BY PHONE	Completed	24-59508	2268	N
D	2024 06 30 0426	ALARM - RESIDENTIAL FIRE	False Alarm / Error	24-59060		N
D	2024 06 30 0231	ALARM - RESIDENTIAL FIRE	Investigated	24-59035	2268	N
	2024 06 28 0202	SUSPICIOUS ACTIVITY	Services Rendered	24-58395		N
A	2024 06 27 1038	COMPLAINT	Services Rendered	24-58113	2268	N
C	2024 06 24 1410	Mental Health Support	Completed	24-57100	2268	N
C	2024 06 22 1939	SUSPICIOUS ACTIVITY	Completed	24-56509	2268	N
C	2024 06 18 1148	HARASSMENT	Services Rendered	24-55003	2268	N
C	2024 06 17 1408	Mental Health Support	Completed	24-54636	2268	N
C	2024 06 12 0413	TERRORIZING/THREATENING	Unfounded	24-52800	2268	N
C	2024 06 11 1411	Mental Health Support	Completed	24-52585	2268	N
C	2024 06 03 1407	Mental Health Support	Completed	24-49766	2268	N
	2024 06 03 0302	HARASSMENT	Could Not Locate	24-49598	2268	N
C	2024 05 29 1455	Mental Health Support	Services Rendered	24-48071	2268	N
	2024 05 23 1058	Mental Health Support	No Action Taken	24-45993		N
C	2024 05 20 1351	Mental Health Support	Services Rendered	24-44674	2268	N
	2024 05 18 2050	HARASSMENT	Services Rendered	24-44162		N
C	2024 05 13 0847	FOLLOW-UP INVESTIGATION	Completed	24-42306	2268	N
	2024 05 04 0946	PERSONNEL COMPLAINT	Completed	24-39519		N
C	2024 05 01 1222	ASSIST CITIZEN	Services Rendered	24-38544	2268	N
A	2024 05 01 0157	LARCENY /FORGERY/ FRAUD	Services Rendered	24-38421	2268	N
C	2024 04 29 1502	Mental Health Support	Completed	24-37894	2268	N
	2024 04 28 0727	SUSPICIOUS ACTIVITY	Could Not Locate	24-37473		N
B	2024 04 26 0456	SUSPICIOUS ACTIVITY	Investigated	24-36815	2268	Y
C	2024 04 22 1445	Mental Health Support	Services Rendered	24-35627	2268	N
	2024 04 10 1117	COMPLAINT	Services Rendered	24-31873		N
C	2024 04 10 0302	SUSPICIOUS ACTIVITY	Could Not Locate	24-31726	2268	N
C	2024 04 09 1424	Mental Health Support	Services Rendered	24-31561	2268	N
C	2024 04 01 1423	Mental Health Support	Services Rendered	24-28434	2268	N
C	2024 03 28 0222	ASSIST CITIZEN	Completed	24-27056	2268	N
C	2024 03 27 0458	DISTURBANCE - 2 man call	Unfounded	24-26761	2268	N
C	2024 03 25 0221	PERSONNEL COMPLAINT	Services Rendered	24-26121	2268	N
	2024 03 25 0150	TERRORIZING/THREATENING	Could Not Locate	24-26119	2268	N
C	2024 03 15 0417	Mental Health Call	Investigated	24-22740	2268	N
C	2024 03 13 1417	Mental Health Support	Services Rendered	24-22263	2268	N
C	2024 03 08 2318	NOISE COMPLAINT	Investigated	24-20858	2268	N
C	2024 03 08 0236	VIOLATION OF PO	Services Rendered	24-20547	2268	N
C	2024 03 04 0348	TERRORIZING/THREATENING	Could Not Locate	24-19232	2268	N

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Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
A	2024 03 02 2310	ANIMAL COMPLAINT	Services Rendered	24-18884	2268	N
C	2024 02 26 0338	DISTURBANCE - 2 man call	Unfounded	24-16995	2268	N
C	2024 02 25 0205	SUSPICIOUS ACTIVITY	Services Rendered	24-16693	2268	N
C	2024 02 24 0304	SUSPICIOUS ACTIVITY	Could Not Locate	24-16466	2268	N
C	2024 02 13 1300	Mental Health Support	Completed	24-13209	2268	N
	2024 02 05 1447	Mental Health Support	Services Rendered	24-10634		N
C	2024 02 01 1149	Phone/Mail/Computer Fraud	Completed	24-9380	2268	N
C	2024 01 28 2113	ASSIST CITIZEN	Services Rendered	24-8235	2268	N
C	2024 01 22 1432	Mental Health Support	No Action Taken	24-6395	2268	N
C	2024 01 21 2234	ASSIST CITIZEN	Services Rendered	24-6214	2268	N
C	2024 01 18 1401	Mental Health Support	Completed	24-5196	2268	N
C	2024 01 13 0304	SUSPICIOUS ACTIVITY	Investigated	24-3643	2268	Y
	2024 01 08 1420	Mental Health Support	Completed	24-2225	2268	N
C	2024 01 07 0714	COMPLAINT	Taken/Referred to Other Agency	24-1894	2268	N
	2024 01 03 1350	Mental Health Support	Completed	24-767		N
	2024 01 03 0618	SUSPICIOUS ACTIVITY	Services Rendered	24-658	2268	N
C	2023 12 31 0148	ASSIST CITIZEN	Services Rendered	23-116934	2268	N
	2023 12 26 1847	REPOSSESSION INFO	Services Rendered	23-115768		N
C	2023 12 26 1605	ASSIST CITIZEN	Services Rendered	23-115720	2268	N
C	2023 12 21 0938	ASSIST CITIZEN	Completed	23-114266	2268	N
C	2023 12 20 1521	Mental Health Support	Completed	23-114039	2268	N
C	2023 12 16 2251	COMPLAINT	Completed	23-112603	2268	N
C	2023 12 16 2203	PERSONNEL COMPLAINT	Services Rendered	23-112587	2268	N
C	2023 12 16 1748	TERRORIZING/THREATENING	Investigated	23-112507		N
C	2023 12 15 1809	SUSPICIOUS ACTIVITY	No Action Taken	23-112279	2268	N
C	2023 12 14 1410	Mental Health Support	Services Rendered	23-111888	2268	N
C	2023 12 14 0804	SUSPICIOUS ACTIVITY	Completed	23-111756	2268	N
B	2023 12 13 2043	JUVENILE RUNAWAY	Services Rendered	23-111678	2268	N
C	2023 12 02 2226	ASSIST CITIZEN	Services Rendered	23-108440	2268	N
C	2023 12 02 1442	TERRORIZING/THREATENING	Completed	23-108324	2268	N
	2023 11 27 1343	Mental Health Support	Services Rendered	23-106699		N
C	2023 11 26 0929	DISTURBANCE - 2 man call	Could Not Locate	23-106299	2268	N
	2023 11 20 1416	Mental Health Support	Completed	23-104851	2268	N
	2023 11 16 1149	Mental Health Support	Completed	23-103995	2268	N
C	2023 11 13 1416	Mental Health Support	Completed	23-102778	2268	N
C	2023 11 10 0143	ASSIST CITIZEN	Completed	23-101861	2268	N
	2023 11 02 1022	Mental Health Support	Completed	23-99585		N
C	2023 10 27 1344	Mental Health Support	Completed	23-97912	2268	N
C	2023 10 27 1251	HARASSMENT BY PHONE	Services Rendered	23-97899	2268	N
	2023 10 27 1052	Mental Health Support	Completed	23-97862		N

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Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
A	2023 10 26 1710	PAPER WORK	Could Not Locate	23-97659	2268	N
C	2023 10 23 1419	Mental Health Support	Completed	23-96822	2268	N
A	2023 10 23 0859	DISTURBANCE - 2 man call	Peace Restored	23-96717	2268	N
C	2023 10 21 2026	ASSIST CITIZEN	Taken/Referred to Other Agency	23-96370	2268	N
	2023 10 16 1400	Mental Health Call	Completed	23-94783	2268	N
	2023 10 12 1543	DOMESTIC DISTURBANCE - 2 man	Peace Restored	23-93682	2268	N
	2023 10 10 1505	Mental Health Support	Completed	23-93046		N
C	2023 10 08 2259	HARASSMENT BY PHONE	Services Rendered	23-92542	2268	N
C	2023 10 06 1508	Mental Health Support	Services Rendered	23-91896	2268	N
	2023 10 04 1448	Phone/Mail/Computer Fraud	report taken	23-91226		N
C	2023 10 02 1357	Mental Health Support	Completed	23-90588	2268	N
C	2023 09 29 1703	LARCENY /FORGERY/ FRAUD	Could Not Locate	23-89875	2268	N
C	2023 09 28 1931	SUSPICIOUS ACTIVITY	Completed	23-89596	2268	N
	2023 09 25 1323	Mental Health Support	Completed	23-88470	2268	N
C	2023 09 22 1347	Mental Health Support	Completed	23-87723	2268	N
C	2023 09 21 1805	INTEL	No Action Taken	23-87493	2268	N
C	2023 09 19 1515	Mental Health Support	Services Rendered	23-86799		N
C	2023 09 18 2030	MEDICAL w/ Assist	Transported to Hospital	23-86569	2268	N
	2023 09 12 1417	Mental Health Support	Services Rendered	23-84680		N
C	2023 09 06 1418	Mental Health Support	Services Rendered	23-82809	2268	N
C	2023 09 03 0253	ASSIST CITIZEN	Completed	23-81659	2268	N
	2023 09 01 0125	FIREWORKS COMPLAINT	Unfounded	23-81024		Y
	2023 08 29 0433	COMPLAINT	Could Not Locate	23-79988		N
	2023 08 28 1404	Mental Health Support	Completed	23-79809	2268	N
C	2023 08 25 1419	Mental Health Support	Completed	23-78931	2268	N
C	2023 08 21 1750	Mental Health Call	Services Rendered	23-77709	2268	N
C	2023 08 21 1343	Mental Health Support	Completed	23-77613	2268	N
C	2023 08 18 1604	Mental Health Call	Transported to Hospital	23-76771	2268	N
	2023 08 16 1540	Mental Health Support	Completed	23-76130	2268	N
	2023 08 14 1346	Mental Health Call	Completed	23-75422		N
C	2023 08 11 1727	FOUND/LOST PROPERTY	report taken	23-74643	2268	N
C	2023 08 11 1453	FOLLOW-UP INVESTIGATION	Completed	23-74595	2268	N
C	2023 08 07 1415	Mental Health Support	Completed	23-73247	2268	N
	2023 08 04 1245	Mental Health Support	Services Rendered	23-72377	2268	N
C	2023 08 02 0237	TERRORIZING/THREATENING	Services Rendered	23-71600	2268	N
C	2023 07 31 2142	TERRORIZING/THREATENING	Services Rendered	23-71219	2268	N
C	2023 07 31 0003	ASSIST CITIZEN	Services Rendered	23-70891	2268	N
	2023 07 29 1401	Mental Health Support	Services Rendered	23-70518		N
	2023 07 27 1123	FOLLOW-UP INVESTIGATION	Completed	23-69747	2268	N
C	2023 07 25 2011	ASSIST CITIZEN	Services Rendered	23-69192	2268	N

26 Nason St

Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2023 07 24 1508	Mental Health Call	Services Rendered	23-68744		N
C	2023 07 21 1435	Mental Health Support	Services Rendered	23-67825	2268	N
C	2023 07 19 0717	Mental Health Call	Transported to Hospital	23-66927	2268	N
	2023 07 19 0451	NOISE COMPLAINT	Investigated	23-66912		N
C	2023 07 10 1459	Mental Health Support	Completed	23-64071		N
	2023 06 26 1444	Mental Health Support	Services Rendered	23-59495		N
	2023 06 23 0117	FOLLOW-UP INVESTIGATION	Services Rendered	23-58425		N
	2023 06 12 1512	Mental Health Call	Completed	23-54826		N
	2023 06 08 1959	HARASSMENT BY PHONE	Services Rendered	23-53594		N
C	2023 06 06 1548	INTEL	Services Rendered	23-52844	2268	N
	2023 06 02 2108	HARASSMENT BY PHONE	Services Rendered	23-51678		N
	2023 05 29 1455	Mental Health Support	Completed	23-50074		N
	2023 05 22 1542	Mental Health Call	Services Rendered	23-47681		N
	2023 05 12 1647	ASSIST CITIZEN	Completed	23-44314	2268	N
	2023 05 08 1034	Mental Health Support	Completed	23-42723		N
	2023 05 08 0338	COMPLAINT	Will Check On Patrol	23-42630		N
	2023 05 06 2139	CIVIL COMPLAINT	Completed	23-42297	2268	N
C	2023 05 05 2053	ASSIST CITIZEN	Services Rendered	23-41959	2268	N
	2023 05 04 2029	TERRORIZING/THREATENING	Services Rendered	23-41583	2268	N
C	2023 04 17 1943	ASSIST CITIZEN	Services Rendered	23-35881	2268	N
C	2023 04 17 1352	Mental Health Support	Services Rendered	23-35790	2268	N
C	2023 04 10 1449	Mental Health Call	Completed	23-33204	2268	N
	2023 04 06 1920	ANIMAL COMPLAINT	Taken/Referred to Other Agency	23-32035		N
	2023 04 03 1458	Mental Health Support	report taken	23-30851		N
C	2023 04 01 2035	Mental Health Call	Investigated	23-30302	2268	N
	2023 03 27 1437	Mental Health Support	Completed	23-28619		N
A	2023 03 23 2059	LARCENY /FORGERY/ FRAUD	Services Rendered	23-27467	2268	N
C	2023 03 23 1233	Assist Other Agency - Police	Completed	23-27319	2268	N
C	2023 03 19 1358	Mental Health Call	Services Rendered	23-26003	2268	N
C	2023 03 13 2248	COMPLAINT	Services Rendered	23-23988	2268	N
C	2023 03 07 1833	INTEL	Services Rendered	23-21753	2268	N
C	2023 03 02 2122	Phone/Mail/Computer Fraud	Completed	23-20122	2268	N
	2023 02 13 1446	Mental Health Support	Completed	23-14584		N
C	2023 02 10 1203	Mental Health Call	No Action Taken	23-13598	2268	N
	2023 02 06 1441	Mental Health Support	Investigated	23-12231		N
C	2023 01 30 1346	Mental Health Support	Completed	23-9868	2268	N
C	2023 01 25 1705	ASSIST CITIZEN	No Action Taken	23-8224	2268	N
C	2023 01 24 1708	INTEL	Services Rendered	23-7809	2268	N
	2023 01 23 1431	Mental Health Support	Services Rendered	23-7212	2268	N
	2023 01 19 0605	LARCENY /FORGERY/ FRAUD	Investigated	23-5631	2268	N

26 Nason St

Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2023 01 17 1943	ASSIST CITIZEN	Services Rendered	23-5174	2268	N
	2023 01 13 1746	INTEL	No Action Taken	23-3900		N
	2023 01 07 1953	ASSIST CITIZEN	No Action Taken	23-1999		N

UTILITY REPORT

26 NASON STREET

WATER- HAS BEEN SHUT OFF INCLUDING THE SPRINKLER SYSTEM, BALANCE OF $643.10 DUE,

SEWAR- AS OF 5/6/26 $3,335.55- LIEN ON PROPERTY

Memo

Number: 26-152-01
To: City Council
From: Michelle LaBree, Assistant City Manager
Date: 2026-06-02
Subject: After hearing testimony and other evidence presented and then making findings of fact and if then adjudging 26 Nason Street to be a dangerous building or a nuisance pursuant to 17 M.R.S.A §§ 2851-2859, the City Council now makes the following orders to abate the nuisance and appropriate corrective actions taken.

RECOMMENDATION

The City Council will make the following orders to abate the nuisance and appropriate corrective actions taken by order of a vote.

Background Information:

Legal Review Status:

N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Ordered_Corrective_Action_-_Dangerous_Building.pdf

ORDERED CORRECTIVE ACTION

Pursuant to 17 M.R.S.A. §§ 2851-2859

Dangerous Buildings

THEREFORE IT IS ORDERED that the property is to be immediately secured within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human waste, and hazardous materials are to be removed from the property and properly disposed and the property maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the dangerous building or nuisance property is to be immediately abated (building or property removed/ disposed/ secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the property by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the dangerous building or nuisance property may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected;
- The property is rehabilitated and brought into compliance with all applicable State and Local Codes and meets all permitting and inspection requirements;
- There shall be no occupancy or use of the building until the property has been satisfactorily rehabilitated.

AND BE IT FURTHER ORDERED that the City Clerk record this Order in the York County Registry of Deeds and cause attested copies of this Order to be served upon the persons as required by law.

AND BE IT FURTHER ORDERED that, if this Order is not complied with, the City Manager is hereby authorized and directed to ask for bids for the abatement (buildings or property removed/ disposed/ secured) of the dangerous building or nuisance property.

AND BE IT FURTHER ORDERED that, if this Order is not timely complied with and no timely appeal is taken, the City Manager may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action.

This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

Memo

Number: 26-171-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to appoint Jamie Cole, Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as City of Sanford Code Enforcement Officers; and to appoint Jamie Cole as Local Plumbing Inspector, and Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Alternate Plumbing Inspectors for the period beginning on July 1, 2026 and ending on June 30, 2027.

RECOMMENDATION

Ordered, to appoint Jamie Cole, Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as City of Sanford Code Enforcement Officers; and to appoint Jamie Cole as Local Plumbing Inspector, and Alix Burbank, Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Alternate Plumbing Inspectors for the period beginning on July 1, 2026 and ending on June 30, 2027.

Background Information:

Renewing the annual appointments of Code Enforcement Officers as required by Title 30-A §2601-A; and also Local Plumbing Inspector, and Alternate Plumbing Inspectors as required by Title 30-A §4221

Legal Review Status:

N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Aaron Lederer CEO Alt Plumbing Insp 26-27.pdf
Alix Burbank CEO Alt Plumbing Insp 26-27.pdf
Gregory Mulcahy CEO Alt Plumbing Insp 26-27.pdf
Jamie Cole CEO Plumbing Insp 26-27.pdf
Jeannie Wood CEO Alt Plumbing Insp 26-27.pdf

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Aaron Lederer, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Charter, and Ordinances of the City of Sanford and Statutes of the State of Maine, and will faithfully discharge the duties as Code Enforcement Officer, and Alternate Plumbing Inspector for the City of Sanford.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Aaron Lederer, having been appointed Code Enforcement Officer and Alternate Plumbing Inspector for the City of Sanford for the term beginning July 1, 2026 and ending June 30, 2027, Per City Council Order Number: 26-171-01: adopted June 2, 2026, was duly sworn on June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote,
City Clerk of Sanford

Sanford
CITY CLERK'S OFFICE

City Clerk's Office
919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Alix Burbank, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Charter, and Ordinances of the City of Sanford and Statutes of the State of Maine, and will faithfully discharge the duties as Code Enforcement Officer, and Alternate Plumbing Inspector for the City of Sanford.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Alix Burbank, having been appointed Code Enforcement Officer and Alternate Plumbing Inspector for the City of Sanford for the term beginning July 1, 2026 and ending June 30, 2027, Per City Council Order Number: 26-171-01: adopted June 2, 2026, was duly sworn on June _____, 2025 at _____ a.m./p.m.

_____

Susan H. Cote,
City Clerk of Sanford

Sanford
CITY CLERK'S OFFICE

City Clerk's Office
919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Gregory Mulcahy, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Charter, and Ordinances of the City of Sanford and Statutes of the State of Maine, and will faithfully discharge the duties as Code Enforcement Officer, and Alternate Plumbing Inspector for the City of Sanford.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Gregory Mulcahy, having been appointed Code Enforcement Officer and Alternate Plumbing Inspector for the City of Sanford for the term beginning July 1, 2026 and ending June 30, 2027, Per City Council Order Number: 26-171-01: adopted June 2, 2026, was duly sworn on June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote,
City Clerk of Sanford

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Jamie Cole, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Charter, and Ordinances of the City of Sanford and Statutes of the State of Maine, and will faithfully discharge the duties as Code Enforcement Officer, and Local Plumbing Inspector for the City of Sanford.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Jamie Cole, having been appointed Code Enforcement Officer and Local Plumbing Inspector for the City of Sanford for the period beginning July 1, 2026 and ending June 30, 2027, Per City Council Order Number: 26-171-01: adopted June 2, 2026, was duly sworn on June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote,
City Clerk of Sanford

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Jeannie Wood, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Charter, and Ordinances of the City of Sanford and Statutes of the State of Maine, and will faithfully discharge the duties as Code Enforcement Officer, and Alternate Plumbing Inspector for the City of Sanford.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Jeannie Wood, having been appointed Code Enforcement Officer and Alternate Plumbing Inspector for the City of Sanford for the term beginning July 1, 2026 and ending June 30, 2027, Per City Council Order Number: 26-171-01: adopted June 2, 2026, was duly sworn on June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote,
City Clerk of Sanford

Memo

Number: 26-170-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to appoint Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Constables for the period beginning July 1, 2026 and ending on June 30, 2027. Be it further ordered, that this appointment is empowered to enforce civil violations of the City Code, including any amendments made, or any Emergency Ordinances that are approved and adopted by City Council Order, and is empowered to serve civil summons for violations of said City Code. Be it further ordered, that this appointment is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

RECOMMENDATION

Ordered, to appoint Aaron Lederer, Jeannie Wood and Gregory Mulcahy as Constables for the period beginning July 1, 2026 and ending on June 30, 2027.
Be it further ordered, that this appointment is empowered to enforce civil violations of the City Code, including any amendments made, or any Emergency Ordinances that are approved and adopted by City Council Order, and is empowered to serve civil summons for violations of said City Code.
Be it further ordered, that this appointment is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

Background Information:

Renewing annual appointments of Constables for the City of Sanford as required by Title 30-A §2673.1

Legal Review Status:

N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Aaron Lederer Constable 26-27.pdf
Gregory Mulcahy Constable 26-27.pdf
Jeannie Wood Constable 26-27.pdf

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Aaron Lederer, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects, observe the provisions of the Charter, and Ordinances of the City of Sanford, and Statutes of the State of Maine, and will faithfully discharge the duties as Constable for the City of Sanford. This appointment is empowered to enforce civil violations of City Code, including any amendments made, or Emergency Ordinances that are approved and adopted by the City Council, and also to serve civil summons for violations of said City Code. This appointment does not allow carrying of a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Aaron Lederer, having been appointed as a Constable for the City of Sanford, for the term of July 1, 2026 and ending June 30, 2027, Per City Council Order No: 26-170-01 adopted June 2, 2026, was duly sworn June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote, City Clerk
Sanford, Maine

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Gregory Mulcahy, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects, observe the provisions of the Charter, and Ordinances of the City of Sanford, and Statutes of the State of Maine, and will faithfully discharge the duties as Constable for the City of Sanford. This appointment is empowered to enforce civil violations of City Code, including any amendments made, or Emergency Ordinances that are approved and adopted by the City Council, and also to serve civil summons for violations of said City Code. This appointment does not allow carrying of a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Gregory Mulcahy, having been appointed as a Constable for the City of Sanford, for the term of July 1, 2026 and ending June 30, 2027, Per City Council Order No: 26-170-01 adopted June 2, 2026, was duly sworn June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote, City Clerk
Sanford, Maine

Sanford
CITY CLERK'S OFFICE

City Clerk's Office

919 Main Street
Sanford, ME 04073

Oath of Office for Appointed City Officials

I Jeannie Wood, solemnly swear that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects, observe the provisions of the Charter, and Ordinances of the City of Sanford, and Statutes of the State of Maine, and will faithfully discharge the duties as Constable for the City of Sanford. This appointment is empowered to enforce civil violations of City Code, including any amendments made, or Emergency Ordinances that are approved and adopted by the City Council, and also to serve civil summons for violations of said City Code. This appointment does not allow carrying of a firearm, concealed or unconcealed, in the performance of duties or to make arrests.

_____

Signature of Official

State of Maine
County of York, ss
City of Sanford

Personally, appeared before me, Jeannie Wood, having been appointed as a Constable for the City of Sanford, for the term of July 1, 2026 and ending June 30, 2027, Per City Council Order No: 26-170-01 adopted June 2, 2026, was duly sworn June _____, 2026 at _____ a.m./p.m.

_____

Susan H. Cote, City Clerk
Sanford, Maine

Memo

Number: 26-160-01
To: City Council
From: Mary Hastings
Date: 2026-06-02
Subject: Ordered, to adopt and approve the "The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District". The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

RECOMMENDATION

Ordered, to adopt and approve the "The Second Amendment to the Route 109 Development Corridor Municipal Development and Tax Increment Financing District" The Development Program seeks to extend the term of the District by 10 years and to amend the project costs in the development program.

Background Information:

Order is attached.

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

20260526 Route 109 TIF AMD2 DRAFT Order.pdf

CITY OF SANFORD, MAINE
CITY COUNCIL ORDER

Adopting the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District Development Program

WHEREAS, the City of Sanford (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend previously established tax increment financing ("TIF") districts and development programs within the City; and

WHEREAS, the City designated the Route 109 Development Corridor Tax Increment Financing District (the "District") and adopted a Development Program for the District on March 21, 2006 in order to capture the value of real property improvements made within the District and to enable the use of TIF revenues for various municipal and other economic development projects, which received approval from the Maine Department of Economic and Community Development ("DECD") on December 5, 2008; and

WHEREAS, the City desires to adopt a Second amendment to the District and Development Program (the "Second Amendment") to extend the term of the District by 10 years, decrease the size of the District by 2.24 acres to account for parcel adjustments over time due to newly acquired GIS mapping results, to increase the captured assessed value percentage within the District, and to amend the allowable project costs in order to allow the City to use TIF Revenues to continue to achieve the District's original goals; and

WHEREAS, the City Council has held a public hearing on June 2, 2026, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of adopting the Second Amendment to the Development Program for the District in accordance with the requirements of 30-A M.R.S. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the Second Amendment to the Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department approving the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District and Development Program.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

Section 1. The City of Sanford hereby adopts the Second Amendment to the Route 109 Development Corridor Tax Increment Financing District and Development Program, pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. Pursuant to Title 30-A M.R.S. Section 5226(5) pertaining to TIF district and development program amendments, this Second Amendment to the Development Program does not result in the District being out of compliance with any of the conditions of 30-A M.R.S. Section 5223(3) which

DRAFT

pertain to the percentage of area within the District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap.

b. The Second Amendment to the Development Program will make a contribution to the economic growth and well-being of the City of Sanford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Sanford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the Second Amendment to the Development Program to the Department for review and approval pursuant to the requirements of 30-A M.R.S. § 5226.

Section 4. The foregoing adoption of the Second Amendment to the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the Second Amendment to the Development Program by the Department, without requirement of any further action by the City, the City Council, or any other party.

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents related to the Second Amendment to the Development Program as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the Second Amendment to the Development Program by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Second Amendment to the Development Program.

Section 6. This Order shall take effect immediately upon adoption.

Adopted by City Council: June 2, 2026

DRAFT

Memo

Number: 26-174-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to implement an inter-governmental agreement with the Veterans Association for leased space at the Anderson Learning Center.

RECOMMENDATION

Ordered, to implement an inter-governmental agreement with the Veterans Association to provide Leased Space at the Anderson Learinging Center for a 1-year period with a 1-year renewal option.

Background Information:

The City Council addressed the emergency need for the Veterans Services to become housed at the Anderson Learning Center (ALC) by entering into a Lease with the ALC for space for the Veterans Counseling Services and paying that Lease for a nine month period from Sepember 1, 2025 to May 31, 2026. That Lease has now ended. The Veterans Services desired to stay in the ACL space until such time as they issue a future Request for Proposals for a long-term lease of facilities. In negotiation with the Veterans, it was determined the best means was for the Veterans Service to enter into an Intergovernmental Contract where by the City of Sanford would be contracted to provide the ACL Space. The City will then enter into the same Lease Agreement with ACL to the exisitng space for a one year period from June1, 2026 to May 31, 2027, with a 1-year extension option. Lease terms for the space remain as previsoulsy leased. The City will pay the monthly Rent to ACL on the first of the month and then bill the VA at the end of that month for the Contracted Services of providing the space, i.e. be reimbursed for the Rent to ACL, at a rate of $3,500/month.

Attached is the Intergovernmental Agreement and the Lease with the Anderson Learing Center per these new terms and lease period.

Administration is requesting approval of the Intergovernmental Contract as well as the renewed Lease with the Anderson Learning Center to accomdate the Veterans Services remaining at ACL for the next year.

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):

Veterans - Sanford Intergovernmental Contract C03 36C24126P0454 PENDING VENDOR 5-28-2026.pdf
Sanford Lease with ACL for Veterans Counseling Services 5-28-2026.pdf

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES
OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30

1. REQUISITION NO.	PAGE 1 OF 32

2. CONTRACT NO.	3. AWARD/EFFECTIVE DATE	4. ORDER NO.	5. SOLICITATION NUMBER	6. SOLICITATION ISSUE DATE
36C24126P0454	AWARDED: EFFECTIVE: 06-01-2026		36C24126Q0415	

7. FOR SOLICITATION INFORMATION CALL:	a. NAME	b. TELEPHONE NO. (No Collect Calls)	8. OFFER DUE DATE/LOCAL TIME
	Cory Dionne	(774) 826-4806	

9. ISSUED BY CODE

Department of Veterans Affairs
VA Boston Healthcare System
Contracting Officer (90C)
940 Belmont Street
Brockton MA 02301

10. THIS ACQUISITION IS
- [X] UNRESTRICTED OR [ ] SET ASIDE: ____ % FOR:
- [ ] SMALL BUSINESS
- [ ] HUBZONE SMALL BUSINESS
- [ ] SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS
- [ ] WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM
- [ ] EDWOSB
- [ ] 8(A)

NAICS: 561210

SIZE STANDARD: $47 Million

11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED	12. DISCOUNT TERMS	13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	13b. RATING
[ ] SEE SCHEDULE		[ ]	N/A

14. METHOD OF SOLICITATION
[ ] RFQ [ ] IFB [ ] RFP

15. DELIVER TO CODE

Department of Veterans Affairs
Togus VAMC
1 VA Center

Augusta ME 04330

16. ADMINISTERED BY CODE

Department of Veterans Affairs
VA Boston Healthcare System
Contracting Officer (90C)
940 Belmont Street
Brockton MA 02301

17a. CONTRACTOR/OFFEROR CODE 4YAR9 FACILITY CODE

SANFORD, CITY OF

919 MAIN ST # 1

SANFORD ME 04073

TELEPHONE NO. UEI:K6BGW6B1VCD5 EFT:

[ ] 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER

18a. PAYMENT WILL BE MADE BY CODE

Department of Veterans Affairs
Financial Services Center
https://www.cep.fsc.va.gov/
PO Box 149971
Austin TX 78714-9971

PHONE: 877-752-0900 FAX:

18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED
[ ] SEE ADDENDUM

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES (See CONTINUATION Page)	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	Contractor shall provide all personnel, supervision, labor, equipment, materials and disposal necessary to provide this requirement pursuant to the schedule of items described herein. Period of Performance: BASE YEAR: 06/01/2026 - 05/31/2027 Option Year 1: 06/01/2027 - 05/31/2028 COR: Aaron.Jones5@va.gov CO: Cory.dionne@va.gov Purchase order number 36C24126P0454 is to be used and must be referenced on all invoices and correspondence IAW VAAR 852.232-72 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS				

(Use Reverse and/or Attach Additional Sheets as Necessary)

25. ACCOUNTING AND APPROPRIATION DATA (See CONTINUATION Page)
703-3660162-6006-851100-2580 LG1037S2M

26. TOTAL AWARD AMOUNT (For Govt. Use Only)
$42,000.00

[ ] 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA [ ] ARE [ ] ARE NOT ATTACHED.

[X] 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA [X] ARE [ ] ARE NOT ATTACHED

[X] 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED

[ ] 29. AWARD OF CONTRACT: REF. _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN IS ACCEPTED AS TO ITEMS:

30a. SIGNATURE OF OFFEROR/CONTRACTOR	31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)

30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)	30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT)	31c. DATE SIGNED
		Cory Dionne VA-VHA-RPOE-2022-221269	

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Performance Work Statement (PWS)

Room Use Service Contract

VA Vet Center – Sanford/Springvale, ME

Prepared under FAR Part 37 and FAR Subpart 37.6 (Performance-Based Acquisition) This requirement is NOT a real property lease.

---

1. Background and Purpose

The Department of Veterans Affairs (VA), Readjustment Counseling Service, requires access to a private, secure, and compliant space to support individual and group counseling services for Veterans at the Sanford/Springvale, Maine Vet Center. The contractor shall provide room-use services that ensure operational continuity for the Vet Center in accordance with applicable privacy, accessibility, and safety requirements.

---

2. Applicable Codes

- **NAICS:** 561210 – Facilities Support Services
- **PSC:** R499 – Support Services (Other)

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3. Period of Performance

- **Base Period:** 12 months commencing upon contract award (June 1, 2026 – May 31, 2027)
- **Option Period I:** 12 months (June 1, 2027 – May 31, 2028), exercisable at the Government's discretion

---

4. Place of Performance

Suite 309, Level 3, Anderson Learning Center Springvale, Maine 04083

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5. Hours of Access

The contractor shall provide VA access to the Premises Monday through Friday, 7:00 AM – 5:00 PM, excluding Federal holidays listed in Section 10. Occasional after-hours access shall be coordinated in advance with the contractor's designated Point of Contact.

---

6. Scope of Services

The contractor shall provide VA with access to and use of the following dedicated spaces within Suite 309 (approximately 1,900 square feet):

- Three (3) private office spaces suitable for individual counseling sessions
- One (1) large open space suitable for group sessions of up to 10–12 participants
- One (1) full kitchen
- One (1) conference room

The contractor shall also provide VA access, in common with other building tenants, to building grounds, exterior entrances, stairways, common areas, and elevator.

The contractor shall furnish or ensure the following as part of room-use services:

- Electrical service and HVAC to all occupied spaces
- Heating oil, water, and sewer services
- Snow plowing and removal from parking areas, walkways, and stairways
- Common area maintenance
- Shared parking for VA staff, clients, and visitors (including ADA-accessible spaces)

The following shall be the sole responsibility of VA (the Government):

- Telephone and data/internet services
- Cable television (if required)
- Janitorial services for Suite 309
- Interior minor repairs, light fixture bulb replacement, and routine interior maintenance within the suite

---

7. Performance Standards

Service Area	Acceptable Quality Level
Space	Suite accessible during all required hours of operation

Service Area	Acceptable Quality Level
Availability	
HVAC	Temperature maintained within a comfortable range suitable for client-facing operations
Snow/Ice Removal	Parking, walkways, and stairways clear and safe prior to and during business hours
Utilities	Electrical and water services maintained without extended interruption
Shared Parking	Available for VA staff and clients during hours of operation
Privacy	Contractor shall provide prior notice before entering Suite 309; shall respect all applicable privacy requirements under applicable law

---

8. Quality Assurance

The Contracting Officer's Representative (COR) shall monitor contractor performance through periodic site visits and direct communication with the contractor's designated Point of Contact. The Government reserves the right to conduct unannounced inspections of common areas, building infrastructure, and parking facilities. Performance concerns shall be communicated to the contractor's Point of Contact for resolution.

---

9. Deliverables

Deliverable	Due Date
Contractor Point of Contact Information	Within 5 business days of contract award
Monthly Invoice	Monthly, in arrears

---

10. Government and Contractor Responsibilities

Contractor shall:

- Provide and maintain access to Suite 309 and all agreed common areas during required hours
- Ensure utilities (heat, electric, water, sewer) are operational
- Maintain building exterior, structural components, and common areas
- Perform snow and ice removal from parking areas, walkways, and stairways

- Provide prior written or verbal notice before entering Suite 309
- Ensure ADA compliance for the leased space and common areas at commencement and throughout performance

Government (VA) shall:

- Designate a Contracting Officer's Representative (COR) as the primary Point of Contact
- Comply with building policies and reasonable use guidelines
- Provide timely payment per invoicing terms
- Perform interior janitorial services and minor interior maintenance within Suite 309
- Provide and manage its own telephone, data, and cable services
- Notify contractor in writing of any need for major repairs

---

11. Invoicing

The contractor shall submit invoices monthly in arrears to the designated VA payment office. Invoices shall reference the contract number, period of performance covered, and the monthly fixed amount of **$3,500.00**. Payment shall be made in accordance with the Prompt Payment Act (Net 30 days).

---

12. Termination

- **Termination for Convenience:** VA may terminate this contract upon 30 days written notice to the contractor.
- **Termination for Cause:** In the event of material breach, VA shall provide written notice specifying the default. The contractor shall have 14 days to cure the identified deficiency before VA exercises termination rights.

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13. Security and Privacy

The contractor shall ensure that VA's use of Suite 309 is free from unannounced entry during operational hours. The contractor shall respect all privacy protections required by applicable law, including but not limited to HIPAA, when VA counseling sessions are in progress. Prior notice is required before any contractor, landlord, or building staff entry into Suite 309.

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14. Compliance

The contractor warrants that Suite 309 and all common areas comply with applicable federal, state, and local laws, including the Americans with Disabilities Act (ADA) and the Maine Human Rights Act, at commencement of the contract and throughout performance.

15. Federal Holidays (2026–2027)

Holiday	Date
Memorial Day	May 25, 2026
Juneteenth	June 19, 2026
Independence Day	July 4, 2026
Labor Day	September 7, 2026
Columbus Day	October 12, 2026
Veterans Day	November 11, 2026
Thanksgiving Day	November 26, 2026
Christmas Day	December 25, 2026
New Year's Day	January 1, 2027
Martin Luther King Jr. Day	January 19, 2027
Washington's Birthday	February 16, 2027
Memorial Day	May 25, 2027

End of Performance Work Statement

A.2 PRICE/COST SCHEDULE

ITEM INFORMATION

ITEM NUMBER	DESCRIPTION OF SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Room Use Service (Monthly) – Firm Fixed Price Description: Contractor shall provide fully functional, private, accessible room use service meeting all performance outcomes, standards, and AQLs in the PWS. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027	12.00	MO	$3,500.000000	$42,000.00
0002		0.00	EA	$0.000000	$0.00

	Facility Support Services (Trash, Snow, Grounds, General Maintenance) Description: Contractor shall provide recurring facility support services as identified in the PWS. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0003		0.00	EA	$0.000000	$0.00
	Incident Response / Corrective Maintenance Description: Contractor shall respond to urgent and non urgent maintenance incidents within required timelines. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0004		0.00	HR	$0.000000	$0.00
	After Hours Access Support (Optional) Description: Contractor shall provide after hours access upon request. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0005		0.00	EA	$0.000000	$0.00
	Key/Access Credential Management Description: Contractor shall maintain and administer access control systems. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0006		12.00	MO	$0.000000	$0.00
	Storage Room Access & Management Description: Contractor shall provide secure storage space as described in the PWS. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0007		0.00	HR	$0.000000	$0.00
	Additional Meeting / Group Room Usage (If Needed) Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				

0008		0.00	EA	$0.000000	$0.00
	Environmental Adjustments Beyond Standard Range Only used if the contractor charges for HVAC changes beyond standard settings. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
0009		0.00	EA	$0.000000	$0.00
	Unscheduled Deep Cleaning / Sanitization Used only if events require additional cleaning beyond routine. Contract Period: Base POP Begin: 06-01-2026 POP End: 05-31-2027				
1001		12.00	MO	$3,500.000000	$42,000.00
	Room Use Service (Monthly) – Firm Fixed Price Description: Contractor shall provide fully functional, private, accessible room use service meeting all performance outcomes, standards, and AQLs in the PWS. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1002		0.00	EA	$0.000000	$0.00
	Facility Support Services (Trash, Snow, Grounds, General Maintenance) Description: Contractor shall provide recurring facility support services as identified in the PWS. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1003		0.00	EA	$0.000000	$0.00
	Incident Response / Corrective Maintenance Description: Contractor shall respond to urgent and non urgent maintenance incidents within required timelines. Contract Period: Option 1 POP Begin: 06-01-2027				

	POP End: 05-31-2028				
1004		0.00	HR	$0.000000	$0.00
	After Hours Access Support (Optional) Description: Contractor shall provide after hours access upon request. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1005		0.00	EA	$0.000000	$0.00
	Key/Access Credential Management Description: Contractor shall maintain and administer access control systems. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1006		12.00	MO	$0.000000	$0.00
	Storage Room Access & Management Description: Contractor shall provide secure storage space as described in the PWS. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1007		0.00	HR	$0.000000	$0.00
	Additional Meeting / Group Room Usage (If Needed) Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				
1008		0.00	EA	$0.000000	$0.00
	Environmental Adjustments Beyond Standard Range Only used if the contractor charges for HVAC changes beyond standard settings. Contract Period: Option 1 POP Begin: 06-01-2027 POP End: 05-31-2028				

1009		0.00	EA	$0.000000	$0.00

Unscheduled Deep Cleaning / Sanitization

Used only if events require additional cleaning beyond routine.
Contract Period: Option 1
POP Begin: 06-01-2027
POP End: 05-31-2028

GRAND TOTAL	**$84,000.00**

ACCOUNTING AND APPROPRIATION DATA

ACRN	APPROPRIATION	REQUISITION NUMBER	AMOUNT

A.3 DELIVERY SCHEDULE

ITEM NUMBER	SHIPPING INFORMATION	QUANTITY	DELIVERY DATE
0001 - 0009		12.00	05/31/2027
1001 - 1009		12.00	05/31/2028

ADDITIONAL SIMPLIFIED ACQUISITION TERMS AND CONDITIONS

_____

A.4 52.212-4 CONTRACT TERMS AND CONDITIONS—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES (NOV 2023)

(a) *Inspection/Acceptance.* The Contractor shall only tender for acceptance those items that conform to the requirements of this contract. The Government reserves the right to inspect or test any supplies or services that have been tendered for acceptance. The Government may require repair or replacement of nonconforming supplies or reperformance of nonconforming services at no increase in contract price. If repair/replacement or reperformance will not correct the defects or is not possible, the Government may seek an equitable price reduction or adequate consideration for acceptance of nonconforming supplies or services. The Government must exercise its post-acceptance rights—

(1) Within a reasonable time after the defect was discovered or should have been discovered; and

(2) Before any substantial change occurs in the condition of the item, unless the change is due to the defect in the item.

(b) *Assignment.* The Contractor or its assignee may assign its rights to receive payment due as a result of performance of this contract to a bank, trust company, or other financing institution, including any Federal lending agency in accordance with the Assignment of Claims Act (31 U.S.C. 3727). However, when a third party makes payment (e.g., use of the Governmentwide commercial purchase card), the Contractor may not assign its rights to receive payment under this contract.

(c) *Changes.* Changes in the terms and conditions of this contract may be made only by written agreement of the parties.

(d) Disputes. This contract is subject to 41 U.S.C. chapter 71, Contract Disputes. Failure of the parties to this contract to reach agreement on any request for equitable adjustment, claim, appeal or action arising under or relating to this contract shall be a dispute to be resolved in accordance with the clause at Federal Acquisition Regulation (FAR) 52.233-1, Disputes, which is incorporated herein by reference. The Contractor shall proceed diligently with performance of this contract, pending final resolution of any dispute arising under the contract.

(e) *Definitions.* The clause at FAR 52.202-1, Definitions, is incorporated herein by reference.

(f) *Excusable delays.* The Contractor shall be liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of the Contractor and without its fault or negligence such as, acts of God or the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather, and delays of common carriers. The Contractor shall notify the Contracting Officer in writing as soon as it is reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection

therewith, shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to the Contracting Officer of the cessation of such occurrence.

(g) Invoice.

(1) The Contractor shall submit an original invoice and three copies (or electronic invoice, if authorized) to the address designated in the contract to receive invoices. An invoice must include—

(i) Name and address of the Contractor;

(ii) Invoice date and number;

(iii) Contract number, line item number and, if applicable, the order number;

(iv) Description, quantity, unit of measure, unit price and extended price of the items delivered;

(v) Shipping number and date of shipment, including the bill of lading number and weight of shipment if shipped on Government bill of lading;

(vi) Terms of any discount for prompt payment offered;

(vii) Name and address of official to whom payment is to be sent;

(viii) Name, title, and phone number of person to notify in event of defective invoice; and

(ix) Taxpayer Identification Number (TIN). The Contractor shall include its TIN on the invoice only if required elsewhere in this contract.

(x) Electronic funds transfer (EFT) banking information.

(A) The Contractor shall include EFT banking information on the invoice only if required elsewhere in this contract.

(B) If EFT banking information is not required to be on the invoice, in order for the invoice to be a proper invoice, the Contractor shall have submitted correct EFT banking information in accordance with the applicable solicitation provision, contract clause (e.g., 52.232-33, Payment by Electronic Funds Transfer—System for Award Management, or 52.232-34, Payment by Electronic Funds Transfer—Other Than System for Award Management), or applicable agency procedures.

(C) EFT banking information is not required if the Government waived the requirement to pay by EFT.

(2) Invoices will be handled in accordance with the Prompt Payment Act (31 U.S.C. 3903) and Office of Management and Budget (OMB) prompt payment regulations at 5 CFR part 1315.

(h) *Patent indemnity.* The Contractor shall indemnify the Government and its officers, employees and agents against liability, including costs, for actual or alleged direct or contributory infringement of, or inducement to infringe, any United States or foreign patent, trademark or copyright, arising out of the performance of this contract, provided the Contractor is reasonably notified of such claims and proceedings.

(i) Payment.—

(1) *Items accepted.* Payment shall be made for items accepted by the Government that have been delivered to the delivery destinations set forth in this contract.

(2) *Prompt payment.* The Government will make payment in accordance with the Prompt Payment Act (31 U.S.C. 3903) and prompt payment regulations at 5 CFR part 1315.

(3) *Electronic Funds Transfer (EFT).* If the Government makes payment by EFT, see 52.212-5(b) for the appropriate EFT clause.

(4) *Discount.* In connection with any discount offered for early payment, time shall be computed from the date of the invoice. For the purpose of computing the discount earned, payment shall be considered to have been made on the date which appears on the payment check or the specified payment date if an electronic funds transfer payment is made.

(5) *Overpayments.* If the Contractor becomes aware of a duplicate contract financing or invoice payment or that the Government has otherwise overpaid on a contract financing or invoice payment, the Contractor shall—

(i) Remit the overpayment amount to the payment office cited in the contract along with a description of the overpayment including the—

(A) Circumstances of the overpayment (e.g., duplicate payment, erroneous payment, liquidation errors, date(s) of overpayment);

(B) Affected contract number and delivery order number, if applicable;

(C) Affected line item or subline item, if applicable; and

(D) Contractor point of contact.

(ii) Provide a copy of the remittance and supporting documentation to the Contracting Officer.

(6) *Interest.*

(i) All amounts that become payable by the Contractor to the Government under this contract shall bear simple interest from the date due until paid unless paid within 30 days of becoming due. The interest rate shall be the interest rate established by the Secretary of the Treasury as provided in 41 U.S.C. 7109, which is applicable to the period in which the amount becomes due, as provided in (i)(6)(v) of this clause, and then at the rate applicable for each six-month period as fixed by the Secretary until the amount is paid.

(ii) The Government may issue a demand for payment to the Contractor upon finding a debt is due under the contract.

(iii) *Final decisions.* The Contracting Officer will issue a final decision as required by 33.211 if—

(A) The Contracting Officer and the Contractor are unable to reach agreement on the existence or amount of a debt within 30 days;

(B) The Contractor fails to liquidate a debt previously demanded by the Contracting Officer within the timeline specified in the demand for payment unless the amounts were not repaid because the Contractor has requested an installment payment agreement; or

(C) The Contractor requests a deferment of collection on a debt previously demanded by the Contracting Officer (see 32.607-2).

(iv) If a demand for payment was previously issued for the debt, the demand for payment included in the final decision shall identify the same due date as the original demand for payment.

(v) Amounts shall be due at the earliest of the following dates:

(A) The date fixed under this contract.

(B) The date of the first written demand for payment, including any demand for payment resulting from a default termination.

(vi) The interest charge shall be computed for the actual number of calendar days involved beginning on the due date and ending on—

(A) The date on which the designated office receives payment from the Contractor;

(B) The date of issuance of a Government check to the Contractor from which an amount otherwise payable has been withheld as a credit against the contract debt; or

(C) The date on which an amount withheld and applied to the contract debt would otherwise have become payable to the Contractor.

(vii) The interest charge made under this clause may be reduced under the procedures prescribed in FAR 32.608-2 in effect on the date of this contract.

(j) *Risk of loss.* Unless the contract specifically provides otherwise, risk of loss or damage to the supplies provided under this contract shall remain with the Contractor until, and shall pass to the Government upon:

(1) Delivery of the supplies to a carrier, if transportation is f.o.b. origin; or

(2) Delivery of the supplies to the Government at the destination specified in the contract, if transportation is f.o.b. destination.

(k) *Taxes.* The contract price includes all applicable Federal, State, and local taxes and duties.

(l) *Termination for the Government's convenience.* The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination. The

Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.

(m) *Termination for cause.* The Government may terminate this contract, or any part hereof, for cause in the event of any default by the Contractor, or if the Contractor fails to comply with any contract terms and conditions, or fails to provide the Government, upon request, with adequate assurances of future performance. In the event of termination for cause, the Government shall not be liable to the Contractor for any amount for supplies or services not accepted, and the Contractor shall be liable to the Government for any and all rights and remedies provided by law. If it is determined that the Government improperly terminated this contract for default, such termination shall be deemed a termination for convenience.

(n) *Title.* Unless specified elsewhere in this contract, title to items furnished under this contract shall pass to the Government upon acceptance, regardless of when or where the Government takes physical possession.

(o) *Warranty.* The Contractor warrants and implies that the items delivered hereunder are merchantable and fit for use for the particular purpose described in this contract.

(p) *Limitation of liability.* Except as otherwise provided by an express warranty, the Contractor will not be liable to the Government for consequential damages resulting from any defect or deficiencies in accepted items.

(q) *Other compliances.* The Contractor shall comply with all applicable Federal, State and local laws, executive orders, rules and regulations applicable to its performance under this contract.

(r) *Compliance with laws unique to Government contracts.* The Contractor agrees to comply with 31 U.S.C. 1352 relating to limitations on the use of appropriated funds to influence certain Federal contracts; 18 U.S.C. 431 relating to officials not to benefit; 40 U.S.C. chapter 37, Contract Work Hours and Safety Standards; 41 U.S.C. chapter 87, Kickbacks; 49 U.S.C. 40118, Fly American; and 41 U.S.C. chapter 21 relating to procurement integrity.

(s) *Order of precedence.* Any inconsistencies in this solicitation or contract shall be resolved by giving precedence in the following order:

(1) The schedule of supplies/services.

(2) The Assignments, Disputes, Payments, Invoice, Other Compliances, Compliance with Laws Unique to Government Contracts, and Unauthorized Obligations paragraphs of this clause;

(3) The clause at 52.212-5.

(4) Addenda to this solicitation or contract, including any license agreements for computer software.

(5) Solicitation provisions if this is a solicitation.

(6) Other paragraphs of this clause.

(7) The Standard Form 1449.

(8) Other documents, exhibits, and attachments

(9) The specification.

(t) [Reserved]

(u) *Unauthorized Obligations*.

(1) Except as stated in paragraph (u)(2) of this clause, when any supply or service acquired under this contract is subject to any End User License Agreement (EULA), Terms of Service (TOS), or similar legal instrument or agreement, that includes any clause requiring the Government to indemnify the Contractor or any person or entity for damages, costs, fees, or any other loss or liability that would create an Anti-Deficiency Act violation (31 U.S.C. 1341), the following shall govern:

(i) Any such clause is unenforceable against the Government.

(ii) Neither the Government nor any Government authorized end user shall be deemed to have agreed to such clause by virtue of it appearing in the EULA, TOS, or similar legal instrument or agreement. If the EULA, TOS, or similar legal instrument or agreement is invoked through an “I agree” click box or other comparable mechanism (e.g., “click-wrap” or “browse-wrap” agreements), execution does not bind the Government or any Government authorized end user to such clause.

(iii) Any such clause is deemed to be stricken from the EULA, TOS, or similar legal instrument or agreement.

(2) Paragraph (u)(1) of this clause does not apply to indemnification by the Government that is expressly authorized by statute and specifically authorized under applicable agency regulations and procedures.

(v) *Incorporation by reference*. The Contractor’s representations and certifications, including those completed electronically via the System for Award Management (SAM), are incorporated by reference into the contract.

(End of Clause)

ADDENDUM to FAR 52.212-4 CONTRACT TERMS AND CONDITIONS—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

Clauses that are incorporated by reference (by Citation Number, Title, and Date), have the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available.

The following clauses are incorporated into 52.212-4 as an addendum to this contract:

A.5 NOTICE LISTING CLAUSES INCORPORATED BY REFERENCE

The following clauses are hereby incorporated by reference (by Citation Number, Title, and Date) in accordance with the clause at FAR "52.252-2 CLAUSES INCORPORATED BY REFERENCE" contained in this

document. See FAR 52.252-2 for an internet address (if specified) for electronic access to the full text of a clause.

FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1)

FAR Number	Title	Date
52.203-17	CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS	NOV 2023
52.203-19	PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS	JAN 2017
52.204-13	SYSTEM FOR AWARD MANAGEMENT—MAINTENANCE (DEVIATION)	NOV 2025
52.209-10	PROHIBITION ON CONTRACTING WITH INVERTED DOMESTIC CORPORATIONS	NOV 2015
52.222-3	CONVICT LABOR (DEVIATION)	NOV 2025
52.222-19	CHILD LABOR—COOPERATION WITH AUTHORITIES AND REMEDIES (DEVIATION)	MAR 2026
52.222-36	EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES (DEVIATION)	NOV 2025
52.222-50	COMBATING TRAFFICKING IN PERSONS (DEVIATION)	NOV 2025
52.222-53	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR CERTAIN SERVICES—REQUIREMENTS (DEVIATION)	NOV 2025
52.226-8	ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING	MAY 2024
52.232-33	PAYMENT BY ELECTRONIC FUNDS TRANSFER—SYSTEM FOR AWARD MANAGEMENT	OCT 2018
52.233-3	PROTEST AFTER AWARD	AUG 1996
52.233-4	APPLICABLE LAW FOR BREACH OF CONTRACT CLAIM	OCT 2004
52.240-91	SECURITY PROHIBITIONS AND EXCLUSIONS (DEVIATION)	NOV 2025
52.244-6DEV	SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES	OCT 2025
852.201-70	CONTRACTING OFFICER'S REPRESENTATIVE	DEC 2022
852.203-70	COMMERCIAL ADVERTISING	MAY 2018
852.242-71	ADMINISTRATIVE CONTRACTING OFFICER	OCT 2020

A.6 52.217-8 OPTION TO EXTEND SERVICES (NOV 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within 30 days.

(End of Clause)

A.7 52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within 30 days; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 60 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed two (2) years.

(End of Clause)

A.8 **52.222-90 ADDRESSING DEI DISCRIMINATION BY FEDERAL CONTRACTORS (APR 2026)**

(a) *Definitions*. As used in this clause—

Program participation means membership or participation in, or access or admission to: training, mentoring, or leadership development programs; educational opportunities; clubs; associations; or similar opportunities that are sponsored or established by the contractor or subcontractor.

Racially discriminatory diversity, equity, and inclusion (DEI) activities means disparate treatment based on race or ethnicity in the recruitment, employment (e.g., hiring, promotions), contracting (*e.g.*, vendor agreements), program participation, or allocation or deployment of an entity's resources.

(b) In connection with the performance of work under this contract, the Contractor agrees as follows:

(1) The Contractor will not engage in any racially discriminatory DEI activities;

(2) The Contractor will furnish all information and reports, including providing access to books, records, and accounts, as required by the Contracting Officer, for purposes of ascertaining compliance with this clause;

(3) In the event of the Contractor's or a subcontractor's noncompliance with this clause, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor or subcontractor may be declared ineligible for further Government contracts;

(4) The Contractor will report any subcontractor's known or reasonably knowable conduct that may violate this clause to the Contracting Officer and take any appropriate remedial actions directed by the Contracting Officer; and

(5) The Contractor will inform the Contracting Officer if a subcontractor sues the Contractor and the suit puts at issue, in any way, the validity of this clause.

(6) The Contractor recognizes that compliance with the requirements of this clause are material to the Government's payment decisions for purposes of 31 U.S.C. 3729(b)(4).

(c) The Contractor must include the substance of this clause, including this paragraph (c), in subcontracts at any tier, including those for commercial products and commercial services, except those where the place of delivery or performance is outside the United States.

(End of clause)

A.9 52.240-91 SECURITY PROHIBITIONS AND EXCLUSIONS (NOV 2025) (DEVIATION) ALTERNATE I (NOV 2025)

(a) *Definitions*. As used in this clause—

American Security Drone Act-covered foreign entity means an entity included on a list that the Federal Acquisition Security Council (FASC) develops and maintains and publishes in the System for Award Management (SAM) at *https://www.sam.gov* (section 1822 of Pub. L. 118-31, 41 U.S.C. 3901 note prec.).

Backhaul means intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network (e.g., connecting cell phones/towers to the core telephone network). Backhaul can be wireless (e.g., microwave) or wired (e.g., fiber optic, coaxial cable, Ethernet).

Covered application means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

Covered article, as defined in 41 U.S.C. 4713(k), means:

(1) Information technology, as defined in 40 U.S.C. 11101, including cloud computing services of all types;

(2) Telecommunications equipment or telecommunications service, as those terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(3) The processing of information on a Federal or non-Federal information system, subject to the requirements of the Controlled Unclassified Information program (see 32 CFR part 2002); or

(4) Hardware, systems, devices, software, or services that include embedded or incidental information technology.

Covered foreign country means The People's Republic of China.

Covered telecommunications equipment or services means—

(1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);

(2) For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);

(3) Telecommunications or video surveillance services provided by such entities or using such equipment; or

(4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the

Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Critical technology means—

(1) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations;

(2) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled—

(i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or

(ii) For reasons relating to regional stability or surreptitious listening;

(3) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities);

(4) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material);

(5) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or

(6) Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

FASC-prohibited unmanned aircraft system means an unmanned aircraft system manufactured or assembled by an American Security Drone Act—covered foreign entity.

FASCSA order means any of the following orders issued under the Federal Acquisition Supply Chain Security Act (FASCSA) requiring removing covered articles from executive agency information systems or excluding one or more named sources or named covered articles from executive agency procurement actions, as described in 41 CFR 201-1.303(d) and (e):

(1) The Secretary of Homeland Security may issue FASCSA orders that apply to civilian agencies, to the extent not covered by paragraph (2) or (3) of this definition. This type of FASCSA order may be referred to as a Department of Homeland Security (DHS) FASCSA order.

(2) The Secretary of Defense may issue FASCSA orders that apply to the Department of Defense (DoD) and national security systems other than sensitive compartmented information systems. This type of FASCSA order may be referred to as a DoD FASCSA order.

(3) The Director of National Intelligence (DNI) may issue FASCSA orders that apply to the intelligence community and sensitive compartmented information systems, to the extent not covered by paragraph (2) of this definition. This type of FASCSA order may be referred to as a DNI FASCSA order.

Information technology, as defined in 40 U.S.C. 11101(6)—

(1) Means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the executive agency, if the equipment is used by the executive agency directly or is used by a contractor under a contract with the executive agency that requires the use—

(i) Of that equipment; or

(ii) Of that equipment to a significant extent in the performance of a service or the furnishing of a product;

(2) Includes computers, ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer, software, firmware and similar procedures, services (including support services), and related resources; but

(3) Does not include any equipment acquired by a Federal contractor incidental to a Federal contract.

Intelligence community, as defined by 50 U.S.C. 3003(4), means the following—

(1) The Office of the Director of National Intelligence;

(2) The Central Intelligence Agency;

(3) The National Security Agency;

(4) The Defense Intelligence Agency;

(5) The National Geospatial-Intelligence Agency;

(6) The National Reconnaissance Office;

(7) Other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs;

(8) The intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy;

(9) The Bureau of Intelligence and Research of the Department of State;

(10) The Office of Intelligence and Analysis of the Department of the Treasury;

(11) The Office of Intelligence and Analysis of the Department of Homeland Security; or

(12) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the intelligence community.

Interconnection arrangement means arrangements governing the physical connection of two or more networks to allow the use of another's network to hand off traffic where it is ultimately delivered (e.g., connecting a customer of telephone provider A to a customer of telephone company B) or sharing data and other information resources.

Kaspersky Lab-covered article means any hardware, software, or service that—

(1) Is developed or provided by a Kaspersky Lab-covered entity;

(2) Includes any hardware, software, or service developed or provided in whole or in part by a Kaspersky Lab-covered entity; or

(3) Contains components using any hardware or software developed in whole or in part by a Kaspersky Lab-covered entity.

Kaspersky Lab-covered entity means—

(1) Kaspersky Lab;

(2) Any successor entity to Kaspersky Lab, including any change in name, e.g., "Kaspersky";

(3) Any entity that controls, is controlled by, or is under common control with Kaspersky Lab; or

(4) Any entity of which Kaspersky Lab has a majority ownership.

National security system, as defined in 44 U.S.C. 3552, means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

(1) The function, operation, or use of which involves intelligence activities; involves cryptologic activities related to national security; involves command and control of military forces; involves equipment that is an integral part of a weapon or weapons system; or is critical to the direct fulfillment of military or intelligence missions, but does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications); or

(2) Is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

Roaming means cellular communications services (e.g., voice, video, data) received from a visited network when unable to connect to the facilities of the home network either because signal coverage is too weak or because traffic is too high.

Sensitive compartmented information means classified information concerning or derived from intelligence sources, methods, or analytical processes, which is required to be handled within formal access control systems established by the Director of National Intelligence.

Sensitive compartmented information system means a national security system authorized to process or store sensitive compartmented information.

Source means a non-Federal supplier, or potential supplier, of products or services, at any tier.

Subsidiary means an entity in which more than 50 percent of the entity is owned directly by a parent corporation or through another subsidiary of a parent corporation.

Substantial or essential component means any component necessary for the proper function or performance of a piece of equipment, system, or service.

Unmanned aircraft means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (49 U.S.C. 44801(11)).

Unmanned aircraft system means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system (49 U.S.C. 44801(12)).

(b) *Prohibitions on providing or using specific products or services in performance of contract*. Unless a waiver or exception applies, the Contractor is prohibited from providing any products or services to the Government or using in the performance of the contract any of the following:

(1) A covered application on any information technology owned or managed by the Government, or on any information technology used or provided by the Contractor under this contract, including equipment provided by the Contractor's employees (section 102 of Division R of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328));

(2) A Kaspersky Lab-covered article (Section 1634 of Division A of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91));

(3) Covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system (paragraphs (a)(1)(A) of section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232)). This does not prohibit contractors from providing—

(i) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) Prohibition on unmanned aircraft systems manufactured or assembled by American Security Drone Act—covered foreign entities.

(1) Prohibition. The Contractor is prohibited from—

(i) Delivering any FASC-prohibited unmanned aircraft system, which includes unmanned aircraft (i.e., drones) and associated elements (sections 1823 and 1826 of American Security Drone Act of 2023, within the National Defense Authorization Act for Fiscal Year 2024, Pub. L. 118-31, Div. A, Title XVIII, Subtitle B, 41 U.S.C. 3901 note prec.);

(ii) On or after December 22, 2025, operating a FASC-prohibited unmanned aircraft system in the performance of the contract (section 1824 of Pub. L. 118-31); and

(iii) On or after December 22, 2025, using Federal funds to procure or operate a FASC-prohibited unmanned aircraft system (section 1825 of Pub. L. 118-31).

(2) *Procedures*. The Contractor shall search SAM for the FASC-maintained list of American Security Drone Act—covered foreign entities before proposing, or using in performance of the contract, any unmanned aircraft system. Also, the Contractor shall ensure any effort or expenditure associated with a FASC-prohibited unmanned aircraft system is consistent with a corresponding exemption, exception, or waiver determination expressly stated in the contract.

(3) *Exemptions, exceptions, and waivers*. The prohibitions in paragraph (c) of this clause do not apply where the agency has determined an exemption, exception, or waiver applies, and the contract indicates that such a determination has been made. See sections 1823 through 1825 and 1832 of Public Law 118-31 for statutory requirements pertaining to exemptions, exceptions, and waivers.

(d) *Prohibition on using or providing specific products or services or conducting certain transactions regardless of connection to contract*.

(1) *Certain telecommunications and video surveillance equipment, systems, or services*.

(i) Unless an applicable waiver has been issued by the Government, the Contractor cannot use any equipment, systems, or services that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system (paragraph (a)(1)(B) of section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232)).

(ii) This prohibition applies to using covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. This does not prohibit the contractor from using—

(A) A service that connects to the facilities of a third party, such as backhaul, roaming, or interconnection arrangements; or

(B) Telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) *Office of Foreign Assets Control Restrictions*.

(i) Except as authorized by the Office of Foreign Assets Control (OFAC) in the Department of the Treasury, the Contractor shall not acquire, for use in the performance of this contract, any supplies or services if any proclamation, Executive order, or statute administered by OFAC, or if OFAC's

implementing regulations at 31 CFR chapter V, would prohibit such a transaction by a person subject to the jurisdiction of the United States.

(ii) Except as authorized by OFAC, most transactions involving Cuba, Iran, and Sudan are prohibited, as are most imports from Burma or North Korea, into the United States or its outlying areas.

(A) For lists of entities and individuals subject to economic sanctions, see OFAC's List of Specially Designated Nationals and Blocked Persons at *https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists*.

(B) For more information about these restrictions, as well as updates, see OFAC's regulations at 31 CFR chapter V and at *https://home.treasury.gov/policy-issues/office-of-foreign-assets-control-sanctions-programs-and-information*.

(C) To conduct electronic screens of potential parties to regulated transactions, see the consolidated screening list at *https://www.trade.gov/consolidated-screening-list*, which consolidates multiple export screening lists of the Departments of Commerce, State, and the Treasury.

(3) *Sudan prohibition*. The Contractor is prohibited from conducting any restricted business operations in Sudan in accordance with Accountability and Divestment Act of 2007 (Pub. L. 110-174).

(4) *Iran prohibitions*.

(i) Unless an exception applies according to paragraph (d)(4)(iii) or the Government grants a waiver, the contractor shall not engage in certain activities or transactions relating to Iran (section 6(b)(1)(A) of Iran Sanctions Act (50 U.S.C. 1701 note).

(ii) Unless an exception applies according to paragraph (d)(4)(iii) or the Government grants a waiver, contractor shall not export certain sensitive technology to Iran, as determined by the President, and has an active exclusion in SAM (22 U.S.C. 8515).

(iii) The prohibition in paragraphs (d)(4)(i) and (d)(4)(ii) do not apply if the acquisition is subject to trade agreements and the offeror certifies that all the offered products are designated country end products or designated country construction material (see part 25).

(iv) Unless an exception applies or the Government grants a waiver, contractors are prohibited from knowingly engaging in any significant transaction (i.e., over $15,000) with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked according to the International Emergency Economic Powers Act (section 6(b)(1)(B) of Iran Sanctions Act (50 U.S.C. 1701 note)).

(e) *Governmentwide exclusion and removal orders*.

(1) Contractors are prohibited from providing or using as part of the performance of the contract any covered article, or any products or services produced or provided by a source, if the covered article or the source is prohibited by any applicable FASCSA orders identified by the checkbox(es) in this paragraph (e)(1).

Yes [] No [] DHS FASCSA Order

Yes [] No [] DoD FASCSA Order

Yes [] No [] DNI FASCSA Order

(f)*Reasonable inquiry*. The contractor shall conduct a reasonable inquiry to determine if there are any prohibited products or services. The inquiry will look at any information in the entity's possession but does not need to include an internal or third-party audit.

(g) *Removal of prohibited products and services*. For Federal Supply Schedules, Governmentwide acquisition contracts, multi-agency contracts or any other procurement instrument intended for use by multiple agencies, upon notification from the Contracting Officer, during the performance of the contract, the Contractor shall promptly make any necessary changes or modifications to remove any product or service produced or provided by a source that this clause prohibits.

(h) *General report*.

(1) If the Contractor identifies or is notified by any source, (including a subcontractor at any tier), that any product or service provided or used (or to be provided or used) during contract performance does not comply with any prohibition in this clause, then the Contractor shall report the following information, or as much information is known, in writing to the contracting office as identified in paragraph (h)(2) within 72 hours:

(i) Contract number and order number, if applicable;

(ii) The specific prohibition the product or service is not complying with;

(iii) A description of the products or services that the Contractor identifies or has reason to suspect is prohibited (include brand; model number, such as the original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable);

(iv) The entity that produced the product or service (include entity name, unique entity identifier, Contractor and Government Entity (CAGE) code, facilities responsible for design, fabrication, assembly, packaging, and test of the product, and whether the entity was the OEM or a distributor (provide manufacturer codes and distributor codes used for the product));

(v) Description of the functionality of the product or service and how that functionality impacts the risk to the product or service;

(vi) An explanation of any factors relevant to determining if the product or service should be permitted by an applicable exception, exemption, or waiver (if the contractor would like the Government to consider a waiver, and asks for such a waiver);

(vii) Whether alternative products or services are available that would comply with the prohibition;

(viii) If the product or service is related to item maintenance, include the following information on the item being maintained:

(A) Brand;

(B) Model number, OEM number, manufacturer part number, or wholesaler number; and

(C) Item description, as applicable.

(ix) Any readily available information about mitigation actions implemented or recommended.

(2) If a report must be submitted to a contracting office, the Contractor shall submit the report as follows:

(i) If a Department of Defense contracting office, the Contractor shall report to the website at *https://dibnet.dod.mil*.

(ii) For all other contracting offices, the Contractor shall report to the Contracting Officer.

(iii) For indefinite delivery contracts, the Contractor shall report to both the contracting office for the indefinite delivery contract and the contracting office for any affected order.

(3) If the report provided does not contain any of the information required by paragraph (h)(1) of this clause, and the contractor later discovers new information that is required by paragraph (h)(1) of this clause, then the contractor shall submit a subsequent report within 72 hours of discovering the new information.

(4) The contractor shall also report the information in paragraph (h)(1) if the contractor wishes to ask for a waiver of the requirements of a new FASCSA order being applied through modification.

(i) *New FASCSA orders report*.

(1) During contract performance, the Contractor shall review SAM at least once every three months, or as advised by the Contracting Officer, to check for covered articles subject to FASCSA order(s), or for products or services produced by a source subject to FASCSA order(s) not currently identified under paragraph (e) of this clause.

(2) If the Contractor identifies a new FASCSA order(s) that could impact their supply chain, then the Contractor shall conduct a reasonable inquiry to identify whether a covered article or product or service produced or provided by a source subject to the FASCSA order(s) was provided to the Government or used during contract performance. The inquiry will look at any information in the entity's possession but does not need to include an internal or third-party audit.

(3) The Contractor shall submit a report to the contracting office identified in paragraph (h)(2) of this clause if the Contractor identifies, including through any notification by a subcontractor at any tier, that a covered article or product or service produced or provided by a source was provided to the Government or used during contract performance and is subject to a FASCSA order(s). For indefinite delivery contracts, the Contractor shall report to both the contracting office for the indefinite delivery contract and the contracting office for any affected order. The Contractor shall report the following information within 72 hours for each covered article or each product or service produced or provided by a source, where the covered article or source is subject to a FASCSA order:

(i) Contract number and order number, if applicable;

(ii) Name of the covered article or source subject to a FASCSA order;

(iii) The specific FASCSA order the product or service does not comply with;

(iv) The elements of (h)(1)(iii) through (ix) of this clause.

(j) Subcontracts. The Contractor shall insert the substance of this clause, including this paragraph (j) but excluding subparagraphs (d)(1) and (i)(1), in all subcontracts and other contractual instruments, including subcontracts for acquiring commercial products or commercial services.

(End of Provision)

A.10 VAAR 852.232-72 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS (NOV 2018)

(a) *Definitions.* As used in this clause—

(1) *Contract financing payment* has the meaning given in FAR 32.001;

(2) *Designated agency* office means the office designated by the purchase order, agreement, or contract to first receive and review invoices. This office can be contractually designated as the receiving entity. This office may be different from the office issuing the payment;

(3) *Electronic form* means an automated system transmitting information electronically according to the accepted electronic data transmission methods and formats identified in paragraph (c) of this clause. Facsimile, email, and scanned documents are not acceptable electronic forms for submission of payment requests;

(4) *Invoice payment* has the meaning given in FAR 32.001; and

(5) *Payment request* means any request for contract financing payment or invoice payment submitted by the contractor under this contract.

(b) *Electronic payment requests.* Except as provided in paragraph (e) of this clause, the contractor shall submit payment requests in electronic form. Purchases paid with a Government-wide commercial purchase card are considered to be an electronic transaction for purposes of this rule, and therefore no additional electronic invoice submission is required.

(c) *Data transmission.* A contractor must ensure that the data transmission method and format are through one of the following:

(1) VA's Electronic Invoice Presentment and Payment System at the current website address provided in the contract.

(2) Any system that conforms to the X12 electronic data interchange (EDI) formats established by the Accredited Standards Center (ASC) and chartered by the American National Standards Institute (ANSI).

(d) *Invoice requirements.* Invoices shall comply with FAR 32.905.

(e) *Exceptions*. If, based on one of the circumstances in this paragraph (e), the Contracting Officer directs that payment requests be made by mail, the Contractor shall submit payment requests by mail

through the United States Postal Service to the designated agency office. Submission of payment requests by mail may be required for—

(1) Awards made to foreign vendors for work performed outside the United States;

(2) Classified contracts or purchases when electronic submission and processing of payment requests could compromise the safeguarding of classified or privacy information;

(3) Contracts awarded by contracting officers in the conduct of emergency operations, such as responses to national emergencies;

(4) Solicitations or contracts in which the designated agency office is a VA entity other than the VA Financial Services Center in Austin, Texas; or

(5) Solicitations or contracts in which the VA designated agency office does not have electronic invoicing capability as described above.

(End of Clause)

A.11 VAAR 852.239-76 INFORMATION AND COMMUNICATION TECHNOLOGY ACCESSIBILITY (FEB 2023)

(a) All information and communication technology (ICT) (formerly referred to as electronic and information technology (EIT)) supplies, information, documentation and services support developed, acquired, maintained or delivered under this contract or order must comply with the ‘‘Architectural and Transportation Barriers Compliance Board Electronic and Information Technology (EIT) Accessibility Standards’’ (see 36 CFR part 1194). Information about Section 508 is available at *http://www.section508.va.gov/*.

(b) The Section 508 accessibility standards applicable to this contract or order are identified in the specification, statement of work, or performance work statement. If it is determined by the Government that ICT supplies and services provided by the Contractor do not conform to the described accessibility standards in the contract, remediation of the supplies or services to the level of conformance specified in the contract will be the responsibility of the Contractor at its own expense.

(c) The Section 508 accessibility standards applicable to this contract are:

(d) In the event of a modification(s) to this contract or order, which adds new EIT supplies or services or revises the type of, or specifications for, supplies or services, the Contracting Officer may require that the Contractor submit a completed VA Section 508 Checklist and any other additional information necessary to assist the Government in determining that the ICT supplies or services conform to Section 508 accessibility standards. If it is determined by the Government that ICT supplies and services provided by the Contractor do not conform to the described accessibility standards in the contract, remediation of the supplies or services to the level of conformance specified in the contract will be the responsibility of the Contractor at its own expense.

(e) If this is an Indefinite-Delivery type contract, a Blanket Purchase Agreement or a Basic Ordering Agreement, the task/delivery order requests that include ICT supplies or services will define the

specifications and accessibility standards for the order. In those cases, the Contractor may be required to provide a completed VA Section 508 Checklist and any other additional information necessary to assist the Government in determining that the ICT supplies or services conform to Section 508 accessibility standards. If it is determined by the Government that ICT supplies and services provided by the Contractor do not conform to the described accessibility standards in the provided documentation, remediation of the supplies or services to the level of conformance specified in the contract will be the responsibility of the Contractor at its own expense.

(End of Clause)

LEASE AGREEMENT

LEASE AGREEMENT made and entered into as of the 1st day of June, 2026 by and between the **SANFORD-SPRINGVALE DEVELOPMENT CORPORATION ("LANDLORD")**, a corporation existing under the laws of the State of Maine and located in the County of York, State of Maine and having a mailing address of 21 Bradeen Street, Suite 100 Springvale, Maine, 04083 and the **CITY OF SANFORD ("TENANT")** located in the City of Sanford, County of York, State of Maine, and having a mailing address of CITY OF SANFORD, 917 Main St. Sanford, Maine 04073.

WHEREAS, TENANT wishes to lease for its business purposes certain real property owned by the Town of Sanford and leased to the **SANFORD-SPRINGVALE DEVELOPMENT CORPORATION,** and

WHEREAS, LANDLORD, as authorized by Town of Sanford Town Meeting, is willing to sub-lease said premises under the terms and conditions contained herein.

NOW, THEREFORE, in consideration of the mutual conditions and covenants contained herein, the parties agree as follows:

1. **Description of Property**: Subject to the terms of this lease, **LANDLORD** sub-leases to TENANT a portion of Level 3, being Suite # 301, which includes 3 small office spaces, a large open space, a full kitchen and conference room, approximately 2000sq.ft. **TENANT** shall have exclusive use of said Premises but shall have only a right in common with other tenants of the Anderson Learning Center to use grounds, outside entrances, stairways, common spaces and elevator.

2. **Use of Property**: Use of the Premises shall be limited to **TENANT'S** purposes. Additional alterations, interior or exterior, shall not be made by **TENANT** without prior written consent of the **LANDLORD**; provided, however, **LANDLORD** shall not unreasonably withhold consent for alterations necessary for **TENANT'S** intended use of the Premises.

3. **Rent: TENANT** shall pay as rent to **LANDLORD** the rental, payable in monthly installments in advance of the first day of each month each installment to be in the amount of $3500.00 (thirty five hundred), for that month's rental during the term of this lease. All rental payments shall be made to the Sanford-Springvale Development Corporation, Business Enterprise Center, 21 Bradeen Street, Suite

100, Springvale, Maine 04083. Checks shall be made payable to the Sanford-Springvale Development Corporation.

4. **Duration:** The term of the lease shall be for a period of twelve months beginning June 1, 2026 and ending May 31, 2027, unless sooner terminated for cause as provided in Paragraph 11 or damages to the Premises as provided in Paragraph 17. In the event the **TENANT** wishes to vacate Premises prior to the expiration of the Lease, the **TENANT** is required to give six (6) months written notice to the **LANDLORD** by registered mail. **TENANT** may have reasonable access to the premises to do any necessary "fit-up" work prior to that date.

5. Repairs and Maintenance: **TENANT** agrees to perform at its expense all decorating, minor repairs and maintenance to the interior non-structural portion of the Premises including without limitation, repairs to glass, light fixtures and bulbs, carpeting and painting. **TENANT** shall obtain **LANDLORD**'s prior approval in writing for any decorating, minor repairs and maintenance that significantly alter the Premises from the condition they are in when delivered to **TENANT** as shown on exhibit B; provided, however, the **LANDLORD** shall not unreasonably withhold approval for such work. **LANDLORD** is responsible for major repairs including any exterior structural repair of the building, provided, however, that **TENANT** shall notify **LANDLORD** in writing of the need for major repairs.

6. **Utilities:** All applications and connections for necessary utility service on the Premises shall be made in the name of the party responsible for payment. **TENANT** shall be solely liable for telephone use, cable television use and its own janitorial services. **LANDLORD** shall be solely liable for heating oil, electric, water and sewer services, plowing, including the shoveling of snow accumulating in stairways and walkways.

7. **Parking:** **LANDLORD** agrees to provide for the benefit of the **TENANT** and the **TENANT'S** employees, agents, clients and invitees the right to use certain exterior areas, including parking areas, as may be designated and/or altered from time to time by the **LANDLORD**, which shall be in common with **LANDLORD** and other **TENANT'S** employees, agents, clients and invitees, as may be designated and/or altered from time to time by the **LANDLORD,** which shall be in common with **LANDLORD**

and other **TENANT'S** employees, agents, clients and invitees. Parking spaces, walkways, and steps will be clean and free of snow, ice, and debris.

8. **Access to Premises: TENANT** shall permit **LANDLORD** or its agents, with prior notice, to enter Premises to make repairs in a timely manner, provided, however, that **LANDLORD** shall not unreasonable interfere with **TENANT'S** operation and that **LANDLORD** shall respect all privacy requirements provided by law. Subject to the foregoing provisions regarding notice, interference and privacy, at any time within six (6) months prior to the expiration of the term of this Lease, **LANDLORD** may show Premises to persons wishing to rent them.

9. **Easements, Agreements, or Encumbrances**: The parties shall be bound by all existing easements, agreements, and encumbrances of record relating to the Premises, and **LANDLORD** shall be liable to **TENANT** for any damages resulting from any action taken by the holder of an interest pursuant to the rights of that holder.

10. **Quiet Enjoyment: LANDLORD** warrants that **TENANT** shall be granted peaceable and quiet enjoyment of the Premises free from any eviction or interference by **LANDLORD** if **TENANT** pays the rent and other charges provided in this Lease, and otherwise fully complies with the terms and conditions imposed on **TENANT.**

11. **Default:** If, during the term of this Lease, or any extension of the term, **TENANT** shall default in the payment of rent or in the performance of any of the covenants or conditions required by this Lease, and if default is not corrected within fourteen (14) days after delivery of written notice from **LANDLORD** specifying the default and sent by registered mail, **LANDLORD** shall have the right at its election to terminate this Lease or to re-enter the leased Premises and remove all persons and/or improvements from the Premises, or to take any other action for the enforcement of any right or remedy available to **LANDLORD** at law.

12. **Waiver: TENANT** covenants and agrees that, except as herein otherwise provided, the rights and remedies of **LANDLORD** under this Lease shall be cumulative and that the exercise of any one of them shall not be exclusive of any other right or remedy provided by this Lease or otherwise allowed by law or in equity

and that waiver by **LANDLORD** of any breach of any covenants or conditions of this Lease shall be limited to the particular instance and shall not operate or be deemed to waive any other or future breach of any covenant or conditions or failure or omission on the part of the **TENANT** to perform any other different covenant or condition on the same of any other occasion and that, except as aforesaid, the receipt of any rent or other amounts of any portion thereof shall not operate as a waiver of **LANDLORD'S** right to enforce the payment of subsequent installments or rent or any of the other rights of **LANDLORD** under this Lease, by any remedies which may be available to **LANDLORD.**

13. **Notices:** All notices, demands, or other writings in this Lease provided to be given or made or sent, or which may be given or made or sent, be either party to the other, shall be deemed to have been fully given or made or sent when made in writing and mailed or delivered by hand as follows:

LANDLORD: Sanford-Springvale Development Corporation
Business Enterprise Center
21 Bradeen Street, Suite 100
Springvale, Maine 04083

TENANT: City of Sanford
c/o City Manager
919 Main Street
Sanford, Maine 04073

The address to which any notice, demand or other writing may be given or made or sent to any party as above provided may be changed in written notice by the addressee to the other party.

14. **Sublease or Assignment**: The leased Premises shall not be sublet in whole or in part, or this Lease assigned or transferred, without the prior, express, and written consent of **LANDLORD**. Such consent shall not be unreasonably withheld by **LANDLORD**. Any attempted unauthorized assignment, sublease, or license to occupy shall be void, and shall terminate this Lease at **LANDLORD'S** option.

15. **Indemnity and Insurance: LANDLORD** shall obtain and maintain fire and extended coverage insurance upon the Premises. **TENANT** agrees to indemnify and hold harmless the **LANDLORD**, its officers, agents and employees from and against any and all claims, costs, liability and expense arising from or attributable to any negligent acts or omissions of the **TENANT,** its officers, agents and employees arising out of

or in connection with **TENANT'S** use of the Premises pursuant to this Lease**. LANDLORD** agrees to indemnify and hold harmless the **TENANT**, its officers, agents and employees from and against any and all claims, cost, liability and expense arising from or attributable to any negligent acts or omissions of the **LANDLORD**, its officers, agents and employees arising out of or in connection with **TENANT'S** use of the Premises pursuant to this Lease. **TENANT** shall maintain liability insurance in an amount not less than One Million Dollars ($1,000,000.00) per occurrence; provided further, that **TENANT** shall provide a Certificate of Insurance showing the same at the time of commencement of this Lease and annually thereafter at the same time it pays the rent under paragraph 3.

16**. SURRENDER OF POSSESSION.**

a) **TENANT** shall, on the last day of the term, or on earlier termination and forfeiture of this Lease, peaceably and quietly surrender and deliver the Premises to **LANDLORD** free of sub-tenancies, including all additions, and improvements constructed or placed on the Premises by the **TENANT**, except "moveable trade fixtures" all in good condition and repair.

b) If the **LANDLORD** so elects, any trade fixtures or personal property not used in connection with the operation of the Premises and belonging to the **TENANT**, if not removed at the termination or forfeiture of this Lease, shall be deemed abandoned and become the property of **LANDLORD** without any payment or offset for such fixtures or property, provided **LANDLORD** first gives **TENANT** thirty (30) days advance written notice to remove same. After the expiration of the thirty (30) day notice period, at **LANDLORD'S** election, **LANDLORD** may remove such fixtures or property form the Premises from the Premises and store them at the risk and expense of the **TENANT.**

c) **TENANT** shall, at its expense, repair and restore all damage to the Premises caused by the removal of equipment, trade fixtures, and personal property.

17. **Damage to Premises**: If the Premises shall be so damaged by fire, the elements, casualty, war, insurrection, riot, public disorder, acts unauthorized on the part of any governmental authority or any cause of happening so as to be substantially destroyed, the **LANDLORD** may, at its sole option, either restore the

Premises to their previous condition or terminate the Lease. In either event, **TENANT** shall make no claim against **LANDLORD** for damages to it because of said termination. Rental obligations shall abate from the date of such destruction.

18. **Compliance with Law:** **LANDLORD** warrants that the leased Premises at the commencement of the Lease shall comply with all applicable laws including, without limitation, the rules and regulations of the Americans with Disabilities Act and the Maine Human Rights Act**. LANDLORD** shall indemnify **TENANT** and hold it harmless from any loss, liability, claim, damage and expenses, including reasonable attorney's fees of every nature to any person as a result of the **LANDLORD'S** failure to comply with its obligations under the law. This covenant relates solely to the physical condition of the leased Premises. **TENANT** covenants that the Premises shall not be knowingly used any way for unlawful or immoral purpose or in any manner which will amount to or create a nuisance. **TENANT** covenants that it will not do or knowingly allow others to do anything in, on or about the Premises which would result in adverse or notorious publicity or affect the good name and reputation of the **LANDLORD.**

19. **Attorney's Fees:** If **LANDLORD** files an action against **TENANT** to enforce any covenant of this Lease, or for breach by **TENANT** of any covenant of this Lease, **TENANT** agrees to pay **LANDLORD** reasonable attorney's fees for the services of the **LANDLORD'S** attorney.

20. **HOLD HARMLESS: TENANT** shall operate the activities contemplated by this lease on the premises in any manner which would subject the **LANDLORD**, and shall hold **LANDLORD** harmless from any direct or indirect injury, loss, claim or action or damages therefrom.

21. Amendment: This Lease may be amended only by written agreement signed by the parties.

SANFORD-SPRINGVALE DEV CORPORATION

_____ _____

DATE BY: Donna Bourque
Operations Manager

DATE	By: Steven R. Buck For City of Sanford

Memo

Number: 26-176-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to make appointments to the Lot Rent Stabilization Board.

RECOMMENDATION
Ordered, to make appointments to the Lot Rent Stabilization Board.

Background Information:
The City Council adopted the Sanford Mobile Home Park Lot Rent Stabilization Ordinance on May 19, 2026 to come into effect on June 14, 2026. Under Article IV of the ordinance, a Lot Rent Stabilization Board shall be established to review applications for lot rent increases. Openings for the Board have been advertised and applications are being accepted. This is an ongoing process until the Board is filled. The City Council will vote to make appointments of applicants that have been reviewed and recommended.

Legal Review Status:

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):
Sanford Mobile Home Park Lot Rent Stabilization Ordinance as Adopted 5-19-26 FINAL.pdf

Note: "Mobile Homes" and "Mobile Home Parks" are terms commonly used in municipal ordinances in Maine. Similarly, "manufactured housing" and "manufactured housing communities" are terms often found in local ordinances. Both terms are referenced in State law, and this ordinance assumes that the words can be used interchangeably according to the preference of the municipality. Sanford's Ordinances utilize Mobile Homes in all references in Zoning.

Mobile Home Park Lot Rent Stabilization Ordinance

Article 1: Purpose

The purpose of this ordinance is to protect the health, safety, and welfare of residents living in Mobile Home Parks by preventing unreasonable lot rent and fee increases. Mobile Homes represent a crucial source of unsubsidized affordable housing. However, because residents typically own their homes but not the land underneath them, they face unique vulnerabilities to excessive rent and fee increases. While Mobile Home Park Owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from such excessive cost increases because they may put residents at risk of homelessness or severe housing insecurity.

Article II. Definitions

Administrator: "Administrator" means the City Manager or Assistant City Manager for the administration and enforcement of this Mobile Home Park rent stabilization ordinance.

Base Rent: The monthly rent charged for a Mobile Home Park lot, exclusive of utilities and separately metered services, in effect for that lot at the time of determination. Base Rent shall be used to determine applicability of affordability thresholds and rent increase provisions.

Consumer Price Index (CPI): "Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers (CPI-W), Northeast Region as published by the U.S. Department of Labor, Bureau of Labor Statistics.

Mobile Home: "Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent

foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

Mobile Home Park: "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more Mobile Homes.

Mobile Home Park Lot: "Mobile Home Park Lot" means the area of land on which an individual Mobile Home is situated within a Mobile Home Park and which is reserved for use by the occupants of that home.

Mobile Home Resident: "Mobile Home Resident" means an occupant of a Mobile Home who rents a parcel of land in a Mobile Home Park.

Operating Expenses: Annual expenses reasonably incurred by the Park Owner directly related to the operation of the Mobile Home Park, including but not limited to:

- Real estate and personal property taxes
- Utilities
- Maintenance and repair
- Administrative and payroll costs
- Insurance
- Capital improvements (amortized)
- Reasonable reserve contributions
- Interest expenses related to acquisition or capital improvements

Park Owner: "Park Owner" means a person, corporation or other entity that owns a Mobile Home Park.

Reasonable Rate of Return: A rate of return on investment and operation that provides a Mobile Home Park Owner with a fair and reasonable opportunity to recover operating expenses, maintenance costs, capital improvements, debt service, taxes, insurance, utilities, and other legitimate costs of ownership and operation, together with a reasonable profit, while balancing the purpose of this Ordinance to protect residents from excessive, unreasonable, or destabilizing lot rent increases.

Rent Increase: "Rent Increase" means any additional lot rent or fees demanded of, or paid by, a Mobile Home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.

Rent Stabilization Board: "Rent Stabilization Board" means the municipal body appointed to hear and decide petitions for additional rent increases and other matters.

Article III. Lot Rent and Fee Regulation

A. Frequency of Increases
A Park Owner may not increase lot rent or fees more than once in any twelve (12) month period.

B. Base Rent Determination
Base Rent shall be the rent in effect at the time of evaluation.

C. Notice Requirements: A Park Owner shall provide at least ninety (90) days' written notice of any rent or fee increase.

D. Rent or Fee Increase Not Requiring a Hearing
A Park Owner may implement a rent or fee increase without a hearing before the Rent Stabilization Board if:

1. The lot rent is at or below the Affordability Threshold as defined in Exhibit B;
2. The increase does not exceed the lesser of:
    - The most recent annual percentage change in the Consumer Price Index (CPI-W); or
    - Three percent (3%) of the current Base Rent;
3. The increase occurs no more than once in a twelve (12) month period.

Presumption of Reasonableness: An increase within the limits of this subsection shall be presumed reasonable.

E. Rent or Fee Increase Requiring a Hearing
A rent or fee increase shall require review and approval by the Rent Stabilization Board if:

1. The lot rent exceeds the Affordability Threshold; or
2. The proposed increase exceeds the limits set forth in Article III(D); or
3. The Park Owner seeks to impose new or increased fees not otherwise permitted.

The Rent Stabilization Board shall approve, deny, or modify the requested increase in a manner that ensures the Park Owner is able to obtain a reasonable rate of return based on the evidence presented.

F. Petition
A Park Owner may seek a Rent or Fee increase that exceeds the thresholds above to

cover the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, in addition to certain capital improvements or other emergencies. Improvements must directly benefit Mobile Home Residents and be necessary for maintenance of the correction of health and safety conditions in the Mobile Home Park. A Park Owner seeking such greater increase must submit a petition to the City Clerk's Office. The City Clerk's Office shall forward the petition to the Board and schedule a hearing, pursuant to Article VI (C). The petition must be filed in advance of the rent or fee increase notice and contain documentation to substantiate the increase is necessary to cover the increases in operating or maintenance expenses, the cost of capital improvements, or unforeseeable expenses incurred at the Mobile Home Park. Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, as determined by the Code Enforcement Office, shall not be allowed to exceed the base rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.

G. Standard for Approval

The Board may approve an increase only upon a finding that:

1. The increase is necessary to:
    a. Address health and safety conditions;
    b. Fund capital improvements essential to the operation of the park
    c. Cover increased operating expenses; or
    d. Reflect enhanced services;

AND

2. The increase is required to provide a reasonable rate of return.

H. Burden of Proof

The Park Owner shall bear the burden of proof.

I. Reasonable Rate of Return

The Park Owner is entitled to a reasonable rate of return. After considering all of the evidence provided by the Park Owner and Mobile Home Residents, the Board will determine the amount of the requested increase in rent or fees that provides a reasonable rate of return.

J. Notice to Mobile Home Residents

The Park Owner will promptly provide a copy of the filing of the petition and supporting documents to the Mobile Home Residents and will file proof of said notice to the Board. The Park Owner will also provide notice of the hearing date, time and

location to the Mobile Home Residents and will file proof of said notice to the Board.

K. Vacancy Base Rent

A Park Owner shall be permitted to increase the lot rent by up to the most recently posted CPI-W increase whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that Mobile Home Park Lot.

L. Application, Screening, and Other Non–Lot Rent Fees

1. State Law Compliance Required

Any application fee, credit check fee, background check fee, or similar screening-related charge imposed by a Park Owner shall comply with the requirements of **Maine Revised Statutes Title 10 9093-A**, as may be amended.

2. Limitation to Actual Cost

Such fees shall be strictly limited to the **actual, verifiable cost incurred** by the Park Owner in obtaining a credit report, background check, or similar screening service.

No additional administrative, processing, or profit-based charges shall be permitted.

If no screening report is obtained, no fee shall be charged.

3. Documentation Requirement

Upon request by the Administrator, Rent Stabilization Board, or an affected applicant or resident, the Park Owner shall provide **written documentation** demonstrating:

a. The actual cost of the screening service; and
b. That the fee charged does not exceed that cost.

4. Prohibition on Excessive or Barrier Fees

No fee shall be imposed that:

a. Exceeds the actual cost of screening services;
b. Is duplicative or charged multiple times for the same screening purpose; or
c. Functions as a **barrier to entry** for prospective residents inconsistent with the purpose of this Ordinance.

5. Anti-Circumvention

Application, screening, or other non–lot rent fees shall not be used to:

a. Circumvent the rent or fee limitations established in this Ordinance; or

b. Shift housing costs from regulated lot rent into unregulated charges.

6. Board Authority

The Rent Stabilization Board shall have the authority, in connection with any petition under Article III(E), to:

a. Review all non–lot rent fees;
b. Determine whether such fees comply with this Ordinance and State law; and
c. Disallow, reduce, or otherwise adjust any fee found to be excessive, non-compliant, or inconsistent with the purpose of this Ordinance.

Article IV. Affordability-Based Rent Regulation

A. Affordability Threshold

The Affordability Threshold is: Forty percent (40%) of the median monthly Social Security income for York County, Maine, as determined annually by the Administrator.

B. Classification

1. Each lot shall be classified as:

a. Above-Threshold Lot Rent, or
b. At-or-Below-Threshold Lot Rent

2. Above-Threshold Rents

a. Notwithstanding the provisions in Article III, a Park Owner must file a petition for any Lot Rent increase;
b. Any increase will be subject to review by the Rent Stabilization Board under Article III(E);
c. Any such petition shall be evaluated in accordance with Exhibit A and the requirement to provide a reasonable rate of return.

3. At-or-Below-Threshold Rents

a. Subject to the lesser of CPI-W or a 3% cap;
b. May petition Board for greater increase pursuant to Article III(E).

C. Annual Determination

The Administrator shall annually determine and publish:

1. Median Social Security income for York County, Maine;
2. Applicable Affordability Threshold Monthly Lot Rents

Article V. Applicability

A. Applicability: This ordinance applies to every Mobile Home Park within the municipality except those to which an exemption applies.

B. Exemptions: This ordinance shall not apply to:

1. Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home residents;
2. Mobile Home lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.

ARTICLE VI. Rent Stabilization Board

A. A Rent Stabilization Board ("Board") is created to hear requests by Park Owners for lot rental and fee increases pursuant to Article III and explicitly those above threshold.

B. The Board will be composed of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years. Members will be nominated by the Mayor and confirmed by the Council. A majority of the Board membership will be Sanford residents. Appointments to fill vacancies will be made to continue a Sanford resident majority on the Board.

C. At its organizational meeting, the Board will elect a Chair and Secretary. Thereafter, each January the Board will elect a Chair and Secretary. In the absence of the Chair, the Board will appoint a temporary Chair. The Board may request secretarial assistance from the City to assist in the performance of its duties.

ARTICLE VII. Hearings

A. A Quorum is a minimum of four members, and decisions will be made by a majority of Board, four members present and voting.

B. Decisions will be made by a preponderance of the evidence, and the Park Owner will have the burden of proof to establish the amount of a rent or fee increase that is a reasonable rate of return.

C. Standards for Evaluation of Rent Increases are established and attached as Exhibit A;

Rent Stabilization Board Evaluation Standards.

D. Hearings will begin within 30 days of receipt of a petition for a rent or fee increase and will conclude within 30 days thereafter, unless the Board extends the time for good cause.

E. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitive evidence. Every party has the right to present the party's case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any cross-examination that is required for a full and true disclosure of the facts.

F. Upon the conclusion of the evidence, the Board will make its decision, which will be supported by Findings of Fact and Conclusions of Law and provided to the parties within 5 business days.

G. A motion for reconsideration must be made within ten days of the decision being reconsidered. A decision on a motion for reconsideration must be made within 45 days of the final vote on the original decision.

ARTICLE VIII. Violations

Violations of this Ordinance shall be enforced by a municipal official designated by this article with the responsibility to enforce this article pursuant to 30-A M.R.S. § 4452. Each lot where a violation occurs shall be considered a separate violation subject to fines and penalties.

ARTICLE IX. Appeals

A. An appeal of the Board's decision must be made to Superior Court within 45 days of the vote on the original decision.

B. An appeal of a decision on a motion for reconsideration must be made to Superior Court within 10 days of the decision on the motion for reconsideration.

Exhibit A:
Rent Stabilization Board Evaluation Standards

Section A. Purpose

This Exhibit establishes uniform standards and procedures for the evaluation of petitions for rent or fee increases submitted to the Rent Stabilization Board pursuant to Article III(E).

These standards are intended to:

- Ensure consistent, transparent, and evidence-based decision-making;
- Protect residents from unreasonable rent increases;
- Ensure that Park Owners are able to obtain a reasonable rate of return.

This Exhibit further establishes a structured methodology for determining a Reasonable Rate of Return using market-based and financial analysis standards.

Section B. Required Financial Submissions

A Park Owner filing a petition shall submit the following:

1. **Gross Income:**
    a. Total rental income for the prior three (3) years
    b. Current rent roll by lot
    c. All additional revenue sources, including but not limited to application fees, credit check fees, background screening fees, administrative fees, and any other non–lot rent charges, shall be itemized separately.
    d. Each such fee category shall include:
        1. Total annual revenue collected;
        2. Number of instances charged; and
        3. Documentation demonstrating compliance with Article III(L) and applicable State law.

2. **Operating Expenses**
    a. Detailed operating expenses for the prior three (3) years
    b. Current year-to-date expenses
    c. Itemized categories consistent with ordinance definitions

3. **Net Operating Income**
    a. Calculation of annual net operating income for the prior three (3) years
    b. Capital Improvements
    c. Description, cost, and date of improvements over the past five (5) years
    d. Amortization schedules

4. **Debt and Financing**
   a. Outstanding debt obligations
   b. Interest expenses

5. **Certification:** All submitted information shall be certified as accurate. The Board may require independent verification.

Section C. Expense Eligibility Standards

A. Allowable Expenses

The following may be considered:

1. Property taxes
2. Utilities
3. Maintenance and repairs
4. Administrative and payroll expenses
5. Insurance
6. Regulatory fees and permits
7. Capital improvements (amortized)
8. Reasonable reserves
9. Interest on acquisition and improvements (subject to limitations below)

B. Non-Allowable Expenses

1. Depreciation
2. Late fees, penalties, or default-related costs
3. Costs unrelated to park operations
4. Duplicate or double-counted expenses
5. Costs arising from overleveraged or imprudent financing

Section D. Capital Improvement Standards

A. Eligibility Criteria

Capital improvements must:

1. Extend useful life;
2. Improve safety or infrastructure; or
3. Enhance services

B. **Amortization** must follow generally accepted accounting principles

C. Reserve Limits

1. Up to 5% of annual gross income
2. Maximum accumulation of 30% of annual gross income

D. Exclusions

1. Routine maintenance
2. Previously recovered costs

Section E. Reasonable Rate of Return Analysis

The Board shall determine whether the requested increase is necessary to provide a Reasonable Rate of Return using a hybrid analysis consisting of the following:

A. Net Operating Income (NOI) Analysis

1. Evaluate historical and current NOI;
2. Assess trends in income and expenses;
3. Determine whether current rent levels support ongoing operations and maintenance.

B. Market-Based Capitalization Rate Analysis

1. Identify an appropriate capitalization rate based on manufactured housing communities in Maine, Northern New England, or comparable markets;
2. Estimate implied property value using NOI ÷ cap rate;
3. Evaluate whether current and proposed returns are consistent with market performance.

C. Cash Flow Sufficiency Analysis

1. Determine whether income supports:
   - Operating expenses;
   - Capital reinvestment;
   - Long-term viability;
2. Ensure the property can be maintained in a safe and habitable condition.

D. Standards

1. The Board shall ensure the Owner is not deprived of a fair and reasonable return;
2. The Board shall not guarantee profit maximization;
3. The Board shall rely on objective financial and market data.

E. Limitations

The Board shall not base return on:

1. Speculative acquisition prices;
2. Overleveraged financing;
3. Owner-specific financial hardship unrelated to operations.

Section F. Decision Criteria

A. The Board shall consider:

1. Changes in property taxes
2. Changes in operating expenses
3. Capital improvement needs
4. Changes in services
5. Whether the increase is:

- Arbitrary
- Discriminatory
- Inconsistent with the ordinance

6. Impact on resident affordability
7. Long-term viability of the park

B. The Board shall issue written findings documenting:
    1. Data relied upon;
    2. Methodology applied;
    3. Determination of reasonable rate of return.

Section G. Anti-Abuse Provisions

Fees may not be used to circumvent rent limits.

Service reductions must be offset by rent reductions.

No discriminatory rent practices.

Good faith engagement with residents required.

Incomplete submissions may be denied.

Section H. Non–Lot Rent Fee Standards

A. General Standard

All non–lot rent fees shall be:

1. Reasonable;
2. Cost-based; and
3. Consistent with the purpose of this Ordinance.

B. Application and Screening Fees

The Board shall ensure that any application, credit check, or background screening fee:

1. Complies with Article III(I);
2. Does not exceed actual, verifiable cost; and
3. Is not used as a revenue-generating mechanism.

C. Exclusion from Return Calculations

Revenue derived from any fee found to be:

1. Excessive,
2. Non-compliant with State law, or
3. In violation of Article III(I)

shall be excluded from Gross Income and Net Operating Income calculations for purposes of determining a reasonable rate of return.

D. Corrective Action

Where the Board determines that non–lot rent fees are inconsistent with this Ordinance, the Board may:

1. Disallow such fees in whole or in part;
2. Require adjustment or elimination of such fees; and
3. Condition approval of any rent increase on compliance with this Section.

Exhibit B: Information for the Year 2026

A. Consumer Price Index for All Urban Consumers (CPI-W)

2026 CPI-W Adjustment Notice – 2.8%
Pursuant to Article III of the Sanford Mobile Home Park Lot Rent Stabilization Ordinance, the City of Sanford hereby establishes the annual CPI-W adjustment for calendar year 2026 at 2.8%, consistent with the Social Security Cost-of-Living Adjustment (COLA) calculated from the year-over-year change in the average Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the third quarter of 2024 through the third quarter of 2025.

B. Social Security Income - $1,800/mo.

Median Social Security Income – York County, Maine (2025/2026 CPI-W Implementation Period)
For purposes of implementation of the Sanford Mobile Home Park Lot Rent Stabilization Ordinance, the City of Sanford recognizes the estimated median monthly Social Security retirement income for residents within York County, Maine, during the 2025/2026 CPI-W adjustment period to be approximately **$1,800 per month**, or approximately **$21,600 annually**.

This figure is derived from publicly available Social Security benefit data for the State of Maine, including statewide median retirement benefit information published by national retirement and Social Security research organizations utilizing Social Security Administration datasets. Recent published Maine median retirement benefit levels ranged from approximately $1,741 to $1,809 per month during the applicable 2025 reporting period.

Because county-level median Social Security retirement benefit data is not directly published by the Social Security Administration, the City utilized Maine statewide median benefit data as the closest reliable proxy for York County residents given York County's demographic and income characteristics.

This median income reference is published solely for informational and policy implementation purposes to assist in evaluating housing affordability impacts, inflation-adjusted resident income levels, and the relationship between CPI-W adjustments and the financial capacity of residents living on fixed retirement incomes under the Ordinance.

C. Annual Determination of Affordability Threshold

Affordability Threshold Monthly Lot Rent – 2026 Year

Pursuant to Article IV(A) and Article IV(C) of the Sanford Mobile Home Park Lot Rent Stabilization Ordinance, the Administrator hereby establishes the 2026 Affordability Threshold Monthly Lot Rent at **$720 per month**.

This threshold was calculated by determining forty percent (40%) of the estimated median monthly Social Security retirement income for York County, Maine.

The City utilized an estimated median monthly Social Security income of approximately **$1,800 per month**, derived from publicly available Social Security retirement benefit data for the State of Maine during the applicable 2025/2026 CPI-W implementation period. Because county-specific median Social Security income data is not directly published by the Social Security Administration, statewide Maine median benefit information was used as the closest reliable proxy for York County residents.

Calculation of Affordability Threshold:

- Estimated Median Monthly Social Security Income: **$1,800**
- Affordability Threshold Percentage: **40%**
- Calculation: **$1,800 × 0.40 = $720**

Accordingly, the Affordability Threshold Monthly Lot Rent for implementation of the Ordinance during calendar year 2026 is established at **$720 per month**.

Memo

Number: 26-169-01
To: City Council
From: Alix Burbank, Building & Permit Safety Specialist
Date: 2026-06-02
Subject: Ordered, to adopt proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City. (This item must be read on two separate occasions. This is the first reading.)

RECOMMENDATION
First reading of proposed ordinance amendments to Chapters 149, 161 and 280 to allow registered dispensaries to engage in cultivation and manufacturing within the City as presented.

Background Information:
See attached Memo to City Council

Legal Review Status:
N/A

Administrative or Department Review:

Financial Impact or Review:

ATTACHMENT(S):
Memo to City Council RE Ordinance Amendments Registered Dispensaries 05282026.pdf
Redline Chapter 149 Proposed Dispensary Revisions 5-26-2026.pdf
Redline Chapter 161 Draft Amendments 5-26-2026.pdf
Redline Chapter 280 Zoning - Proposed Dispensary Revisions 052626.pdf
Public Hearing Notice CC 06022026.pdf

Sanford
PLANNING & DEVELOPMENT

Planning & Development

919 Main Street
Sanford, ME 04073

To: City Council
From: Alix Burbank, Planning Department
Date: 5/26/2026
Subject: Marijuana Ordinance Amendment Package – Registered Dispensary Amendments

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The purpose of this memorandum is to provide background and policy context regarding the proposed amendments to Chapters 149, 161, and 280 of the Sanford Code pertaining to marijuana licensing, regulation, and zoning.

These amendments are being proposed in response to concerns raised by a marijuana industry stakeholder regarding potential impacts associated with the evolving federal regulatory landscape and anticipated federal cannabis reclassification. While the City continues to maintain its existing regulatory framework governing marijuana uses, staff recognizes that certain immediate clarifications are necessary to address emerging operational and licensing questions associated with registered dispensaries. Staff further recognizes that Sanford's marijuana ordinances will require broader future review and modernization; however, the amendments currently proposed are intentionally limited to addressing the immediate concerns presented at this time.

It is important to note that these amendments are intended to address targeted and immediate concerns only. They are relatively limited in scope and are not intended to comprehensively resolve or modernize all existing deficiencies, ambiguities, or policy questions within Sanford's marijuana ordinances. A broader and more comprehensive review of Chapters 149, 161, and 280 will be necessary in the future to address remaining deficiencies, improve clarity, and ensure the City's marijuana regulations remain consistent, enforceable, and responsive to evolving state and federal regulatory conditions.

General Intent of the Amendments

The proposed amendments seek to:

1. Address immediate regulatory concerns associated with registered dispensary operations;
2. Maintain the overall integrity and structure of the City's existing marijuana regulatory framework;

3. Provide clearer distinctions between cultivation, manufacturing, and retail activities; and
4. Preserve the City's longstanding policy position regarding marijuana retail sales.

The proposed package attempts to balance operational flexibility for certain registered dispensary activities while maintaining existing municipal controls related to retail distribution and public access.

Summary of Proposed Amendments

The proposed amendments include revisions to Chapters 149 Licensing, 161 Marijuana, and 280 Zoning.

Chapter 149 – Licensing

Proposed amendments to Chapter 149 are limited in scope.

The primary change is the creation of an additional municipal license category:

• Marijuana Grower, Registered Dispensary

This amendment is intended to establish a clearly identifiable municipal licensing pathway for registered dispensary cultivation activities.

No amendments are proposed to existing marijuana manufacturing license categories. Staff determined that dispensary manufacturing activities can be accommodated within the City's existing manufacturing licensing framework and therefore do not require creation of an additional license type at this time.

Chapter 161 – Marijuana Regulations

The Chapter 161 amendments are intended to provide greater clarity regarding activities associated with registered dispensaries.

The proposed revisions would:

• Explicitly allow registered dispensary cultivation
• Explicitly allow registered dispensary manufacturing
• Explicitly prohibit registered dispensary retail sales

These revisions are intended to distinguish between production-oriented activities and retail dispensing activities while maintaining consistency with the City's existing regulatory approach.

The proposed amendments recognize that cultivation and manufacturing functions may occur within appropriately licensed and regulated facilities, while continuing to prohibit registered dispensary retail operations within the City.

Chapter 280 – Zoning

The Chapter 280 amendments are primarily definitional and clarifying in nature. Relevant redline amendments can be found beginning on page 16 and page 124 of the Chapter 280 redline document.

The principal amendment involves modification of the existing Marijuana Retail Store definition to expressly clarify that this use category is limited exclusively to adult-use retail sales and does not authorize medical marijuana dispensary retail activities. The definitional amendments beginning on page 16 are intended to clearly separate adult-use retail activity from medical marijuana registered dispensary operations and to avoid future ambiguity regarding retail authorization under the City's zoning framework.

The proposed definition includes the following additional language:

"A Marijuana Retail Store shall be limited exclusively to adult use marijuana retail sales and related activities authorized under the Marijuana Legalization Act and applicable state administrative rules. Under no circumstances shall a Marijuana Retail Store constitute, include, operate as, or be used for a medical marijuana dispensary, registered dispensary, or any form of medical marijuana retail sales, patient distribution, or dispensing activity authorized under the Maine Medical Use of Marijuana Act."

This clarification is intended to remove ambiguity regarding the relationship between the City's adult-use retail framework and medical dispensary operations and to affirm that the existing Marijuana Retail Store use category applies solely to adult-use retail activity.

Caregiver Office Provision Clarification

Additional clarifying language is also included within the operational standards provisions located on page 124 of the Chapter 280 redline amendments.

Staff recognizes that Sanford's current framework permits certain office-based caregiver consultation and limited patient interaction activities associated with licensed medical marijuana production facilities under existing ordinance standards. The proposed amendments are therefore drafted to ensure that clarifications regarding registered dispensary retail prohibitions do not inadvertently alter, restrict, or invalidate those existing caregiver office provisions.

The page 124 amendment specifically clarifies that a licensed medical marijuana production facility may continue to contain limited office space for consultation with qualifying patients under the City's existing caregiver office standards, while simultaneously clarifying that such office space shall not qualify as, operate as, or be used in conjunction with a medical marijuana dispensary, registered dispensary, adult use marijuana store, or other retail marijuana establishment authorized for retail sales under state law.

The amendment further clarifies that such office activity remains accessory and limited in nature, subject to existing zoning, parking, occupancy, public safety, and operational standards already contained within Chapter 280.

This distinction is intentional and is intended to preserve continuity within the City's established regulatory structure while maintaining the City's longstanding policy position prohibiting retail dispensary operations.

Staff Analysis

Staff views these amendments as a measured and limited response to immediate concerns presented by the industry and changing external regulatory conditions.

The proposed amendments:

- Provide clearer regulatory direction for registered dispensary cultivation and manufacturing;
- Maintain the City's existing policy approach toward marijuana retail sales;
- Preserve current caregiver office allowances; and
- Avoid broader policy changes that have not yet been fully studied or vetted.

While these amendments address several immediate concerns, they should not be interpreted as a comprehensive rewrite of Sanford's marijuana ordinances. Staff recognizes that additional policy discussion and a more comprehensive review and modernization of the City's marijuana ordinances will be necessary in the future. As state and federal regulatory conditions continue to evolve, Sanford's marijuana framework will require further evaluation to address existing deficiencies, improve internal consistency across Chapters 149, 161, and 280, and ensure the regulations remain clear, enforceable, and aligned with the City's long-term policy objectives.

Chapter 149

LICENSING

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(RESERVED)

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[HISTORY: Articles I through III adopted by the Town (now City) of Sanford as indicated in article histories. Subsequent articles adopted by the City Council of the City of Sanford as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 90.

Disorderly housing — See Ch. 114.

Fire prevention — See Ch. 128.

Retail use of marijuana — See Ch. 161, Art. I.

Odor nuisance control and abatement — See Ch. 183, Art. I.

Zoning — See Ch. 280.

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ARTICLE I
Business Licensing
[Adopted 4-11-1977 as § 6.2 of the 1977 Code; amended in its entirety by the City Council 5-15-2018 by Order No. 18-116-01]

§ 149-1.0. Purpose.

To protect the health, safety, and welfare of the citizens of the City of Sanford (the City), the City requires licensing of certain uses and businesses.

§ 149-1.1. Definitions. [Amended 4-19-2022 by Order No. 22-151-01]

In general, all words, phrases, and terms used in this chapter shall have their customary and usual meanings; as used in this chapter , the following words, phrases, and terms shall have the meaning indicated:

CONTAMINATION OF PROCESSES OR PRODUCTS — The act of rendering or making a process or product impure, unsuitable, or unusable by introducing harmful or undesirable elements, whether biological or chemical.[1]

§ 149-1.2. License required.

No person, firm, corporation, or other entity shall carry on any business or other activity subject to a license requirement under this chapter or code or any other regulation or law without such a license. All licenses shall be kept on site for inspection.

§ 149-1.3. Taxes and fines owed. [Amended 4-19-2022 by Order No. 22-151-01]

The licensee and the licensee's place of business shall not have property taxes, business taxes, or other fees, fines, charges, penalties, or interest owing to the City. Failure to comply with this condition shall be deemed a violation of this chapter and adequate grounds for the denial, revocation, or suspension of a license.

§ 149-1.4. Fees.

It is the intent and purpose of this section to establish fees which bear a reasonable relationship to the costs incurred by the City in the administration and enforcement of this chapter and other applicable laws and regulations.

A. To accomplish such purposes:

(1) All fees and charges for licenses or permits shall be paid to the City Clerk at the time of application to the City Clerk. **[Amended 4-19-2022 by Order No. 22-151-01]**

(2) All fees are nonrefundable regardless of whether a license or permit is issued.

B. No license shall be issued until each specific annual fee (unless an alternative duration is specified by the business category) for all applicable business categories, required in this chapter have been paid including, payment of the City's expenditure for notification of public hearings and background

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1. **Editor's Note: The former definitions of "extraction," "hemp," "marijuana grower," "marijuana manufacturing facility," marijuana property," and "marijuana retail sales," which immediately followed this definition, were repealed 2-20-2024 by Order No. 24-60-01.**

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checks as required by State or local regulation, and payment of the City's expenditure for inspections and emergency services as may be necessary for the specific license or permit. Any new application for a Category 1 license received after July 1 or alternative dates specified in this chapter may have the annual fee prorated for the number of months or partial months remaining until the expiration date. Prorated fees shall be calculated by determining the annual fee for the license type, divided by twelve (12), then multiplied by the number of months or partial months left in the license period. If a new application is received after December 1 of any year it will be valid until December 31 of the following year. **[Amended 7-21-2020 by Order No. 19-954-01; 4-19-2022 by Order No. 22-151-01]**

C. Fee schedule, business license categories: **[Amended 6-19-2018 by Order No. 18-117-01; 3-5-2019 by Order No. 18-553-01; 1-21-2020 by Order No. 19-580-01; 5-5-2020 by Order No. 19-874-01; 7-21-2020 by Order No. 19-954-01; 4-19-2022 by Order No. 22-151-01; 6-20-2023 by Order No. 23-77-01; 9-19-2023 by Order No. 23-289-01; 2-20-2024 by Order No. 24-60-01]**

Category 1 Licenses (Administrative Approval)	Fee	Statutory or Code Reference
Alcohol- and drug-free housing	$100 per year	Ch. 149, Art. XIII
Auctioneer, nonresident certificate	$10 per day or $25 for 3 days	§ 149-1.4
B.Y.O.B. function	$25 per event	Ch. 74, Art. III
Brewery, distillery, winery	$100 per year	Ch. 149, Art. VII
Closing-out sale	$50 per 60 days	Ch. 149, Art. VIII
Coin-operated entertainment device, electronic video machine, arcade device	$50 per year	Ch. 149, Art. III
Flea market	$100 per year	Ch. 256
Flea market vendor	$25 per year	Ch. 256
Home occupation	$50 per year	Ch. 280
Kennel	$50 per year	Ch. 78, Art. IX; 7 M.R.S. §§ 3931 through 3950-A
Liquor license renewal application (Tier I)	$300 per application	Ch. 149, Art. I; 28-A M.R.S. §§ 653 et seq. and 1051
Liquor license renewal application (Tier II)	$500 per application	Ch. 149, Art. I; 28-A M.R.S. §§ 653 et seq and 1051
Liquor license transfer (Tier I or Tier II)	$25 per application	Ch. 149, Art. I; 28-A M.R.S. §§ 653 et seq. and 1051
Lodging establishment	$100 per unit	Ch. 155 and Ch. 149, Art. V
Marijuana grower, registered dispensary	$5,000 per application	See Ch. 161, Ch 280
Marijuana grower, adult use	$2,200 per application	See Ch. 161, Ch. 280
Marijuana grower, medical	$2,200 per application	See Ch. 161, Ch. 280

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Category 1 Licenses (Administrative Approval)	Fee	Statutory or Code Reference
Marijuana manufacturing facility, Tier 1 (up to 40 pounds)	$2,200 per application Additional $1,500 fee for facility engaging in extraction using hazardous substances	See Ch. 161, Ch. 280
Marijuana manufacturing facility, Tier 2 (up to 200 pounds)	$3,200 per application Additional $1,500 fee for facility engaging in extraction using hazardous substances	See Ch. 161, Ch. 280
Marijuana property, Tier 1	$5,000 up to buildings with less than 30,000 square feet of gross floor area plus $750 for each licensed facility on the property	See Ch. 161, Ch. 280
Marijuana property, Tier 2	$7,500 for buildings with 30,000 square feet or more gross floor area plus $750 for each licensed facility on the property	See Ch. 161, Ch. 280
Massage therapist	$50 per year	Ch. 164
Mental health and abuse clinic renewal application	$500 per year	Ch. 149, Art. II
Off-premises catering permit	$25 per application	Ch. 149, Art. I
Pawnbroker	$300 per year	Ch. 193
Peddler	$50 per year or $25 per day	Ch. 149, Art. IX
Places of assembly	$100 per year	Ch. 149, Art. X
Rental housing		Ch. 149, Art. V, for qualifications
Single-family	$100	
Two-family	$200	
Three-family	$300	
Four- to seven-family	$400	
Eight-plus unit	$500	
Mixed use property	$100 plus $100 for each dwelling unit up to maximum of $500	
Residential care facility	$50 per year	Ch. 149, Art. XIV
Salvage collector	$25 per year	Ch. 213
Salvage dealer	$500 per year	Ch. 213

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Category 1 Licenses (Administrative Approval)	Fee	Statutory or Code Reference
Secondhand dealer	$200 per year	Ch. 193
Special amusement permit renewal application	$100 per year	Ch. 74, Art. I
Sport shooting ranges	$100 per year	Ch. 149, Art. XI
Tattoo artist, body piercing	$200 per year	Ch. 149, Art. XII
Taxicab		§ 232-23
Business license	$60 per year	
Operator license	$40 per year	
Vehicle license	$10 per year	
Vehicle transfer of license	$10 per transfer	
Inspection and background check	$50 per year	
Tobacco retailer	$25 per year	Ch. 215, Art. II
Vacant building	See § 149-6.8 $300 for each six-month license for vacant, abandoned buildings $100 for each twelve-month license for vacant buildings maintained by owner or under owner's direct control Fee escalates at rate of 2 times the prior year's fee for each additional year building continues as abandoned	Ch. 149, Art. VI
Victualer	$75 per year	Ch. 209
Waste hauler	$500 per year	Ch. 220
Yard sale permit	$10 per day	Ch. 256

Category 2 Licenses (City Council Approval)	Fee	Statutory or Code Reference
Beano-bingo application	$100 per application	Ch. 149, Art. I; 13-A M.R.S. § 311 et seq.
Bottle club	$100 per year	Ch. 74, Art. II
Circus, carnival, temporary exhibitions	$200 per day	Ch. 149, Art. X

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Category 2 Licenses (City Council Approval)	Fee	Statutory or Code Reference
Games of chance application	$65 per application	Ch. 149, Art. I; 17 M.R.S. § 1831 et seq.
Hemp grower	$1,500 plus $50 per acre	See Ch. 161, Ch. 280
Liquor license new application (Tier I)	$300 per application	Ch. 149, Art. I; 28-A M.R.S. §§ 653 et seq. and 1051
Liquor license new application (Tier II)	$500 per application	Ch. 149, Art. I; 28-A M.R.S. §§ 653 et seq. and 1051
Marijuana, retail sales adult use	$22,500 per application	See Ch. 161, Ch. 280
Mental health and abuse clinic, new applications	$500 per year	Ch. 149, Art. II
Shelter	$50 per unit	Ch. 155
Special amusement permit, new applications	$100 per year	Ch. 74, Art. I

§ 149-1.5. Duration of license. [Amended 3-5-2019 by Order No. 18-553-01; 4-19-2022 by Order No. 22-151-01; 2-20-2024 by Order No. 24-60-01]

All licenses shall expire annually on December 31, except as otherwise provided by the general laws of the State or stated elsewhere in the City Code.

§ 149-1.6. Liquor license applications. [Amended 7-21-2020 by Order No. 19-954-01; 4-19-2022 by Order No. 22-151-01]

Upon receipt of an application for a liquor license, the City Clerk or the City Council shall follow the procedure established by this chapter, the City Code and 28-A M.R.S. §§ 651 to 654, as amended. The fees for an application shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for new liquor license applications, liquor license renewal applications and transfers of liquor license applications either as Tier I or Tier II.

A. Tier I shall mean that food gross income shall be in excess or equal to liquor gross income.

B. Tier II shall mean that liquor gross income shall be in excess of food gross income.

§ 149-1.6.1. Off-premises catering permit. [Amended 4-19-2022 by Order No. 22-151-01]

Upon receipt of an application for an off-premises catering permit, the City Clerk shall follow the procedure established by this chapter, the City Code and 28-A M.R.S. § 1052, as amended. The fees for an application shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for an off-premises catering permit.

§ 149-1.6.2. Games of chance license. [Amended 4-19-2022 by Order No. 22-151-01]

Upon receipt of an application for a games of chance license, the City Clerk shall follow the procedure established by this chapter, the City Code and 17 M.R.S. § 1831 et seq. The fees for an application shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for a games of chance application.

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§ 149-1.6.3. Beano and bingo license. [Amended 4-19-2022 by Order No. 22-151-01]

Upon receipt of an application for a beano and bingo license, the City Clerk shall follow the procedure established by this chapter, the City Code and 13-A M.R.S. § 311 et seq. The fees for an application shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for a beano and bingo application.

§ 149-1.7. Authority to issue licenses. [Amended 7-21-2020 by Order No. 19-954-01]

The City Clerk shall have the authority to issue all licenses shown as Category 1 licenses in this chapter to qualified applicants. If the City Clerk or the Inspection Team find violations of the standards for denial, suspension, or revocation as listed in § 149-1.11.1, or excessive and verified complaints against an applicant or premises, a public hearing shall be held so that the facts may be heard and if the City Council so chooses, issue the license with conditions to remedy nuisance conditions as so determined by the City Council. Only the City Council shall have authority to issue Category 2 licenses and, when applicable, shall follow the procedures outlined in State law for their issuance.

§ 149-1.8. Licensing application requirements.

A. All applications for licenses under this chapter shall be filed with, and in a form satisfactory to, the City Clerk, together with such supporting documents and information, as the City Clerk may prescribe.

B. Such application may include, but is not limited to, the following:

(1) Name, address, and contact information, including phone number and email address, of the applicant, all other persons having a legal interest in the facility and property, and the individual(s) designated by the applicant to manage operation of the facility, if any.

(2) Location within the premises for which a license is sought, identified by both City Tax Map and lot number and street address.

(3) Dimensions and acreage of the property.

(4) Copy of a signed, approved site plan, and supporting documents, if required under Chapter 280, Zoning. **[Amended 4-19-2022 by Order No. 22-151-01]**

(5) Description of the use and facility and how the location and improvements associated with the proposed facility comply with the requirements of Chapter 280, Zoning, and this chapter.

(6) Type, location, and total cubic feet and equivalent pounds of carbon dioxide, gas, super-cooled liquid, pesticide, fertilizer, or other chemical stored or used in the operation of the facility, if any, and location of all alarms and shut offs.

(7) Any other approvals required by City, State, or federal agencies.

(8) Other information specified in this chapter or any other applicable regulation, codes, or law.

(9) Two (2) copies of the license application and all supporting documentation and one (1) digital copy, in the form of a USB, CD, email, Drop Box, or Google Drive link, containing pdf files for the application and each piece of supporting documentation. **[Amended 4-19-2022 by Order No. 22-151-01]**

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§ 149-1.9. Administration.

A. City Clerk review. A license application shall be filed with and reviewed by the City Clerk to determine if it is complete. If the application is not deemed complete, the application shall be returned to the applicant and shall be considered to be denied. If the application is deemed to be complete, and the facility has not secured site plan, conditional use, or other required permits under Chapter 280, Zoning, the applicant shall be directed to schedule a meeting with the Planning Department.

B. Planning Board review. Upon referral from the City Clerk and submission of the appropriate site plan, conditional use, or other required permits under the provisions of Chapter 280, Zoning, the Planning Department shall process applications for review. Upon approval, the Planning Department shall forward the determination to the City Clerk, who shall schedule the licensing application for review by the City Council. **[Amended 4-19-2022 by Order No. 22-151-01]**

C. City Council review. The City Council may impose conditions on the approval of any license application it deems necessary to ensure compliance with the provisions of this chapter or any other provision of law. Such conditions may include, but are not limited to, documentation of the following requirements:

(1) All landscaping, screening, reclamation, and/or other requirements approved and/or imposed by the Planning Board have been installed, completed, and approved by appropriate City staff. **[Amended 4-19-2022 by Order No. 22-151-01]**

(2) All requirements imposed by any other regulatory bodies having jurisdiction have been installed, completed, and approved.

(3) All other measures required to improve the operations of the facility or minimize its impacts on the surrounding neighborhood have been constructed or implemented.

(4) The applicant shall meet with the Chief of Police, Director of Code Enforcement, and/or other State or municipal officials, upon request, to establish a good working relationship between the City and the owner and operators of the facility and to provide for review of the operation of the facility. **[Amended 4-19-2022 by Order No. 22-151-01]**

§ 149-1.10. Records; disposition of fees.

A record of the issuance of such license, with the name of the licensee and the fee paid, shall be kept by the City Clerk. The fees collected by the City Clerk for all licenses provided herein shall be turned over to the City Treasurer in the same manner as tax moneys, and to be credited to the Licenses and Fees Account.

§ 149-1.10.1. Investigation of applicant and review of application. [Amended 4-19-2022 by Order No. 22-151-01; 6-20-2023 by Order No. 23-265-01; 9-19-2023 by Order No. 23-358-01]

Upon receipt of an application for any license or permit, other than a renewal application substantially identical to the original application, the City Clerk shall inquire of other City departments, including the Inspection Team, as appropriate, for comments as to whether a license may be granted consistent with the provisions of the laws and codes enforced by such department. In all appropriate cases, the Code Enforcement Officer shall verify that the premises to be used for the proposed facility comply with the Building Code, Electrical Code, Plumbing Code, and Zoning Code, including development permit approval and if applicable, Junkyard Screening Law; the Fire Chief and/or designee shall cause inspection to be made for the purpose of determining if codes, State law, or State regulation concerning fire and safety have been complied with; and if the license is not issuable to any class of persons, firms, or corporations;

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the Police Chief and/or designee shall cause an investigation to be made of the principal officers or person to be licensed; the Tax Collector shall verify that taxes have been paid or payment arrangements made. All persons shall report to the City Clerk in writing, and copies of any such report shall be deemed a public record.

§ 149-1.11. Inspections. [Amended 4-19-2022 by Order No. 22-151-01]

As a condition of granting a license, unless otherwise specified, an inspection may be required. Submission of a license application shall constitute permission for entry and inspection. The Inspection Team, which consists of a representative of the Police Department, Fire Department and the Code Enforcement Department, and/or his/her designee, may inspect every facility to be licensed under this chapter for the purpose of determining if the applicant and premises is in compliance with all applicable laws, codes, rules, regulations, and development permits. Inspections shall take place at a reasonable time and prior to a determination on the license application. Businesses with no regularly scheduled hours shall be given twenty-four (24) hours' notice for an annual inspection. When an inspection is conducted for a use that is sensitive to contamination of its processes or products, the Inspection Team shall use the following protection from contamination protocols to the extent practicable:

A. The facility operator shall:

(1) Prior to inspection, provide a floor plan of the facility which identifies, at a minimum, all walls, the layout of operations, including storage, and the location of exits, signs, key components of emergency, security, growing and other lighting, fire extinguishers, mechanical rooms, key components of the ventilation system, including but not limited to intake and exhaust vents, key components of any filtration system, key components of the sprinkler system and sprinkler heads, including clearance heights, electrical panel, storage areas for hazardous materials, including but not limited to chemicals and gases, plumbing fixtures; and

(2) Maintain a Material Safety Data Sheet for any chemicals it uses in its operation and described in its Operations Manual and Safety Plan, required in Chapter 280, Zoning, which shall be made available to the Inspection Team upon request.

(3) Provide a flow chart of the operation that identifies and directs the Inspection Team first to the area of the site that is cleanest and most sensitive to contamination and proceed to progressively less clean and/or sensitive areas until the inspection is complete.

B. The Inspection Team shall:

(1) Don disposable boot covers, gowns, gloves, and hairnets if provided by the facility operator.

(2) Provide the operator of the production facility a camera, heat-temperature gun, and a two-way communication device. The facility operator will work with the Inspection Team, which will direct the facility operator to designated areas, to provide visual access and direct feedback to allow the inspection to take place without requiring the Inspection Team to enter areas of the facility that are sensitive to potential contamination.

C. If the Inspection Team observes violations, modifications of the facility which required a permit which was not obtained, or cannot satisfactorily conduct the inspection through remote observation then the Inspection Team may have to enter the facility to complete the inspection. If physical entry is required, the Inspection Team shall use the protection from contamination protocols described in this chapter to minimize the likelihood of contamination.

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§ 149-1.11.1. Standards for denial, suspension or revocation. [Amended 4-19-2022 by Order No. 22-151-01]

In addition to any other provision of this code authorizing such action, a license or permit may be denied, suspended, or revoked upon determination of one (1) or more of the following regarding the applicant, application, or premises:

A. Failure to fully complete the application forms; knowingly making an incorrect statement of a material nature on such form; failure to supply any additional documentation required or reasonably necessary to determine whether such license is issuable; or failure to pay any fee required hereunder;

B. The applicant or related persons or entities have caused one (1) or more breaches of the peace;

C. Failure to comply with laws, code, development permits, rules, or regulations;

D. Failure to license and operate a safe and proper place of business compliant with all relevant fire, health, and safety codes; or

E. The applicant, licensee, or employee of the licensee or person representing the licensee has been convicted of any Class A, Class B, Class C, or Class D crime or crime of equivalent severity or has proven and known ties to criminal gangs or criminal organizations as defined by federal law as verified by the Police Department.

§ 149-1.12. Violations and penalties. [Amended 4-19-2022 by Order No. 22-151-01]

Any person, firm, or corporation who violates any provision of this chapter or the terms of a license may be penalized in the following manner:

A. Temporary suspension. The Code Enforcement Officer or Police Department, with prior approval of the City Manager or his/her designee, is authorized to immediately and temporarily suspend any license. The City Manager, or his/her designee, shall determine if the licensed premises has not met the requirements of the license.

B. Revocation. The Code Enforcement Officer or Police Department, with prior approval of the City Manager, or his/her designee, is authorized to immediately revoke any license. The City Manager, or his/her designee, shall determine if the licensed premises has not met the requirements of the license.

C. Unlicensed activity. Any person, firm, or corporation failing to apply for a license and pay the required fee shall be in violation of this chapter and such violation is a civil penalty or land use violation pursuant to 30-A M.R.S. § 4452, enforced by the Police Department or Code Enforcement Officer and subject to a fine in the amount of one hundred dollars ($100) in addition to any other fines for violating this chapter and the fee for licensing.

D. Civil penalties. In addition to any other fines or penalties for violating any provisions of this chapter or the terms of the license, violation of this chapter is a civil penalty pursuant to 30-A M.R.S. § 4452, enforced by the Police Department or Code Enforcement Officer. In any such proceeding, the City may order that the licensee or unlicensed activity abate any violations, pay a penalty between one hundred dollars ($100) and two thousand five hundred dollars ($2,500) per violation, per day, and pay the court costs, attorneys and expert witness fees incurred by the City.

§ 149-1.13. Appeals. [Amended 5-7-2019 by Order No. 19-258-01]

The Board of Appeals, acting in an appellate capacity, shall act as the Licensing Board of Appeals in order

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to hear appeals of orders, decisions, or determinations made relative to application and interpretations of this Code. Appeals to the Board of Appeals shall be submitted as otherwise set forth in City Code, Chapter 10, regarding administrative appeals.

§ 149-1.13.1. Severability.

If any clause, sentence, paragraph, section, article, or part of this ordinance, or of any ordinance included in this Code or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

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ARTICLE II

Mental Health and Abuse Clinics; Outpatient Addiction Treatment Clinics
[Adopted 11-25-2008;[2] amended in its entirety by the City Council 7-19-2016 by Order No. 16-61.10]

§ 149-2.1. Purpose and findings.

A. The City Council finds that an outpatient addiction treatment clinic can be a valuable component of our health-care system if operated by qualified and responsible operators and subject to reasonable regulations to assure effective operation. The City Council also recognizes the importance of appropriately siting clinics in order to protect the public health, safety, and welfare. This requires restricting the proximity of clinics to schools, child-care providers, public parks and playgrounds, and other locations where children and young adults may frequent. It requires siting in locations accessible by public transportation, zoned to assure the compatibility of other allowed uses in the zone with and to such clinics, and selected to assure the personal safety and privacy of the patients and clients of such clinics. In addition, the City and private interests have devoted substantial resources and made significant efforts to attract retail and commercial development into the downtown sections of Sanford and the Village of Springvale, and location of a clinic in these areas may conflict with this development plan.

B. The City Council finds that it is in the best interests of the City to protect areas where efforts are currently being made to stimulate new business investment, and encourage focused and planned economic growth, which includes the areas identified above. The location of outpatient addiction treatment clinics in these areas could detract from these efforts without benefiting the patients and clients of such facilities. Proper locating shall also avoid adverse law enforcement impacts and the overburdening of police and rescue resources while at the same time protect the personal privacy, convenience, and interests of the patients and clients of such facilities. The City Council finds that with the reasonable and necessary location restrictions listed herein and in the City's Land Use Code, there remain sufficient suitable areas within the City to site mental health and abuse centers, including outpatient addiction treatment clinics. Licensing of these facilities shall enhance community relations with the providers of such clinics, establish lines of communications with operators of the facilities, and provide for periodic review of and reasonable control over their operations. Licensing of these facilities is appropriate and consistent with the City's policies and practices to review and license business activities that can have an adverse impact on its citizens. The licensing is not meant to conflict with the licensing done at the state level pursuant to 14-118 CMR Ch. 4, Regulations for Licensing/Certifying Substance Abuse Treatment Programs in the State of Maine, but to provide separate and additional requirements as necessitated by the above findings to protect the local interests of persons in Sanford, Maine.

C. In addition, the City Council has delegated to the Planning Board application of the land use development standards in Chapter 280, Zoning. Also the City Council finds that using the North American Industry Classification System to identify the activity regulated hereunder is the fairest and most equitable method available and treats all similarly classified uses the same.

§ 149-2.2. Applicability.

A. This article shall apply to any outpatient addiction treatment clinic which is located or to be located

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2. Editor's Note: This ordinance was originally adopted as Ch. 153, but was renumbered as Ch. 149, Art. II, to maintain the organization of the Code.

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within the City. Notwithstanding anything to the contrary in 1 M.R.S.A. § 302, this article applies to any application relating to the establishment or operation of a mental health and abuse center or outpatient addiction treatment clinic, whether or not such application had become a "pending proceeding" as defined in 1 M.R.S.A. § 302 prior to the enactment of this article.

B. Allowed locations and setback requirements for an outpatient addiction treatment clinic is described in Chapter 280, Zoning. In addition, at the time of application, the applicant must demonstrate that it is not within 1,000 feet of a child-care provider.

§ 149-2.3. Definitions.

For purposes of this article, the following definitions shall apply unless the content clearly implies otherwise:

CHILD-CARE PROVIDER — This term is defined in Chapter 280, Zoning.

MENTAL HEALTH AND ABUSE CLINIC — This term is defined in Chapter 280, Zoning.

OUTPATIENT ADDICTION TREATMENT CLINIC — This term is defined in Chapter 280, Zoning.

SANFORD DOWNTOWN AREA — That area identified by the Sanford Downtown Legacy and shown on the map entitled "Sanford Downtown," as it may hereafter be amended, and it also includes the area identified by the Lafayette Circle, which includes all property within 1,320 feet of the Lafayette School.

SCHOOL — A building, together with its contiguous accessory buildings and grounds and uses, for the education and learning of children. Uses within the meaning of this definition shall include, but are not limited to, private and public preschool, elementary, middle and high school.

SPRINGVALE VILLAGE — That area defined in the study prepared by Kent Associates and referenced in the Springvale Design Guidelines in Chapter 280, Zoning, as it may be hereafter amended.

§ 149-2.4. Licensing application requirements.

A. All applications for licenses under this chapter shall be filed in accordance with § 149-1.8. **[Amended 4-19-2022 by Order No. 22-151-01]**

B. In addition to the information specified in § 149-1.8, an application for a mental health and abuse clinic or outpatient addiction treatment clinic shall provide:

(1) The social security number of a person designated by the applicant as the responsible operator, and shall include the written consent of such person to a full background and reference check by the City.

(2) A detailed description of the proposed outpatient addiction treatment clinic to include the following: population to be served, client services, methods of treatment, identification of controlled substances to be kept on site and how the applicant shall prevent their theft or misuse, staffing requirements, security provisions, hours of operation, anticipated parking demand, peak-hour traffic, and identification and copies of other required licenses.[3]

§ 149-2.5. Administration.

The application shall be administered under the provisions of § 149-1.9, except as noted below.

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3. Editor's Note: Former Subsection B(3), which required a nonrefundable application fee, was repealed 4-19-2022 by Order No. 22-151-01. For current fee provisions, see § 149-1.4C.

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A. City Clerk review. When a license application for an outpatient addiction treatment clinic is filed with the City Clerk, the Clerk shall order a background check from the Police Department for the applicant, individuals with a legal interest in the facility, and any individual(s) hired to manage operation of the facility. The license application with the background check shall then be reviewed by the City Clerk to determine if the application is complete.

B. City Council review.

(1) The City Council must conduct a public hearing on any new application to allow adequate time for public comment and review. **[Amended 7-21-2020 by Order No. 19-954-01]**

(2) The City Council may require the applicant to construct or implement other measures when those measures are designed to improve the operations of the clinic or minimize the impact of the clinic on the surrounding neighborhood.

C. That the applicant meet with the Chief of Police or other state or municipal official semiannually. The purpose of said meetings is to establish a good working relationship between the City and the owner and operators of clinics and to provide for review of the operation of the clinic on a regular basis.

§ 149-2.6. Nonconforming uses.

Any mental health and abuse center or outpatient addiction treatment clinic in lawful existence on the effective date of this article may remain in operation in its present location without applying for or obtaining the license required hereunder until the later of December 31 of the calendar year in which this article is adopted or 12 months following the effective date of this article. Thereafter, such clinics shall be required to comply with all the licensing provisions of this article. A clinic in lawful existence and operation on the effective date of this article may continue as sited and being operated on that date but shall be considered a lawful nonconforming use subject to all restrictions and regulations on nonconforming uses in this article and Chapter 280, Zoning, as from time to time amended.

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ARTICLE III
Electronic Video Machines
[Adopted 12-30-2008;[4] amended in its entirety by the City Council 7-19-2016 by Order No. 16-61.10]

§ 149-3.1. Purpose. [Amended 5-15-2018 by Order No. 18-116-01]

The City Council has determined that the regulation of arcade devices, coin-operated amusement devices and electronic video machines promotes the health, safety, and welfare of Sanford's citizens by assuring that all arcade devices, electronic video machines and coin-operated amusement devices are operated in conformance with the laws of the State of Maine and of the City.

§ 149-3.2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ARCADE DEVICE — A coin-operated amusement device for amusement and entertainment.**[Added 5-15-2018 by Order No. 18-116-01]**

COIN-OPERATED AMUSEMENT DEVICES — Any machine or device which upon the insertion of a coin may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, and which is operated for amusement only and does not dispense any form of payoff, prize, or reward except free replays. For the purposes of licensing, the owner of the establishment where the device is located shall be the party responsible for obtaining the license.**[Added 5-15-2018 by Order No. 18-116-01]**

ELECTRONIC VIDEO MACHINE — A machine, however operated, which has a video screen featuring an electronically simulated game or games, and delivers or entitles the person playing or operating it to receive the privilege of playing the electronic video machine, but does not deliver or entitle the person playing or operating the electronic video machine to receive any cash, premiums, merchandise, tickets or something of value other than the privilege of playing the electronic video machine without charge.

§ 149-3.3. License required. [Amended 5-15-2018 by Order No. 18-116-01]

No person, firm, or corporation shall keep, maintain, operate, lease, or otherwise establish an arcade device, coin-operated amusement device or devices or electronic video machines, in any premises, building, apartment, or place without first obtaining a license from the City Clerk. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-3.3.1. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the annual fee required has been paid through the City Clerk's office. The fee for an electronic video machine license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for electronic video machines, arcade devices, and coin-operated amusement devices.

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4. Editor's Note: This ordinance was adopted as Ch. 154 but was renumbered as Ch. 149, Art. III, to maintain the organization of the Code.

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§ 149-3.4. Licensing information; affidavit.

In addition to the requirements of § 149-3.3 and Article I of this chapter, each applicant must annually submit the following information with an application for licensing each electronic video machine:

A. The following affidavit must be signed by each member of the governing board of the applicant and by the applicant's manager and shall be duly notarized. **[Amended 5-15-2018 by Order No. 18-116-01]**

> "I _____(Name) do declare under the penalties of false swearing, pursuant to 17-A M.R.S.A. § 452, and/or the revocation of any licenses granted pursuant to Chapter 149: Licensing of the Code of the City of Sanford, Maine, that in my capacity as an officer or manager of the _____ (Name) I am familiar with the laws, both state and local, which govern the operation of electronic video machines. I am unaware of any illegal activity, including but not limited to illegal gambling as defined in Title 17-A M.R.S.A. Part 2, Chapter 39, regarding our electronic video machines, and should I become aware of any illegal activity I will immediately notify the Maine State Police, Bureau of Non-Profit Gaming Licenses."

§ 149-3.5. Posting of affidavit.

All affidavits required by § 149-3.4 of this Code shall be posted in a prominent location within 25 feet of the electronic video machines licensed under this article.

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ARTICLE IV
(RESERVED)[5]

§ 149-4.1. (Reserved)

5. Editor's Note: Former Article IV, Medical Marijuana Production Facilities, adopted 7-19-2016 by Order No. 16-61.10, as amended 6-20-2017 by Order No. 17-77.08, 12-19-2017 by Order No. 17-210-01, and 2-20-2018 by Order No. 18-115-01, was repealed 3-5-2019 by Order No. 18-553-01. For current provisions, see Ch. 161, Marijuana.

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ARTICLE V
Rental Housing
[Adopted 7-18-2017 by Order No. 17-83.06]

§ 149-5.1. Purpose; intent.

A. The purpose of this rental housing license and associated rental housing inspection program is to protect the health, safety, and general welfare of the people of the City by recognizing that the offering for rental of housing is a business, classifying and regulating such rentals as a rental housing business, establishing a permanent mode of protecting and regulating the living conditions and life safety of residents of the City who rent dwellings, and to provide a means for imposing license fees separate from property taxes to help the City defray the cost necessary for housing inspections and enforcement of this license and further including in the aims of the license and inspection program, as beneficial purposes to:

(1) Correct and prevent conditions that adversely affect the life, safety, welfare and health of occupants of rental housing.

(2) Preserve and improve the value of land and buildings throughout the City; and discourage speculation. **[Amended 6-20-2023 by Order No. 23-77-01]**

(3) Eliminate substandard and deteriorating rental housing.

(4) Provide minimum standards for the health and safety of the occupants of rental housing.

(5) Provide minimum space standards to prevent overcrowding.

(6) Enforce minimum standards for the maintenance of existing residential buildings to prevent slum and blight.

(7) Preserve the residential quality of neighborhoods and residential uses to the benefit of Sanford residents; and discourage conversion of housing to transient uses. **[Added 6-20-2023 by Order No. 23-77-01]**

(8) Support economic opportunities for residents of Sanford and support the tourism economy in Sanford through positive overnight accommodation experiences. **[Added 6-20-2023 by Order No. 23-77-01]**

B. It is not the intent of the City to intrude upon the contractual relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, or to act as an arbiter, or to be receptive to the complaints from a tenant or landlord not specifically and clearly relevant to the provisions of this article. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the City.

§ 149-5.2. Definitions. [Amended 4-19-2022 by Order No. 22-151-01]

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this chapter, which are defined in chapters adopted by reference, have the meanings ascribed to them as stated in those chapters.

RENT — Payments made for the use of a premises, including, but not limited to, money, services, trade, or a combination thereof; or the sharing of housing expenses with persons not part of the homeowner's

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immediate family.

RENTAL HOUSING — Any property that contains a building or division of a building that is rented or available for rent as a dwelling or habitation to any person or persons. Rental housing includes rental of a house, home, apartment, room, or bed for a time period which may terminate upon a certain event, a specific term, for a series of periods until canceled, or at-will.

SHORT-TERM RENTAL — The renting of rental housing for a period of less than 30 days.**[Added 6-20-2023 by Order No. 23-77-01]**

§ 149-5.3. Applicability; exceptions.

A. The provisions of this article apply to all rental housing, including and not limited to dwellings and dwelling units, rooms, or beds rented within dwelling units. The provisions apply to rental of single-family dwellings, dwelling units in owner-occupied dwellings, condominiums, townhouses, and to leasehold cooperative dwelling units. The provisions apply to tiny homes and seasonal dwellings. The provisions also apply to lodging establishments including guest homes and cottages as defined in Chapter 155. **[Amended 6-20-2023 by Order No. 23-77-01]**

B. The provisions of this article do not apply to owner-occupied single dwelling units where no portion of the dwelling is rented; owner-occupied dwelling units in cooperative, condominium, or townhouse buildings where no portion of the dwelling is rented; dwelling units occupied by a family as defined in Chapter 280, Zoning; hotels, motels, or bed and breakfasts; hospitals; convalescent, rest, or nursing homes; residential care or congregate care facilities; or other institutional beds or rooms used for medical or mental health treatment services; or mobile homes regulated by the Federal Department of Housing and Urban Development (HUD) Construction Code.

§ 149-5.4. License required.

A valid rental housing license under the terms of this article is required, and no person, including without limitation a property owner, owner's associate, real estate broker, associate real estate broker, real estate agent, or property manager, shall allow any rental housing unit to be occupied, or let or offer to another any rental housing unit for occupancy, or charge, accept or retain rent for any rental housing unless the owner has a valid license under the terms of this article. Any person carrying on such a business activity without a license is in violation of these provisions.

§ 149-5.5. Issuance of license; transferability.

A license pursuant to this article may be issued to the property owner for the property named on the approved license application. One license may be issued for each property with rental housing units and shall be deemed to cover only such dwelling units under single ownership. No transfer of a license is allowed between property owners or between properties.

§ 149-5.6. Renewal; license term.

Before December 31 the owner shall apply for or renew his or her annual rental housing license for the successive year. Within 60 days of purchasing, transferring, or converting a property into a rental housing unit or units the owner shall apply for a rental housing license. All licenses expire on December 31.

§ 149-5.7. Fees; credits and exemptions.

A. A license may be issued for a property owner after the annual fee required has been paid through the

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Code Enforcement Office. **[Amended 7-21-2020 by Order No. 19-954-01; 4-19-2022 by Order No. 22-151-01]**

B. Property owners that apply for and are issued a license by December 31, have corrected any violations upon a second inspection, maintain good standing, and meet all licensing standards are eligible for a credit of 50% per rental housing property per year commencing in the second year through the so-called "Good Neighbor Program."

C. Rental housing which has been newly constructed or has undergone substantial renovations impacting all aspects of the building are exempt from the fee for a period of two years because inspections were conducted as part of the receiving a certificate of occupancy. These properties are automatically eligible to roll into the so-called "Good Neighbor Credit Program."

D. Rental housing may deduct $100 from the fee for each owner-occupied unit.

§ 149-5.8. Application for license.

A license application shall be made to the Code Enforcement Office on a form furnished by the Code Enforcement Office for such purpose and shall include the following information:

A. Name, business or residence address, cell phone and primary telephone numbers, email address of the owner or owners of the property;

B. Name, business or residence address, cell and primary telephone numbers, e-mail address of the primary responsible party for the property which shall be the primary contact for the City to schedule inspections and who takes responsibility for maintaining the property and who may also be named if enforcement action is unavoidable.

C. Street address of the property, parcel identification code or map and lot for the property.

D. Number and kind of rental housing units within the property. For each rental housing unit, specify the floor number and unit number and/or letter and/or designation.

§ 149-5.9. Licensing standards.

The following minimum standards and conditions shall be met in order to hold a rental housing license and maintain good standing. Failure to comply with any of these standards and conditions shall be deemed a violation of this article and adequate grounds for the denial, revocation, or suspension of a rental housing license.

A. The licensee shall provide all application information and have paid the required license fee.

B. Rental housing shall not exceed the maximum number of dwelling units permitted by this Code.

C. No rental housing shall be over-occupied or illegally occupied in violation of this Code.

D. No rental housing shall have outstanding code violations or alternatively be without an plan of action to correct those violations of this Code approved by the Code Enforcement Officer.

E. The rental housing shall not have been used or converted to rooming units in violation of this Code.

F. The rental housing shall not be under condemnation as hazardous or unfit for human habitation under this Code.

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G. The rental housing shall not have delinquent real estate taxes due and owing.

§ 149-5.10. Authority to issue licenses.

The Code Enforcement Office shall have the authority to issue all licenses pursuant to this article to applicants meeting the licensing standards.

§ 149-5.11. Authorized entry for inspection.

To safeguard the health, safety, and welfare of the public, Code Enforcement Officers are authorized to enter any licensed rental housing at any reasonable time for the purpose of inspecting.

§ 149-5.12. Inspections.

A. Regular inspections are required for all rental housing.

B. After a license has been issued, the Code Enforcement Office will schedule an initial inspection of a licensed property with the owner or responsible party for a mutually agreed upon time.

C. Inspections of properties will be conducted as follows:

(1) Properties categorized as single-family, two-family, and three-family will have all units and common areas inspected.

(2) Properties categorized as four-through-seven-unit and mixed use with four to seven units will have a sampling of four units and the common areas inspected, unless life safety and more than two code violations are found, then all units will be inspected.

(3) Properties categorized as eight-plus units and mixed use with eight plus units will have a sampling of five units and the common areas inspected, unless life safety and more than two code violations are found, then all units will be inspected.

(4) Owner-occupied dwelling units need not necessarily be inspected.

D. The standards to be used for inspections pursuant to Chapter 90 and Chapter 128 shall include the inspection of the premises, building exterior, common areas, all dwelling units, accessory buildings, and the basement.

E. If a violation of applicable law, ordinance or regulation is discovered, the owner shall be notified of the nature of the violation and time within which such correction shall be completed. In the event violations have not been corrected upon a second reinspection, or no authorized person was present to accompany the Code Enforcement Officer upon reinspection, violations and penalties will apply unless an extension is granted. The penalty for the third and each successive reinspection is $50.

F. Following an inspection, if no violations are found, the property owner will be issued a certificate showing compliance with the license and code.

G. Rental housing receiving the so-called "Good Neighbor Credit" will be inspected once every three to four years, unless a tenant complaint cannot be resolved without an inspection; otherwise inspections will be conducted once per year or more frequently as justified due to tenant complaints, calls for police or fire service, age of structure, maintained appearance of the structure, or nonpayment of taxes and other utilities.

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§ 149-5.13. Violations and penalties.

Any person who violates any provision of this article or the terms of the license may be penalized in the following manner:

A. Temporary suspension. The Code Enforcement Officer, with prior approval of the City Manager or his/her designee, is authorized to immediately and temporarily suspend any license to an entire property or portion thereof. The City Manager or his/her designee shall determine if the continued operation of the licensed premises or activity presents a danger to the health, safety, and general welfare of the public; the Code Enforcement Officer has been refused entry to inspect the premises; the licensed premises has not met the requirements of the City property, building, fire, or applicable State laws; the continuation of the license creates a nuisance; or the licensee has not corrected violations by the expiration date within which such violations were to be corrected; or the building is designated as a disorderly house pursuant to Chapter 114. **[Amended 6-20-2023 by Order No. 23-77-01]**

B. Revocation. The Code Enforcement Officer, with prior approval of the City Manager or his/her designee, is authorized to immediately revoke any license to an entire property or portion thereof. The City Manager or his/her designee shall determine if the continued operation of the licensed premises or activity presents a danger to the health, safety, and general welfare of the public; the Code Enforcement Officer has been refused entry to inspect the premises; the licensed premises has not met the requirements of the City property, building, fire, or applicable State laws; the continuation of the license creates a nuisance; or the licensee has not corrected violations by the expiration date within which such violations were to be corrected.

C. Unlicensed rental housing units. Any person failing to apply for a rental housing license and pay the required fee shall be in violation of this article and such violation is a civil penalty enforced by the Police Department and subject to a fine in the amount of $500 per property in addition to any other fines for violating this article and the fee for licensing the rental housing.

D. Civil penalties. In addition to any other fines or penalties for violating any provisions of this article or the terms of the license, violation of this article is a civil penalty enforced by the Police Department. In any such proceeding, the City may seek an administrative warrant to conduct an inspection, court order that the owner and/or operator of the licensed activity abate any violations, pay a penalty between $100 and $2,500 per violation, per day, and pay the court costs, attorneys and expert witness fees incurred by the City, and, if applicable, costs incurred by the City in securing adequate substitute housing for affected tenants.

E. Condemnation. Upon temporary suspension, revocation, denial, or unlicensed rental housing units, the Code Enforcement Officer shall post the property against occupancy.

§ 149-5.14. Appeals.[6] [Added 7-21-2020 by Order No. 19-954-01; amended 6-20-2023 by Order No. 23-77-01]

The Board of Appeals shall act as the Rental Housing License Board of Appeals in order to hear appeals of orders, decisions, or determinations made relative to application and interpretations of this article. Appeals to the Board of Appeals shall be submitted as otherwise set forth in City Code Chapter 10, Appeals, Board of, regarding administrative appeals, subject to the payment of any fees as may be determined by the municipal officers from time to time.

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6. Editor's Note: Former § 149-5.14, Appeals, was repealed 5-7-2019 by Order No. 19-258-01.

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§ 149-5.15. Severability.

If any clause, sentence, paragraph, section, article, or part of this article or of any ordinance included in this Code or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect impair or invalidate the remainder therefor but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part therefore directly involved in the controversy in which such judgment shall have been rendered.

§ 149-5.16. Residency restrictions for sex offenders. [Added 6-4-2019 by Order No. 18-165-01]

A. Pursuant to 30-A M.R.S.A. § 3014, no person convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of the offense may reside, live, or dwell within 750 feet of the property boundary of any safe zone designated in § 215-5 or 158-6, or a public or private elementary, middle, or secondary school. Failure to comply with this provision shall be deemed a violation of this article.

B. A person convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of the offense residing within 750 feet of the property boundary of any safe zone designated in § 215-5 or 158-6 or a public or private elementary, middle, or secondary school may continue to reside at that specific residence as long as the residency was established prior to April 17, 2019, and that residency has been consistently maintained as a primary residence.

C. An official map of the restricted residency locations shall be maintained by the City, and licensed rental property owners shall be notified of this residency restriction each year.

D. Civil penalty. Violation of this article is a civil penalty pursuant to 30-A M.R.S.A. § 4452, enforced by the Police Department or Code Enforcement Officer. In any such proceeding, the City may order abatement of any violation, pay a penalty between $100 and $2,500 per violation, per day, and pay the court costs, attorneys and expert witness fees incurred by the City.

§ 149-5.17. Insurance policy required to maintain good standing; or fee multiplier. [Added 6-20-2023 by Order No. 23-77-01]

A. Minimum insurance standard. Documentation of general liability and property insurance of at least $500,000 and additionally sufficient coverage for property replacement or demolition and removal.

B. To maintain good standing, pursuant to § 149-5.7B, rental housing must have in full force and effect an insurance policy that meets the insurance standard stated in § 149-5.17A. A copy of the policy's declaration page shall be provided with the application for license pursuant to § 149-5.8.

C. If such insurance policy referenced § 149-5.17A is not furnished or cannot be procured for the application for license pursuant to § 149-5.8, the required annual fee pursuant to § 149-5.7A, shall be multiplied by two beginning in 2025 and multiplied by three beginning in year 2027.

§ 149-5.18. Short-term rentals; additional requirements. [Added 6-20-2023 by Order No. 23-77-01]

A. Primary residence in certain zones. A short-term rental in the Urban Zone, Single-Family Residential Zone, and Residential Development Zone, must be the primary residence, as defined in § 280, of the property owner and furthermore:

(1) A multiunit property may have up to one short-term rental.

(2) A single-family property may have up to one short-term rental unit or up to two rooms for rent,

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when defined as a guest home under Chapter 280.

B. Insurance. The insurance policy standards specified in § 149-5.17A are mandatory for short-term rentals to obtain and maintain a license.

C. Occupancy limit. The occupancy limit for a short-term rental is based on a calculation of two adults per bedroom and shall be finally determined by the Code Enforcement Officer. The occupancy limit must be posted in a conspicuous location in the short term rental on a certificate designated by the Code Enforcement Officer.

D. Parking. Sufficient on-site parking shall be documented by the property owner. No on-street parking is allowed.

E. Fee. The fee for short-term rentals shall be a per room or per rental housing unit rate established under Chapter 149, Licensing, § 149-1.4C, Fees, of this Code, for lodging establishment. The fee shall not be prorated pursuant to § 149-1.4B.

F. No vested right. No property owner shall have an entitlement or vested right to continue to operate a short-term rental that does not meet the standards required in this section after 2023.

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ARTICLE VI

Vacant, Abandoned, and Blighted Buildings

[Adopted 7-18-2017 by Order No. 17-83.06; amended 5-1-2018 by Order No. 18-184-01; 5-7-2019 by Order No. 19-258-01; 7-21-2020 by Order No. 19-954-01; 4-19-2022 by Order No. 22-151-01; 6-4-2024 by Order No. 24-236-01; 11-26-2024 by Order No. 24-126-01]

§ 149-6.1. Findings.

A. It is found that buildings which remain vacant and unoccupied for any significant period of time become a blight in the City and neighborhoods, which attracts criminal activity, is a threat to the public safety, constitutes a fire hazard, constitutes a hazard to health or safety because of inadequate maintenance or dilapidation, is a nuisance or is dangerous to life or property, and causes neighboring properties to suffer from stagnant or declining property value. The use and maintenance of property in such condition and manner endangers the public safety and health, constitutes an unreasonable use and conditions to the annoyance, discomfort, and repose of a considerable number of the public, is detrimental to the public good and common welfare and renders a considerable number of the public insecure in the use and enjoyment of their property, and thus constitutes a nuisance condition.

B. Adequate protection of public health, safety and welfare, therefore requires the establishment and enforcement of the means by which such nuisance conditions may be abated.

§ 149-6.2. Purpose.

The purpose of this article is to protect the health, safety, and general welfare of the people of the City by establishing a program to identify, register, inspect to minimum standards and determine the actions the owners will take to return vacant buildings, or abandoned properties or blighted buildings to suitable or proper use or occupancy, or securing or demolishing such vacant and abandoned buildings. This article is intended to prevent or mitigate dangers to health, safety, and welfare, promote responsible management, provide a safe neighborhood for residents, safeguard property values, expedite building repairs, and provide for prompt contact with owners or managers by police, fire, and code enforcement when issues or emergencies develop.

§ 149-6.3. Definitions.

The following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this article, which are defined in articles adopted by reference, have the meanings ascribed to them as stated in those articles.

ABANDONED — A property that has been determined to be abandoned pursuant to 30-A M.R.S.A. § 3106-B, or 30-A M.R.S.A. § 5157 as demonstrated by a totality of evidence and that meets one or more of the following criteria:

A. Doors and windows on the property are continuously boarded up, broken or left unlocked.

B. Rubbish, trash or debris has accumulated on the property.

C. Furnishings and personal property are absent from the property.

D. The building or improvements on the property are deteriorating so as to constitute a threat to public health or safety.

E. Gas, electric or water service to the property has been terminated or utility consumption is so low that

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it indicates the property is not regularly occupied.

F. A mortgagee has changed the locks on the mortgaged premises and neither the mortgagor nor anyone on the mortgagor's behalf has requested entrance to, or taken other steps to gain entrance to the property.

G. Reports of trespassers, vandalism or other illegal acts being committed on the have been made to local law enforcement authorities.

H. A code enforcement officer or other public official has made a determination or finding that the property is abandoned or unfit for occupancy.

I. The mortgagor is deceased and there is no evidence that an heir or personal representative has taken possession of the property.

J. Other reasonable signs of abandonment.

BLIGHTED BUILDING — A building that has been determined to be blight, in which any of the following combination of conditions exist:

A. The building is causing obvious depreciation of property value of the property or surrounding properties because of lack of maintenance, disrepair, or stagnation; or contributes to circumstances, use or action that impairs the condition, strength, durability, or appearance of real property; or contributes to circumstances, use or action that is otherwise detrimental to property values or neighboring property. Stagnation is defined as the specific circumstances of the building that perpetuate downtown decay or blight because of failure to remedy circumstances or property conditions in a timely manner (greater than 90 days).

B. The building or any portion of the first floor of that building has been unoccupied for a specific and substantial length of time (greater than 90 days), for any number of reasons including, but not limited to the fact that the building or portion thereof is not habitable, there is a lack of a certificate of occupancy for the building or part thereof, or inability to lease or occupy the building or part thereof.

C. The property is not being maintained, or is in disrepair, or is dilapidated and any portion of the first floor has been unoccupied for greater than 90 days; and contributes to downtown decay or blight as documented by the Code Enforcement Officer, by one or more of the following property conditions:

(1) Missing, broken, or boarded windows or doors.

(2) Temporarily shored, collapsing, or missing walls, roof or floor.

(3) Seriously damaged or missing siding of four-square feet or more.

(4) Need for painting or sealing.

(5) Fire damage.

(6) Nonfunctional heating, water, or sewer systems.

(7) Structurally faulty foundations.

(8) Damaged site features and parking areas such as failure to remedy potholes.

(9) Rodent harborage or infestation, garbage or trash.

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(10) Failure to remedy graffiti or other vandalism within 30 days, pursuant to Chapter 132.

(11) Factors creating substantial interference with the orderly and lawful use and enjoyment of other space within the building or of other premises or public spaces within the downtown as documented by neighborhood complaints.

PROPERTY DEFECTS — A condition that, in the judgment of the municipality, contributes to blight as a result of the continued lack of care, maintenance or security of a property pursuant to the criteria under the definition of abandonment or blighted building.

RESPONSIBLE PARTY — Any person, agent, holder of an unrecorded contract for deed, a mortgagee or vendee in possession, a mortgagor or vendor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the freehold of the premises or lessor state therein, or other legal entity having a legal or equitable interest in a vacant building, or blighted building, including but not limited to the beneficiary of a trust, and the holder of a life estate.

VACANT BUILDING — A residential or commercial building or part thereof which is lacking habitual presence of natural persons who have a legal right to be on the premises, or at which substantially all lawful business operations or residential occupancy has ceased with the exception of secure accessory buildings not intended for human occupancy. Any building in which more than one of the total exterior windows and doors are broken, boarded or not present without functioning locks may be deemed vacant regardless of the occupancy.

§ 149-6.4. Applicability; exceptions.

A. The provisions of this article apply to all vacant buildings, or abandoned properties or blighted buildings located within the City.

B. Exceptions. This article does not apply to primary residences of members of the armed forces on active duty, lawful seasonal or resort residences or facilities being occupied periodically during the year.

§ 149-6.5. License required.

A vacant building license under the terms of this article is required. Any person carrying on without a vacant building license shall be deemed in violation of these provisions.

§ 149-6.6. Issuance of license; transferability.

A license pursuant to this article may be issued to the owner or responsible party of the vacant building named on the approved license application. One license may be issued for a vacant building and shall be deemed to cover only such building under single ownership. No transfer of a license is allowed between owners or between buildings.

§ 149-6.7. License timeframes.

A. Beginning August 1, 2017, and within 90 days of a building becoming vacant, each owner or a responsible party of such vacant building shall apply for a vacant building license. Applications are made to the Code Enforcement Office.

B. Within 90 days of purchasing, transferring, assigning, or acquiring a vacant building the owner or a responsible party shall apply for a vacant building license.

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C. Within 30 days of a determination by the Code Enforcement Officer that a property is a blighted building, each owner or a responsible party of such blighted building shall apply for a vacant building license.

§ 149-6.8. Fees. [Amended 5-20-2025 by Order No. 25-152-01]

A. A license may be issued for an owner or responsible party after the fee required has been paid. The fee shall be paid through the Code Enforcement Office.

(1) The fee is $440 for each six-month license issued for vacant buildings which are determined to be abandoned, including properties in mortgage default according to the criteria established herein.

(2) The fee is $100 for each twelve-month license issued for vacant buildings which are maintained by the owner or under the owner's direct control.

(3) Blighted building. The fee is $5,000 for each six-month license issued for properties which are determined to be blighted building,

B. The fee escalates at a rate of two times the prior year fee for each additional year a building continues as vacant regardless of the responsible party.

C. Verifying security of dangerous building. In addition to fees, a property that has been found to be a dangerous building by the City Council pursuant to M.R.S.A. § 2851 et seq. and continues to remain vacant as of July 1 of each year, shall incur the cost of $750 for verifying security of said vacant building and dangerous building in addition to any other costs for securing said property.

§ 149-6.9. Application for license.

A. A license application shall be made to the Code Enforcement Office on a form furnished by the City Code Enforcement Office for such purpose and shall include the following information:

(1) Name, business or residence address, cell phone and primary telephone numbers, e-mail address of the owner or owners of the building.

(2) Name, business or residence address, cell phone and primary telephone numbers, e-mail address of the individual designated by the owner or owners of the building as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding in connection with the enforcement of this article or code regarding the vacant building.

(3) Name, business or residence address, twenty-four-hour-a-day cell and primary telephone numbers, e-mail address of the property manager responsible for management and maintenance of the building which shall be the primary contact for the City to schedule inspections. The name of any bank/lender/lien holder with an interest in the property and its contact information, including the mailing address of the bank/lender/lien holder.

(4) Street address of the building, parcel identification code or map and lot for the property on which the building sits.

(5) Statement of intent, including the expected period of vacancy, the plan for care, maintenance and security of the property during the vacancy, code compliance pursuant to Chapter 90 and Chapter 128, and a plan and timeline for lawful occupancy, rehabilitation, or removal or

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demolition of the building to commence.

(6) List of persons authorized to be present in the building, including a statement that any person not listed shall be considered trespassers.

B. If any contact information required in the application changes or becomes out-of-date, the owner must notify the Code Enforcement Office of the changes in writing within 30 days of such change. Failure to notify the Code Enforcement Office of changes is a violation of this article.

§ 149-6.10. Standards and conditions.

The following minimum standards and conditions shall be met for vacant buildings. Failure to comply with any of these standards and conditions shall be deemed a violation of this article.

A. The licensee shall provide complete application information and have paid the required license fee.

B. The building shall be in code compliance with Chapter 90 and Chapter 128 pursuant to an inspection of the premises, building exterior, common areas, all dwelling units, accessory buildings, and the basement.

C. A vacant building shall be free of any property defects.

D. A vacant building shall not be a dangerous building pursuant to 17 M.R.S.A § 2851.

E. No vacant building shall be occupied or illegally occupied in violation of this Code.

§ 149-6.11. Authority to issue licenses.

The Code Enforcement Office shall have the authority to issue all licenses pursuant to this article to applicants meeting the licensing standards.

§ 149-6.12. Authorized entry for inspection.

To safeguard the health, safety, and welfare of the public, Code Enforcement Officers are authorized to enter any licensed vacant building at any reasonable time for the purpose of inspecting.

§ 149-6.13. Inspections; correction of defects.

A. At the time of application, the owner or responsible party of a vacant building shall arrange for an inspection of the property with the Code Enforcement Office. The purpose of the inspection is to determine and ensure compliance with minimum standards pursuant to Chapter 90 and Chapter 128 and shall include the inspection of the premises, building exterior, common areas, all dwelling units, accessory buildings, and the basement.

B. If any property defects are identified, property defects are to be corrected within 30 days of the issuance of a notice to correct or within 30 days following issuance of a construction permit which was applied for promptly by the owner or responsible party.

§ 149-6.14. Violations and penalties.

Any person who violates any provision of this article or the terms of the license may be penalized in the following manner:

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A. Dangerous buildings. A vacant or abandoned building deemed to be structurally unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy to which it is put, constitutes a hazard to health or safety because of improper maintenance, dilapidation, obsolescence or abandonment, or is otherwise dangerous to life or property is a dangerous building and a nuisance and the City may seek to order the nuisance abated or removed pursuant to 17 M.R.S.A § 2851.

B. Abandoned building. A vacant or abandoned building may be deemed to be abandoned and the City may seek to remedy property defects pursuant to 30-A M.R.S.A § 3106-B.

C. Temporary suspension. The Code Enforcement Officer, with prior approval of the City Manager or his/her designee, is authorized to immediately and temporarily suspend any license to an entire property or portion thereof. The City Manager or his/her designee shall determine if the continued operation of the licensed premises or activity presents a danger to the health, safety, and general welfare of the public; the Code Enforcement Officer has been refused entry to inspect the premises; the licensed premises has not met the requirements of the City property, building, fire, or applicable State laws; the continuation of the license creates a nuisance; or, the licensee has not corrected violations by the expiration date within which such violations were to be corrected.

D. Revocation. The Code Enforcement Officer, with prior approval of the City Manager or his/her designee, is authorized to immediately revoke any license to an entire property or portion thereof. The City Manager or his/her designee shall determine if the continued operation of the licensed premises or activity presents a danger to the health, safety, and general welfare of the public; the Code Enforcement Officer has been refused entry to inspect the premises; the licensed premises has not met the requirements of the City property, building, fire, or applicable State laws; the continuation of the license creates a nuisance; or, the licensee has not corrected violations by the expiration date within which such violations were to be corrected.

E. Unlicensed vacant buildings. Any person failing to apply for a vacant building license and pay the required fee shall be in violation of this article and such violation is a civil penalty enforced by the Code Enforcement Officer or Police Department and subject to a fine in the amount of $300 for each month the building remains unlicensed in addition to any other fines for violating this article and the fee for the license.

F. Civil penalties. In addition to injunctive relief and any fines or penalties for violating any provision of this article or the terms of the license, violation of this article is a civil penalty enforced by the Code Enforcement Officer or Police Department. In any such proceeding, the City may seek an administrative warrant to conduct an inspection, court order that the owner and/or operator of the licensed activity abate any violations, pay a penalty between $100 and $2,500 per violation, per day, and pay the court costs, attorneys and expert witness fees incurred by the City.

G. Condemnation. Upon temporary suspension, revocation, or unlicensed vacant building the Code Enforcement Officer shall post the property against occupancy.

§ 149-6.15. Appeals.

The Board of Appeals shall act as the Rental Housing License Board of Appeals in order to hear appeals of orders, decisions, or determinations made relative to application and interpretations of this code. Appeals to the Board of Appeals shall be submitted as otherwise set forth in City Code Chapter 280, Zoning, regarding administrative appeals, subject to the payment of any fees as may be determined by the municipal officers from time to time.

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§ 149-6.16. Severability.

If any clause, sentence, paragraph, section, article, or part of this article or of any ordinance included in this Code or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgement shall have been rendered.

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ARTICLE VII
Breweries, Distilleries and Wineries
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-7.1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BREWERY — Brewery, distillery, malt liquor, spirits, wine, and winery shall have the same meaning as provided for in 28-A M.R.S.A. § 2, as amended hereafter.

§ 149-7.2. License requirements.

No person, firm, or corporation may operate a brewery, distillery, or winery until such person, firm or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-7.3. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the annual fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for brewery.

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ARTICLE VIII
Closing-Out Sales
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-8.1. License requirements.

No person, firm, or corporation may offer for sale a stock of goods, wares, merchandise under the designation of "closing-out sale," "going out of business sale," "discontinuance of business sale," "entire stock must go," "must sell to the bare walls," or other designation that states, directly or by implication, an intent of that person, firm or corporation to dispose of the entire stock of goods with a view to permanently terminate further business after that disposal is complete until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-8.2. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the required fee has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for closing-out sales.

§ 149-8.3. Duration of license.

A license is valid for 60 days from the date of issuance. The license may be extended for 60 additional days if the licensee provides an affidavit to the City stating that all goods, wares or merchandise listed in the inventory have not been disposed of within the original sixty-day period.

§ 149-8.4. Application.

License application shall be made to the City Clerk on a form furnished by the City Clerk for such purpose and shall include in addition to any other required information established under Chapter 149, Licensing:

A. A complete inventory of all items to be included in the sale.

B. An affidavit stating that merchandise will not be included in the stock offered for sale unless the merchandise is in or at the place of business where the sale will take place when the sale opens.

C. If the applicant has been in the same business for which the sale is being conducted for less than two years of continuous operation, the applicant must also state by affidavit that none of the merchandise was purchased before the sale opened for the purpose of selling and disposing of that merchandise at the sale.

§ 149-8.5. Inventory.

Any unusual purchases and additions to the stock of goods, wares, or merchandise made within 60 days before the filing of an application for a license is prima facie evidence that the purchases and additions were made in contemplation of the sale.

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§ 149-8.6. Recordkeeping.

The City Clerk shall preserve all applications for licenses and other papers filed in connection with an application as a public record for five years.

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ARTICLE IX
Peddling
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-9.1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MERCHANDISE — Any object, wares, goods, promises, commodities, intangibles, services, or other things of value, but not including food.

PEDDLER — A person, firm, or corporation conducting business on a temporary short-term basis from a nonfixed location, which may include traveling by foot, cart, automotive vehicle, or any other type of conveyance; or who without traveling from place to place is selling, exposing, or offering for sale, bargain, trade, exchange, or giving, tangible commodities, products, goods, or merchandise or any service where delivery is made at, or after the time of the sale. A peddler shall include "hawker" and "huckster." A peddler shall include a transient seller. Peddling does not include newspaper deliveries, deliveries made by common-carries such as the United Parcel Service or take-out delivery made from licensed victualer as defined in the Code. Peddling does not include casual transactions made between private citizens.

TRANSIENT SELLER — A person, firm, or corporation who engages in the business of soliciting, selling, giving, exposing, or offering for sale, tangible commodities, goods, or merchandise, whether new or used, or any service where delivery is made at, or after the time of sale to consumers by means of personal contact, telephone contact, text messaging, or by other electronic means such as email, whether or not the seller is present in the State at the time of the contact or the time of sale, and who may or may not have, for the purposes of carrying on such business, any permanent place of business within the State or is conducting business on a temporary short-term basis from a nonfixed location. Transient sellers shall include all business done solely by electronic means or operating through an automatic teller or kiosk. Transient seller does not include a person who sells at public fairs, expositions, flea markets, or bazaars, or a member selling on behalf of public service organizations. Transient seller does not include a person who sells exclusively by mail contact.

§ 149-9.2. License requirements.

No person, firm, or corporation may operate as a peddler until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-9.3. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the required fee has been paid through the City Clerk's office. The fee shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for peddlers. Licensed premises as defined in this code are exempt from the fee for a peddler license.

§ 149-9.4. Application.

License application shall be made to the City Clerk on a form furnished by the City Clerk for such purpose and shall include in addition to any other required information established under Chapter 149, Licensing:

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A. A brief description of the nature of the business and the tangible commodity to be transacted.

B. If a vehicle is to be used, a description of the same, together with license number or other means of identification.

C. A photograph of the applicant, taken within 60 days immediately prior to the date of filing of the application.

D. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

E. A full description of the location peddling is to be carried out of if within a stationary or regular location and a letter of agreement from the owner of record of the property that the applicant will make transactions upon.

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ARTICLE X
Places of Assembly and Temporary Exhibitions
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-10.1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CARNIVAL — Any traveling amusement show, excluding circuses, with or without midway, rides, concessions, or other specific attractions. For licensing purposes, the term "carnival" shall also include rodeos, thrill shows, and freak shows.

CIRCUS — Any show in which feats of horsemanship, tumbling, strength, etc., are exhibited, excluding carnivals and harness or running horse races; any show with an enclosed ring for the exhibition of animals.

§ 149-10.2. Places of assembly license required.

No person, firm, or corporation may operate a place of assembly for the purpose of amusement or entertainment including concert halls, indoor and outdoor exhibition places, playhouses, movie theaters, concession stand, indoor skating rinks, bowling alleys, billiard rooms, and municipal facilities on a scheduled regular basis until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-10.3. Temporary exhibitions license required.

No person, firm, or corporation may operate a traveling amusement show or temporary exhibition or event, pageant, theatrical performance, whether indoors or outdoors, including a music festival or exhibition for the purpose of amusement or entertainment, including but not limited to circuses and carnivals until such person, firm, or corporation first obtains a license for such purpose from the municipal officers. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements and that any emergency services, including but not limited to ambulance, fire, or police services necessary for the event are arranged and paid for. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-10.4. Fee exemption.

Municipal facilities and municipal sponsored events are exempt from the fee.

§ 149-10.5. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for places of assembly and temporary exhibitions except that municipal facilities licensed to a City Department or the farmers' market are exempt from the fee.

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§ 149-10.6. Insurance requirements.

Prior to the issuance of a temporary exhibition license, the applicant shall furnish documentation of public liability insurances with the City of Sanford named as additionally insured sufficient in amount of no less than $400,000 per occurrence to insure for damages to public property in the area arising out of or in connection with the event.

§ 149-10.7. Right to use property; plan of area.

The applicant shall file with his application for a temporary exhibition license adequate proof of permission from the landowner to use the property and shall furnish a plan showing the size of the area to be used, with designated locations for drinking, toilet and washing facilities, waste containers and disposal plan, first aid facilities and off-street parking.

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ARTICLE XI
Sport Shooting Ranges
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-11.1. License requirements.

No person, firm, or corporation may operate a sport shooting range, open to the public, used principally or primarily for archery, skeet and/or trap shooting, other shooting sports, shooting rifles, shotguns and pistols or other projectiles, such as paint balls or laser tag, until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-11.2. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the annual fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for sport shooting ranges.

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ARTICLE XII
Tattoo Artists and Body Piercing
[Adopted 5-15-2018 by Order No. 18-116-01]

§ 149-12.1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BODY PIERCING — The creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration, including, but not limited to, piercing of an ear, lip, tongue, nose or eyebrow. Body piercing does not include piercing an earlobe with a disposable, single-use or solid needle that is applied using a mechanical device to force the needle or stud through the earlobe.

TATTOO — Inserting pigment under the skin of human beings by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin.

§ 149-12.2. License requirements.

No person, firm, or corporation may operate a tattoo artist establishment or body piercing establishment until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-12.3. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the annual fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code for a tattoo artist or body piercing establishment.

§ 149-12.4. Application for license.

A license application shall be made to the City Clerk on a form furnished by the City Clerk for such purpose and shall include in addition to any other required information established under Chapter 149, Licensing, a copy of a valid State of Maine license for such occupation pursuant to 32 M.R.S.A. §§ 4201 through 4301 for tattoo artists and 32 M.R.S.A. §§ 4321 through 4329 for body piercing.

§ 149-12.5. Prerequisites for tattooing.

In addition to those rules and regulations promulgated according to 32 M.R.S.A. §§ 4201 through 4301, no tattoo shall be administered except by conforming to all of the following:

A. Age. No tattoo shall be administered to any person less than 18 years old, as verified by a driver's license, liquor identification card, military identification card or other adequate record.

B. Notice of permanency. Before administering a tattoo, the patron shall be advised that the tattoo should be considered permanent; that it can be removed only with a surgical procedure; and that any effective removal will leave permanent scarring and disfigurement. A written cautionary notice shall be furnished to and signed by the patron.

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C. Skin condition. The skin to be tattooed shall be free from rash, pimples, infection or recent (less than two years) scar tissue. The patron must be in apparent good health, and the skin to be tattooed generally in a healthy condition to all appearances.

D. Sobriety of patron. Tattoos shall not be administered to any person under the influence of drugs or alcohol, and the operator is charged with the responsibility of making reasonable observation and inquiry to assure himself that the patron is not under the influence of drugs or alcohol.

E. Food, drink, smoking, and alcoholic beverages prohibited. The consumption of food or drink and smoking is prohibited in the tattooing area. The consumption of alcoholic beverages on the tattooing premises is prohibited.

F. Prior jaundice or hepatitis. The patron shall be asked, before the operation, whether he has had jaundice or hepatitis. If the answer is in the affirmative, the tattoo operation shall not be performed.

G. Record; form. The tattoo establishment shall keep a permanent record of all patrons tattooed, stating name, age, address, date of tattoo, operator's name, place where tattooed, and a description of the design of the tattoo. Such records shall be made available to any City official upon request, and shall be in the following form, which shall be signed by the patron and the tattoo artist:

Date: _____

I, the undersigned, realize that a tattoo is permanent; that it can be removed only with a surgical procedure; and that any effective removal will leave permanent scarring and disfigurement.

Name: _____

Address: _____

Date of Birth: _____

Have you had jaundice or hepatitis within the last two years?

Yes _____ No _____

Patron's Signature: _____

Description of tattoo: _____

Area of body: _____

Tattoo Artist's Signature: _____

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ARTICLE XIII
Alcohol- and Drug-Free Housing
[Adopted 6-19-2018 by Order No. 18-117-01]

§ 149-13.1. Purpose.

The regulation of businesses that provide living facilities for people in recovery from substance abuse disorders is necessary in order to protect the public health, safety, and welfare and:

A. Protect the residents living in those living situations from exploitation;

B. Maintain adequate health and safety standards for protection of residents and neighbors;

C. Ensure adequate fire, police and emergency response; and

D. Facilitate appropriate emergency response for residents who may require special assistance during an emergency.

§ 149-13.2. Applicability.

This article shall apply to all businesses operating alcohol- and drug-free houses that are not licensed by the State of Maine.

§ 149-13.3. Exceptions.

A license shall not be required under this license category from State-licensed community living facilities, supported living arrangements, or nursing homes.

§ 149-13.4. Definitions.

In general, all words, phrases, and terms used in this article shall have their customary and usual meanings; as used in this article, the following words, phrases, and terms shall have the meanings indicated.

ALCOHOL- AND DRUG-FREE HOUSE — A business operated on a residential premises tailored for people in recovery from substance abuse disorders that may or may not be occupied under the definition of a family as defined by the Zoning Code, as a community living facility for eight or fewer people residing at that premises and that is not a State-licensed housing facility. An alcohol- and drug-free house is also known as a "sober house" or "recovery house."

OPERATOR — The lawful owner of an alcohol- and drug-free house or a person, firm, or corporation employed and designated by the owner to have primary responsibility for the daily operation of such house and for maintaining standards and conditions in such house that create an environment supportive of substance use disorder recovery. The operator may be a resident of the alcohol- and drug-free house.

§ 149-13.5. License requirements.

No person, firm, or corporation may operate an alcohol- and drug-free house until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

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§ 149-13.6. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for an alcohol- and drug-free house.

§ 149-13.7. Application for license.

A license application shall be made to the City Clerk by the operator on a form furnished by the City Clerk for such purpose and shall include in addition to any other required information established under Chapter 149, Licensing:

A. The name of the applicant (operator), business name, and contact information, including name, mailing address, phone number and e-mail address.

B. An affidavit from the operator, which shall be a statement of having met the requirements of the section concerning the operator.

C. An affidavit from the owner of the property, which shall state that the owner understands his or her property is being used for such business activity.

D. Copy of the house rules for the facility, demonstrating having met the minimum standards expressed in this article or documentation of certification by the Maine Association of Recovery Residences.

E. The number of residents.

§ 149-13.8. Issuance of licenses; conditions.

A license pursuant to this article may only be issued to the operator named and for the address provided on the approved license application. Only one license may be issued for each address and operator named on the approved license application. No transfer of a license is allowed between the names or addresses; any change of ownership or address requires a new license.

§ 149-13.9. Requirements for operator.

An alcohol- and drug-free house must be operated or managed by a person, firm, or corporation with at least two years' experience working with people with substance abuse disorders.

§ 149-13.10. Minimum house rules. [Amended 2-5-2019 by Order No. 18-584-01]

An applicant shall provide as documentation with their license application, either certification by the Maine Association of Recovery Residences, or a set of house rules or documentation of policies and procedures that state, at a minimum:

A. Absolutely no alcohol or nonprofessionally administered drug use on or off the premises;

B. Eviction for failing to submit a urine sample when asked by house staff and for committing or threatening violence;

C. No visitors allowed without manager's consent and no guests allowed overnight;

D. No borrowing money from staff or other residents;

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E. Signing in and out of residency of the house;

F. Adherence to house curfew;

G. Providing residents access to staff 24 hours a day, seven days a week;

H. Prohibition against anyone with an outstanding criminal warrant to live there;

I. Providing furnished living space to all residents;

J. Prohibiting smoking anywhere in the house;

K. Emergency procedures.

§ 149-13.11. Compliance with other codes required.

A. The residential premises shall be in compliance with the appropriate chapter(s) of the NFPA 101 Life Safety Code as adopted by reference.

B. The residential premises shall be in compliance with the International Property Maintenance Code as adopted by reference.

C. The residential premises shall be in compliance with the Zoning Code.

§ 149-13.12. Required distance between licensees.

No license may be issued to a business location within 500 feet of another business of the same kind.

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ARTICLE XIV
Residential Care Facilities
[Adopted 6-19-2018 by Order No. 18-117-01]

§ 149-14.1. Purpose.

The regulation of living facilities that provide housing and services to residents is necessary in order to protect the public health, safety, and welfare and:

A. Maintain adequate health and safety standards for protection of residents and neighbors;

B. Ensure adequate fire, police and emergency response; and

C. Facilitate appropriate emergency response for residents who may require special assistance during an emergency.

§ 149-14.2. Applicability.

This article shall apply to residential care facilities that are licensed by the State of Maine.

§ 149-14.3. Definitions.

In general, all words, phrases, and terms used in this article shall have their customary and usual meanings; as used in this article, the following words, phrases, and terms shall have the meanings indicated.

RESIDENTIAL CARE FACILITY — A house or other place that, for consideration, is maintained wholly or partly for the purpose of providing residents with assisted living services, including assistance with activities of daily living and instrumental activities of daily living, personal supervision, protection from environmental hazards, meals, diet care, care management and diversional or motivational activities. Residential care facilities provide housing and services to residents in private or semi-private bedrooms in buildings with common living areas and dining areas. A residential care facility does not include licensed nursing homes, hospitals or supported living arrangements certified by the State.

§ 149-14.4. License requirements.

No person, firm, or corporation may operate a residential care facility until such person, firm, or corporation first obtains a license for such purpose from the City. Licenses under this article shall not be issued unless the City Clerk receives affirmation from the Inspection Team that the applicant's proposed operation meets all applicable requirements. Any person carrying out such activity without a license is in violation of these provisions. Failure to comply with any of these requirements shall be deemed a violation of this article and is adequate grounds for the denial, revocation, or suspension of a license.

§ 149-14.5. Procedures and fees.

License applications under this article shall be processed according to the procedures established in this article and Chapter 149, Licensing. A license may be issued after the fee required has been paid through the City Clerk's office. The fee for a license shall be established under Chapter 149, Licensing, § 149-1.4, Fees, of this Code, for residential care facility.

§ 149-14.6. Compliance with other codes required.

A. The residential premises shall be in compliance with the appropriate chapter(s) of the NFPA 101 Life

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Safety Code as adopted by reference.

B. The residential premises shall be in compliance the International Property Maintenance Code as adopted by reference.

C. The residential premises shall be in compliance with the Zoning Code.

§ 149-14.7. Required distance between licensees.

No license may be issued to a business location within 500 feet of another business of the same kind.

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Chapter 161

MARIJUANA

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[HISTORY: Adopted by the City Council of the City of Sanford 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01.[1] Amendments noted where applicable.]

1. **Editor's Note: This order also superseded former Ch. 161, Marijuana, Art. I, Retail Establishment, adopted 8-1-2017 by Order No. 17-105.16, and Article II, Cultivation, adopted 12-19-2017 by Order No. 17-160-01.**

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ARTICLE I
General Provisions

§ 161-1.1. Purpose and findings. [Amended 5-5-2020 by Order No. 19-874-01]

A. The City Council finds the importance of appropriately siting marijuana properties and marijuana operations in order to protect the public health, safety, and welfare, including, but not limited to, security and preventing the impacts of marijuana operations from extending beyond the premises in which the operations are taking place and is addressed in both Chapter 280, Zoning, and Chapter 149, Licensing. **[Amended 4-19-2022 by Order No. 22-151-01]**

B. The City Council finds that with the reasonable and necessary restrictions on locations and establishment of regulations in this chapter and Chapter 280, Zoning, there is sufficient suitable area within the City to site marijuana operations. **[Amended 4-19-2022 by Order No. 22-151-01]**

C. The City Council finds that licensing marijuana properties and marijuana operations on those properties shall provide for periodic review and reasonable control of their practices to ensure that public health, safety, and welfare concerns are protected.

D. The City Council finds that it is reasonable to limit the number and location of marijuana properties and marijuana operations where they are allowed and that in doing so, there is sufficient area within the City dedicated to marijuana operations.

E. The regulation and licensing of marijuana properties and marijuana operations is not intended to conflict with Title 22 M.R.S. Chapter 558-C, Maine Medical Use of Marijuana Act, or 28-B M.R.S. Chapter 28-B, Adult Use Marijuana, or state administrative rules, as appropriate, but provides separate and additional requirements as authorized pursuant to 22 M.R.S. § 2429 as necessitated by these findings for the purpose of protecting the public health, safety and welfare of persons in the City. **[Amended 4-19-2022 by Order No. 22-151-01]**

§ 161-1.2. Definitions.

For purposes of this chapter, the following terms, which are defined in this chapter or in Chapter 280, Zoning, shall apply unless otherwise indicated:

CULTIVATION — See Chapter 280, Zoning, Article II, Definitions.

EXTRACTION — See Chapter 280, Zoning, Article II, Definitions.

HEMP — See Chapter 280, Zoning, Article II, Definitions.

MANUFACTURING — See Chapter 280, Zoning, Article II, Definitions, "light manufacturing" and "medical marijuana manufacturing facility." Manufacturing does not include cultivation or testing.

MARIJUANA — See Chapter 280, Zoning, Article II, Definitions.

MARIJUANA GROWER — A licensee that cultivates marijuana and may package it at a licensed marijuana production facility.**[Amended 5-5-2020 by Order No. 19-874-01]**

MARIJUANA MANUFACTURER — A licensee that obtains or receives cultivated marijuana and manufactures or prepares marijuana products at a licensed marijuana production facility.**[Amended 5-5-2020 by Order No. 19-874-01]**

MARIJUANA MANUFACTURING FACILITY — See Chapter 280, Zoning, Article II, Definitions.**[Amended 5-5-2020 by Order No. 19-874-01]**

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MARIJUANA OPERATION — A marijuana property, or hemp grower or cultivator, marijuana manufacturer, or marijuana production facility.**[Amended 5-5-2020 by Order No. 19-874-01; 4-19-2022 by Order No. 22-151-01]**

MARIJUANA PRODUCTION FACILITY — See Chapter 280, Zoning, Article II, Definitions.**[Amended 5-5-2020 by Order No. 19-874-01]**

MARIJUANA PROPERTY — See Chapter 280, Zoning, Article II, Definitions, "licensed marijuana property."**[Amended 5-5-2020 by Order No. 19-874-01]**

MARIJUANA RETAIL STORE — See “marijuana retail store” in Chapter 280, Zoning, Article II, Definitions. Also see “marijuana stores.” Also see definitions as set forth in 28-B M.R.S. § 102.**[Added 2-20-2024 by Order No. 24-60-01]**

§ 161-1.3. Enforcement; violations and penalties.

A. No person, firm, corporation, or other entity shall:

(1) Manufacture marijuana products or marijuana concentrate or engage in extraction except as authorized in the Code.

(2) Cultivate marijuana for personal use and by caregivers as permitted the Maine Medical Use of Marijuana Act, Maine Marijuana Legalization Act, or state administrative rules, as appropriate, or as authorized in the Code. **[Amended 5-5-2020 by Order No. 19-874-01]**

(3) Grow hemp outdoors as permitted in 7 M.R.S. § 2231 except when licensed by the State and the City. **[Amended 4-19-2022 by Order No. 22-151-01]**

(4) Operate a marijuana retail store except as authorized in the Code. **[Added 2-20-2024 by Order No. 24-60-01]**

B. This chapter shall be enforced by the Code Enforcement Officer and the Police Department according to the enforcement provisions specified in Chapter 90 and Chapter 149.

C. Any person, firm, or corporation, who violates any provision of this chapter or the terms of a license may be penalized in the same manner as specified in Chapter 90 and Chapter 149.

§ 161-1.4. Appeals.

An aggrieved party may appeal a final decision made in the enforcement of this chapter to the Board of Appeals within 30 days from the action of the official's final decision. The Board of Appeals shall have no authority to waive requirements of the Code. An order shall not be stayed during any such appeal.

§ 161-1.5. Severability.

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

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ARTICLE II
Marijuana Properties
[Amended 5-5-2020 by Order No. 19-874-01; 4-19-2022 by Order No. 22-151-01]

§ 161-2.1. Applicability.

This article shall apply to the eight (8) marijuana properties as set forth in Chapter 280, Zoning. Notwithstanding anything to the contrary in 1 M.R.S. § 302, this article applies to any application relating to the establishment or operation of a marijuana property, whether or not such application had become a "pending proceeding" as defined in 1 M.R.S. § 302 prior to the enactment of this article.

§ 161-2.2. License required and duration of license. [Amended 2-20-2024 by Order No. 24-60-01]

No person, firm, or corporation may operate a marijuana property without first obtaining a license for such purpose under Chapter 149, Licensing. All new or renewal marijuana property licenses issued shall expire annually on May 31.

§ 161-2.3. Limit on number of marijuana property licenses granted.

The maximum number of marijuana property licenses that may be granted is eight (8).

§ 161-2.4. Disqualifications.

In addition to the general standards for denial, suspension, or revocation of a license and for investigation of applicants pursuant to Chapter 149, Licensing, elsewhere in the Code, a license may be denied, suspended, or revoked for one or more of the following reasons:

A. Conviction of the applicant, licensee, or employee of the licensee or person representing the licensee of any crime involving dishonesty, deception, misappropriation, or fraud.

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ARTICLE III
Marijuana Operations
[Amended 5-5-2020 by Order No. 19-874-01; 4-19-2022 by Order No. 22-151-01]

§ 161-3.1. Applicability.

This article shall apply to any person, firm, corporation, or other entity engaged in a marijuana operation, whether operated for profit or not for profit. Notwithstanding anything to the contrary in 1 M.R.S. § 302, this article applies to any application relating to marijuana operation or hemp grower, whether or not such application had become a "pending proceeding" as defined in 1 M.R.S. § 302 prior to the enactment of this article.

§ 161-3.2. License required and duration of license. [Amended 2-20-2024 by Order No. 24-60-01]

No person, firm, or corporation may operate as a marijuana or hemp grower, or manufacturer without first obtaining a license for such purpose under Chapter 149, Licensing. All new or renewal marijuana operation licenses issued shall expire annually on March 31. Such licensed operations may only occur at a licensed marijuana property, except for hemp growing.

§ 161-3.3. Disqualifications.

In addition to the general standards for denial, suspension, or revocation of a license and standards for investigation of applicants pursuant to Chapter 149, Licensing, or elsewhere in the Code, a license may be denied, suspended, or revoked for one or more of the following reasons:

A. Conviction of the applicant, licensee, or employee of the licensee or person representing the licensee of any crime involving dishonesty, deception, misappropriation, or fraud.

§ 161-3.4. Transportation of marijuana.

A licensee and his/her employees may transport marijuana, packaged marijuana, and marijuana products between the location of the licensed marijuana operation and another licensed marijuana operation. All transportation of marijuana, packaged marijuana, and marijuana products shall be documented by the licensee.

§ 161-3.5. Recordkeeping.

A licensee shall maintain records of all transactions for a minimum of one (1) year after the date of the transaction.

§ 161-3.6. Preexisting medical marijuana production facilities.

A. No person shall have any entitlement or vested right to a license under this article. To lawfully operate a marijuana production operation, all businesses shall obtain a license under this chapter.

B. A preexisting business operating under this chapter shall cease operation within forty-five (45) days after the issuance of a denial letter or revised denial letter, as applicable.

§ 161-3.7. Confidentiality for medical marijuana registered caregivers.

An individual who possesses a valid Maine State-issued medical marijuana primary caregiver registry

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identification card need not identify himself or herself in an application for a license for a medical marijuana operation. The cardholder shall identify him or herself and provide the relevant cards to the City Clerk for examination, but the identity of the cardholder shall not be a public record and the City Clerk shall not share the identity of the cardholder, except as necessary by law in the performance of his or her duties. At the time of application the cardholder may appoint a representative to appear before the City Council on his or her behalf. Advertisements for public hearing shall contain the location of the proposed medical marijuana operation, the owner of the real estate, and the identity of the designated representative. The City Clerk may certify to the City Council that the applicant meets the necessary legal requirements as a cardholder(s).

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ARTICLE IV
Marijuana Stores
[Amended 5-5-2020 by Order No. 19-874-01; 4-19-2022 by Order No. 22-151-01]

§ 161-4.1. Statutory authority.

This article is enacted pursuant to the Marijuana Legalization Act, Title 28-B M.R.S. Chapter 1; and Municipal Home Rule Authority, Maine Constitution, Art. VIII, Pt. 2; and 30-A M.R.S. § 3001.

§ 161-4.2. Definitions.

For purposes of this article, "marijuana stores," are defined as set forth in 28-B M.R.S. § 102.

§ 161-4.3. Prohibitions enumerated; intent.

A. Marijuana stores, are expressly prohibited in this municipality, except as permitted under Chapter 280, Zoning, and Chapter 149, Licensing.

B. (Reserved)

C. Nothing in this article is intended to prohibit any lawful use, possession or conduct pursuant to the Maine Medical Use of Marijuana Act, Title 22 M.R.S. Chapter 558-C.

§ 161-4.4. When effective; duration.

This article shall take effect immediately upon enactment by the City Council unless otherwise provided and shall remain in effect until it is amended or repealed.

§ 161-4.5. License required; duration and hearing. [Added 2-20-2024 by Order No. 24-60-01]

No person, firm, or corporation may operate a marijuana retail store without first obtaining a license for such purpose under Chapter 149, Licensing. All new or renewal marijuana retail store licenses issued shall expire annually on December 31. A public hearing is required annually before a new or renewal license can be issued.

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ARTICLE V
Medical Marijuana Establishments
[Amended 4-19-2022 by Order No. 22-151-01]

§ 161-5.1. Prohibitions enumerated.

A. Indoor growing of industrial hemp is prohibited.

B. Registered dispensary, retail sales are prohibited.

~~B~~ C. Medical marijuana establishments as defined by 22 M.R.S. § ~~2422~~ 2421-A, including medical marijuana testing facilities ~~and~~ , medical marijuana manufacturing facilities and registered dispensary cultivation and manufacturing production facility's operating pursuant to 22 M.R.S. § 2428 are authorized. A registered dispensary licensed by the City of Sanford shall conduct only those activities its City license(s) authorizes.

§ 161-5.2. When effective; duration.

This article shall take effect immediately upon enactment by the City Council unless otherwise provided and shall remain in effect until it is amended or repealed.

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Chapter 280

ZONING

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[HISTORY: Adopted by the Town of Sanford (now City of Sanford) 11-21-1995; amended in its entirety 8-16-2016 by Order No. 16-106.04. Subsequent amendments noted where applicable.]

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ARTICLE I
Title, Purpose and Applicability

§ 280-1-1. Title.

This chapter shall be known as the "Zoning Ordinance of the City of Sanford."

§ 280-1-2. Purpose.

The purpose of this chapter, made in accordance with the Comprehensive Plan, is to decrease congestion in the streets; to secure safety from fire and other dangers; to provide adequate provision of transportation, sewerage, schools, parks, and other community facilities and utilities; and to promote the health, safety, and general welfare. This chapter is made with reasonable consideration, among other things, of the character of each district and its peculiar suitability for particular uses and with a view to conserving and stabilizing the value of property and encouraging the most appropriate use of land throughout the community.

§ 280-1-3. Applicability.

No building or structure shall be erected, structurally altered, enlarged, moved, or used and no land shall be used unless in conformity with the regulations of this chapter.

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ARTICLE II
Definitions

§ 280-2-1. Word usage.

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural. The words shall and will shall be used interchangeably. References to the City, specific departments or department heads including as example only the Fire Department, Planning Department, Public Works Director; districts including by example only the Water or Sewerage District; locations including by way of example only City Hall, downtown; maps, plans, documents, or codes including by example only Assessor's Map, Comprehensive Plan, Code of Ordinances; and organizations including by way of example only the Historical Society shall mean those departments, department heads or their designees, districts, locations, maps, plans, documents, codes, and organizations which are part of City government or are located in and provide services to the City.

§ 280-2-2. Definitions. [Amended 3-7-2017 by Order No. 17-31.07; 12-19-2017 by Order No. 17-163-01; 2-20-2018 by Order No. 17-188-01; 5-2-2018; 8-21-2018 by Order No. 18-348-01; 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01; 12-3-2019 by Order No. 19-540-01; 1-21-2020 by Order No. 19-580-01; 4-7-2020 by Order No. 19-772-01; 5-5-2020 by Order No. 19-874-01; 11-24-2020 by Order No. 20-149-01; 1-19-2021 by Order No. 20-206-01; 9-20-2022 by Order No. 22-440-01; 1-16-2024 by Order No. 23-516-01; 11-12-2024 by Order No. 24-401-01; 4-1-2025 by Order No. 25-65-01]

As used in this chapter, the following terms shall have the meanings indicated:

ABATTOIR — A slaughterhouse, including the wholesale and retail sale of meat processed on the premises, and containing less than five-thousand (5,000) square feet of gross floor area.

ABUTTING PROPERTY — Any lot which is physically contiguous with the subject lot even if only at a point and any lot which is located directly across a street or right-of-way from the subject lot such that the extension of the side lot lines of the subject lot would touch or enclose the abutting property.

ACCESSORY BUILDING — A detached, subordinate building the use of which is clearly incidental and related to that of the principal building or use of the land and which is located on the same lot as that of the principal building or use.

ACCESSORY DWELLING UNIT (ADU) — A self-contained dwelling unit located within, attached to, or detached from a principal dwelling structure located on the same parcel of land. An ADU shall conform to the standards in § 280-15-13.

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

ACTIVE FARMLAND — Land that has been used for agriculture, horticulture, and/or animal husbandry for at least two (2) consecutive years immediately preceding the calendar year for which the development of a commercial solar system or utility solar system is proposed in the Rural Residential Zone (RR). Land used as rotational farmland, permanent hay land, improved pasture, unimproved pasture, or other land supporting farming activities are defined as active farmland. For the purpose of this definition, permanent hay land includes hay land used in rotation with row or closegrown crops for more than two (2) years. It also includes hay land managed for the production of forage crops. It does not include fields that are mowed

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annually to keep the area from reverting to woody vegetation and does not result in baled or harvested vegetation.

ACTIVE USE — A use that generates many visits, in particular pedestrian visits, over an extended period of the day. An active use may include, but not be limited to, a shop, café, service, and/or a social use as outlined in the Table of Land Uses.[1]

ADULT BUSINESS ESTABLISHMENT —

A. Any business, regardless of its category of use, a substantial or significant portion of which involves providing goods or services which appeal to prurient interests or which display, depict, simulate or describe the following:

   (1) Activities involving the human genitals in a state of sexual stimulation or arousal;

   (2) Acts of human masturbation, sexual intercourse, or sodomy;

   (3) Activities involving the fondling or other erotic touching of human genitals, the pubic region, buttocks, or female breasts; or

   (4) Activities involving the live display of female breasts and/or male or female genitals.

B. Adult business establishments include, but are not limited to, the following types of uses:

   (1) Stores that sell sexual devices or films or rent films for viewing on the premises that involve or depict any of the activities listed above.

   (2) Theaters or cabarets that feature movies that depict any of the activities listed above or entertainers, such as topless dancers, strippers, male or female impersonators, or erotic dancers, who exhibit or perform any of the activities listed above.

   (3) Relaxation spas that provide unlicensed massage services.

ADULT DAY SERVICES — A licensed facility designed to provide older adults and adults with disabilities with community based services including structured social, recreational and therapeutic activities, limited health services, meals, supervision, support services, personal care services, information and referrals and respite for caregivers. Adult day services promote personal independence through a variety of activities offered to participants based on individual needs and interests.

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

AGRICULTURAL BUILDING, EXISTING — A building or structure currently used for agricultural purposes in conjunction with an agricultural use or which was formerly used for agricultural purposes and has not been converted to another use.

AGRICULTURE, COMMERCIAL — An agricultural business that files a Schedule F as part of its federal income tax return that is involved in the cultivation of the soil, production of crops, and/or raising of livestock or a commercial greenhouse.

A. A commercial agricultural use may include the following activities:

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1. **Editor's Note: The Land Use Table is included as an attachment to this chapter.**

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(1) Animal husbandry as defined in this chapter;

(2) The processing of products raised or grown as part of the commercial agricultural use, including processing carried out pursuant to a home food manufacturing license issued by the Maine Department of Agriculture;

(3) The sale of agricultural products raised or produced as part of the commercial agricultural use;

(4) The sale of other foodstuffs, including processed food products such as jams, jellies, pickles, sauces or baked goods, not grown or produced as part of the commercial agricultural use; and

(5) The sale of handmade handicrafts and similar homemade items produced on or off the premises.

B. The sale of products shall occur within an existing agricultural building, within a farm stand with a gross floor area of not more than two-thousand (2,000) square feet, or in an outside area immediately adjacent to the indoor sales space. Not more than thirty percent (30%) of the sales area shall be outside. The floor area devoted to the sale of processed foodstuffs and/or handicrafts not produced by the commercial agricultural use shall not exceed seventy-five percent (75%) of the total sales area.

AIRPORT — The Sanford Seacoast Regional Airport.

AMUSEMENTS — A park or business operated by an entity other than a unit of government, with a predominance of outdoor games and activities for entertainment, including but not limited to motorized rides, water slides, miniature golf, batting cages, and the like.

ANIMAL HUSBANDRY — The commercial breeding and raising of livestock, including the keeping of horses and similar animals. Animal husbandry does not include a kennel, which is defined separately, nor the keeping of pigs, chickens, or fowl for commercial purposes.

ANTIQUE STORE — An establishment, attached to or located on a single family home lot, engaged in retailing antiques, except motor vehicles such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes. An antique, for the purpose of this chapter, shall be a work of art, piece of furniture, decorative object or the like, of or belonging to the past, and at least thirty (30) years old.

APPLICANT — The person applying for a permit or other approval required under this chapter.

AQUACULTURE — The commercial raising of fish or seafood in pens, tanks, or other artificial environments.

AQUIFER — A geologic unit consisting of rock, gravel, sand, silt, or clay which stores and yields significant quantities of groundwater to wells, springs, and streams.

ARCHERY RANGE — A facility, whether indoors or outdoors, for bow and arrow shooting in a controlled and supervised environment.

ARTERIAL — A public street or road identified in the Comprehensive Plan as an arterial roadway, including Route 202, Route 109 from the Oak Street/Bridge Street intersection in Springvale to the Wells town line, Route 4, Route 11A and Route 224 and other roads that are major elements of the highway network, including Route 99.

AVERAGE DAILY TRAFFIC (ADT) — The average number of vehicles per day that enter and exit the premises or travel over a specific section of road.

BENEFICIATION — The process whereby the extracted material is reduced to particles which can be separated into mineral and waste, the former suitable for further processing or direct use. These activities are primarily mechanical, such as grinding, washing, magnetic separation, and centrifugal separation.

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BUFFER AREA — A part of a property or an entire property which is specifically intended to screen and/or separate and thus minimize the effects of land use activity on adjoining uses, water bodies, and/or wildlife, including but not limited to, noise, dust, visibility, glare, on adjacent areas.

BUILDING — Any permanent structure, having one (1) or more floors and a roof, that is used for the housing or enclosure of persons, animals or property. When any portion thereof is separated by a division wall without opening, then each such portion shall be deemed a separate building.

BUSINESS or ESTABLISHMENT — An economic unit where goods, services, and/or industrial operations are performed and exchanged for another or for money, trade, or other goods. Multiple businesses and/or establishments may be included on a single lot of land.

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

CAMPGROUND SITE — A portion of a campground that has been demarcated on an approved site plan for the assignment, rental, and use of tents, RVs, cabins, yurts, or other similar shelters.

CANDELA — The base unit of luminous intensity in the International System of Units that is equal to the luminous intensity in a given direction of a source which emits monochromatic radiation of frequency five-hundred-forty by ten to the twelve power (540×10^{12}) hertz and has a radiant intensity in that direction of one-six-hundred-eighty-third (1/683) watt per unit solid angle.

CHILD-CARE PROVIDER — A person or facility that has received a certificate from the Department of Health and Human Services. There are three (3) classes of child-care providers:

A. FAMILY CHILD CARE — An owner-occupied residence licensed with the State of Maine that provides care and instruction for fewer than thirteen (13) children.

B. CHILD CARE CENTER AND NURSERY SCHOOL — A facility licensed by the State of Maine that provides care and/or instruction. There are two (2) classes of child care center and nursery school:

   (1) Child care center or nursery school for fewer than thirteen (13) children where the licensed provider does not live on the premises.

   (2) Child care center or nursery school.

CHURCH — A place of worship, regardless of denomination.

CITY — City of Sanford.

CITY ENGINEER — Any registered professional engineer hired or retained by the City, either as staff or on a consulting basis.

CLUSTER DEVELOPMENT — A subdivision meeting the requirements of § 280-15-4, in which the lot sizes are reduced below those normally required in the zoning district in which the development is located in return for the provision of permanent open space.

COLLECTOR — A public street or road identified in the Comprehensive Plan as a collector roadway and not defined by this chapter as an arterial, including River Street, High Street, Route 109 from the Oak Street/Bridge Street intersection to the Shapleigh town line, Riverside Avenue, William Oscar Emery Drive, North Avenue, Grammar Road, New Dam Road, Pioneer Street, Rushton Street, Hanson Ridge Road, Brook Street, June Street, Grammar Street, School Street, Emery Street, Lenox Street, Twombley Road, Berwick Road, Jagger Mill Road and Old Mill Road.

COMMERCIAL OR INDUSTRIAL ZONE — Commercial or industrial zone includes the Urban Zone, Industrial Business Zone, Industrial Reuse Zone, and the Airport Development Zone.

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COMMERCIAL STREET — Streets serving industrial or commercial uses.

COMMON OPEN SPACE — Land, not individually owned or within an individual lot, which is designed and intended for the common use or enjoyment of the residents of the development or the general public, it may include complementary structures and improvements typically used for maintenance and operation of the open space, such as for outdoor recreation.

COMMUNICATION TOWER, ALTERNATIVE — Mounting structures for telecommunications antennas, such as, but not limited to, clock towers, bell steeples, utility and light poles, stacks, water towers, and rooftop mechanical facilities, that conceal the presence of the communications antenna from view from public streets and adjacent properties and which are used primarily for purposes other than to support an antenna.

CONSERVATION EASEMENT — A nonpossessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic or open space values of real property, assuring its availability for agricultural, forest, recreational or open space use, protecting natural resources, or maintaining air or water quality.

CONTAMINANT — Any substance whose concentration in surface or ground water exceeds the background level or the current public health drinking water standards for Maine or standards for aquatic toxicity, whichever is more stringent.

CONTAMINATION OF PROCESSES OR PRODUCTS — For purposes of this chapter, this term is defined in Chapter 149: Licensing.

CONTRACTOR — A business that provides building construction or similar services on a contract basis at the client's site and in which all material or equipment storage at its place of business is contained within a building or other fully enclosed area.

CONVALESCENT, REST OR NURSING HOME — A facility in which nursing care and medical services are performed under the general direction of persons licensed to provide medical care in the State of Maine for the accommodation of convalescent or other persons who are not in need of hospital care but who do require, on a twenty-four (24)-hour basis, nursing care and related medical services. A convalescent, rest home or nursing home is distinct from a boarding or congregate care facility, which is separately defined in this section.[2]

CUL-DE-SAC — A street with only one (1) outlet and having the other end for the reversal of traffic movement.

CULTIVATION — The process of planting, tending, improving, or harvesting of crops or plants, including tilling land and preparing soil.

CURB CUT — The opening along the curbline or street right-of-way line at which point vehicles may enter or leave the street.

DEBILITATING MEDICAL CONDITION — As defined in Maine Medical Use of Marijuana Act and state administrative rules.[3]

DENSITY — The number of dwelling units per acre of land.

DIMENSIONAL REQUIREMENTS — Numerical standards relating to spatial relationships, including but not limited to setback, lot area, frontage and height.

DIRECT WATERSHED OF A GREAT POND — That portion of the watershed that drains directly to a

2. **Editor's Note: See the definition "residential care or congregate care facilities."**

3. **Editor's Note: See 22 M.R.S.A. § 2421 et seq. in combination with 18-691 CMR Ch. 2.**

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great pond without first passing through an upstream great pond. For the purposes of these regulations, the watershed boundaries shall be as delineated in the Comprehensive Plan. Due to the scale of the map in the Comprehensive Plan, there may be small inaccuracies in the delineation of watershed boundary. Where there is a dispute as to the exact location of a watershed boundary, the Planning Board, or its designee, and the applicant shall conduct an on-site investigation to determine where the drainage divide lies. If the Planning Board and the applicant cannot agree on the location of the drainage divide based on the on-site investigation, the burden of proof shall lie with the applicant to provide information from a registered engineer showing where the drainage divide lies.

DISABILITY — A physical or mental disability under 5 M.R.S.A. § 4553-A.

DISCHARGE — The accidental or intentional injection, dumping, spilling, leaking, incinerating, or placing of hazardous materials upon or into any land or waters.

DRINKING PLACE — A commercial establishment primarily for the sale or dispensing of liquor. It includes nightclubs, lounges, bottle clubs, and similar establishments.

DRIVE-UP WINDOW, DRIVE-UP OR DRIVE-THROUGH — A portion of a business or a structure which allows the distribution of products through an access point to serve clients in motor vehicles.

DRIVEWAY — A vehicular accessway serving two (2) or fewer dwelling units.

DWELLING UNIT — A group of rooms within a dwelling designed and equipped as living quarters for a person or for a family, including provisions for living, sleeping, cooking, bathing, and eating.

DWELLING, MULTIFAMILY — A building used for residential occupancy by three (3) or more families, each living independently of the others in separate dwelling units.

DWELLING, SINGLE-FAMILY DETACHED — A building used for residential occupancy by not more than one (1) family. The term shall include manufactured housing as defined in this section. Where an accessory apartment is allowed, it shall not be deemed to turn a single-family detached dwelling into a two-family dwelling.

DWELLING, TWO-FAMILY — A building used for residential occupancy by two (2) families living independently of each other in separate dwelling units.

EATING PLACE — A place for the serving of prepared food and beverages to the public in which most of the food is consumed on the premises and there are no specially designated takeout or drive-through facilities.

EATING PLACE, DRIVE-THROUGH — A place for the serving of prepared food and beverages to the public in which food may be obtained through the use of a drive-up/drive-through windows.

EATING PLACE, TAKEOUT — A place for the serving of prepared food and beverages to the public in which food is offered to be taken from the premises or eaten in motor vehicles.

ENCLOSED, LOCKED FACILITY, AND ENCLOSED OUTDOOR AREA — A closet, room, building, greenhouse, or other enclosed area that is equipped with locks or other security devices that permit access only by the individual authorized to grow, cultivate, process, store, and distribute marijuana in conformance with the Maine Medical Use of Marijuana Act,[4] Marijuana Legalization Act,[5] and state administrative rules, as appropriate.

ENLARGEMENT OR EXPANSION OF A STRUCTURE — An increase of the building footprint and/or increase in the height of the structure beyond its present highest point (see definition of height for an

4. **Editor's Note: See 22 M.R.S.A. § 2421 et seq.**

5. **Editor's Note: See 28–B M.R.S.A. § 101 et seq.**

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explanation of how the highest point is determined). Alterations of existing buildings which are required in order to meet the requirements of the Americans with Disabilities Act (ADA) and/or the State Fire Code are not considered to be enlargements or expansions of the structures and are not required to meet otherwise applicable setback requirements, provided the alterations are the minimum necessary to satisfy the ADA and/or State Fire Code.

ENLARGEMENT OR EXPANSION OF USE — Any intensification of use in time, volume, or function, whether or not resulting from an increase in the footprint, height, floor area, land area or cubic volume occupied by a particular use. Increases which are required in order to meet the requirements of the Americans with Disabilities Act and/or the State Fire Code are not considered to be enlargements or expansions of use. Also, please note that for a change of use, use is separately defined in this article.[3]

ESSENTIAL SERVICE — The following facility, provided it serves primarily the City or a neighborhood or structure within the City: steam, fuel, gas, communication, internet, transportation, electric power, or water transmission or distribution lines and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; sewage lines or collection or supply systems; and associated storage tanks. Such systems may include poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants, and similar accessories but shall not include pumping stations or transmitter towers or buildings which are necessary for the furnishing of such services. See also the definitions of public utility and transmitter tower. Essential services shall not be subject to the space and bulk standards of this chapter.

ESTABLISHMENT — See definition of "business or establishment."

EXCAVATING AND GENERAL CONTRACTOR — A business that provides earth or site work or building construction services on a contract basis at the client's site and that stores construction equipment, heavy trucks, or building materials and supplies outside at its place of business.

EXPANSION OF A STRUCTURE — An increase in the floor area or volume of a structure, including all extensions, such as, but not limited to, attached decks, garages, porches and greenhouses.

EXTRACTION — The process of extracting or synthesizing concentrates from marijuana using water, lipids, gases, solvents or other chemical processes.

FACILITY — A place where an activity occurs.

FAMILY — One (1) or more persons, including domestic employees, occupying a dwelling unit and living as a single, nonprofit housekeeping unit. A community living facility, defined as a state-licensed housing facility for eight (8) or fewer persons in need of and receiving social services, such as but not limited to mentally handicapped or developmentally disabled persons, living as a housekeeping unit shall also be considered to house a single family.

FINAL PLAN — The final drawings on which the applicant's plan is presented to the Planning Board for approval and which, if approved, shall be recorded at the York County Registry of Deeds.

FINANCIAL INSTITUTION — A business or nonprofit organization providing retail financial services, including but not limited to banks, credit unions, financial exchanges, and check cashing facilities.

FIRE CHIEF — City of Sanford Fire Department's authority having jurisdiction, including his/her designee.

FIREARMS RANGE — A facility, whether indoors or outdoors, for the firing of handguns, rifles, or shotguns in a controlled and supervised environment.

FLOOR AREA — The sum of the horizontal areas of the floors of a structure enclosed by exterior walls.

FLOOR AREA RATIO — Floor area ratio or FAR is the gross floor area of all buildings and structures on

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a lot divided by the total lot area.

FOREST MANAGEMENT — Timber cruising and other forest evaluation activities, management planning activities, insect and disease control, pruning and other stand improvement, regeneration of forest stands, and other similar associated activities, but not the construction of roads or timber harvesting.

FOUNDATION — The supporting substructure of a building or other structure, including but not limited to basements, slabs, sills, posts, or frost walls.

FRESHWATER WETLAND — Area that is inundated or saturated by surface water or groundwater at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils and that are not part of a great pond, coastal wetland, river, stream or brook. Freshwater wetlands may contain small stream channels or inclusions of land that do not do not conform to the above criteria.

FUNERAL HOMES — Building used for the preparation of the dead for burial or cremation, the storage of the dead prior to internment, and the display of the deceased, including ceremonies connected therewith before burial or cremation. Crematories shall not be included as part of a funeral home.

GREAT POND — Any inland body of water that in a natural state has a surface area in excess of ten (10) acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres. For the purposes of these regulations, no artificially formed or increased pond will be considered a great pond if it is completely surrounded by land held by a single owner.

GROUNDWATER — All of the water found beneath the surface of the ground. For purposes of aquifer protection, this term refers to the subsurface water present in aquifers and recharge areas.

HAZARDOUS MATERIAL — A product or waste or combination of substances that, because of quantity, concentration, or physical, chemical, or infectious characteristics, poses a substantial present or potential hazard to human health, safety, or welfare and the natural environment. This term applies to any materials or substances designated as hazardous by the United States Environmental Protection Agency and/or the Maine Department of Environmental Protection.

HEALTH SERVICE FACILITY — An outpatient establishment furnishing medical services to humans, including the offices of physicians, dentists, and other health practitioners, clinics, medical laboratories, outpatient surgery, and blood banks.

HEIGHT OF BUILDING — The vertical distance measured from the adjoining curb level to the highest point of ceiling of the top story in the case of a flat roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip, or gambrel roof; provided, however, that where buildings are set back from the street right-of-way line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

HEMP — As defined in 7 M.R.S.A. § 2231 or state administrative rules.

HIGH-WATER MARK — That line that is apparent from visible markings, changes in the character of soils due to prolonged action of the water, or changes in vegetation that distinguish between predominantly aquatic and predominantly terrestrial land. In the case of wetlands adjacent to rivers, streams, brooks, or ponds, the normal high-water mark is the upland edge of the wetland and not the edge of the open water.

HOME OCCUPATION — An occupation conducted in a dwelling unit or accessory structure, provided that:

A. No more than two (2) employees, or full-time equivalents, other than residents of the premises, shall be engaged in such occupation; however, no more than one (1) vehicle for employees who reside outside of the premises shall be allowed at any time;

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B. The use of the premises for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants;

C. There shall be no change in the outside appearance of the building or premises or any visible evidence of the conduct of such home occupation other than signs in conformance with § 280-14-13E(1) which shall not be illuminated, exceed six (6) square feet in area per street frontage, or extend more than six (6) feet above the ground.

D. No traffic shall be generated by such home occupation in greater volumes than would be expected in the neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;

E. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the home occupation is conducted in a single family detached dwelling, or outside the dwelling unit if conducted in any other form of dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage of the premises;

F. There shall be no stock-in-trade regularly maintained or any new commodity sold on the premises. Exceptions for food or food products for direct producer-to-consumer transactions as defined in the food sovereignty exemptions in Chapter 149: Licensing;

G. If the home occupation is proposed to be conducted within a residence which is not owned by the resident, the resident shall have the written consent of the property owner before commencing the home occupation;

H. The home occupation shall undergo an initial inspection by the Code Enforcement Department and the Fire Chief to verify that the home occupation meets all applicable requirements of the City's building, electrical, fire, and other health safety and technical codes, including but not limited to Chapters 90: Building and Building Regulation and 128: Fire Prevention. The applicant shall request an inspection with the Code Enforcement Department and the Fire Chief a minimum of twenty-four (24) hours in advance and shall not receive a Certificate of Occupancy until after the scheduled inspection. When an inspection is conducted for a use that is sensitive to contamination of its processes or products, as identified by the operator of the home occupation, the Code Enforcement Officer and/or Fire Chief shall follow the protection from contamination protocols described in Chapter 149: Licensing; and

I. The home occupation shall require an annual license from the City Council as defined in Chapter 149.

J. The following are specifically excluded as home occupations: businesses that generate more than two (2) clients coming to the home at any single time; convalescent or nursing home, tourist home, animal hospital, restaurant, doctors' and dentists' offices, small engine repair, and automotive tune-up.

HORSE SHOW — An exhibition of horses that usually includes competition in riding, driving and jumping of horses.

HOSPITAL — An institution providing health services and medical or surgical care of the sick or injured, including, as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

HYDRAULIC TRAVEL TIME — The amount of time it takes for a leachable material to travel through

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subsurface material from one point to another.

INCIDENTAL WASTE — Items which are not permitted to be accepted at material re-use facilities but which incidentally or accidentally appear in loads of otherwise acceptable materials received by the facilities. The handling of these materials will be addressed in the operations manual for the specific operation.

INFLATABLE DEVICE — Any inflatable material used as part of the outdoor advertising for a commercial use that exceeds 18 inches in any dimension.

JUNKYARD — A yard, field, or other outside area used to store, dismantle or otherwise handle:

A. Discarded, worn-out or junked plumbing, heating supplies, electronic or industrial equipment, household appliances or furniture;

B. Discarded, scrap and junked lumber; and

C. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material.

KENNEL — An establishment operated as a business to house dogs or other domesticated animals and where such animals are groomed, bred, boarded, trained, or sold.

LEACHABLE MATERIAL — A substance that, when introduced into the environment, has the ability to travel through subsurface soil or unconsolidated materials.

LEVEL OF SERVICE — A description of the operating conditions a driver will experience while traveling on a particular street or highway, calculated in accordance with the provisions of the Highway Capacity Manual, 1991 Edition, published by the National Academy of Sciences, Transportation Research Board. There are six levels of service ranging from Level of Service A, with free traffic flow and no delays, to Level of Service F, with forced flow and congestion resulting in complete failure of the roadway.

LICENSED MARIJUANA PROPERTY — One of eight tracts or lots of land in existence as of December 13, 2018 and described in the property tax assessor's records as of October 2, 2018, including J30-44, R15-12B, R15-92B, R15-125, R15-126, R19-204, R19-206, and R19-307, which have been licensed by the City Council under Chapters 161: Marijuana and 149: Licensing. The purpose of designating a licensed marijuana property is to explicitly identify properties where marijuana may be cultivated and processed and where marijuana products may be manufactured and/or sold. A marijuana retail store is allowed as a permitted use on tracts or parcels J30-44, R15-12B, and R15-126 and as a conditional use on tracts or parcels R19-204 and R19-206, which are licensed marijuana properties. Only one (1) marijuana retail store shall be allowed on each of the five (5) licensed marijuana properties where a marijuana retail store is allowed. A licensed marijuana property may include a complex, center, and/or one or more buildings, structures, or businesses. A licensed marijuana property that has not been licensed in compliance with this chapter and Chapter 149 within thirty-six (36) months of October 2, 2018 shall no longer be entitled to any vested right to develop, build, or operate a marijuana property. Marijuana properties that cease to operate and are unlicensed for more than a twelve-month period are no longer entitled to any vested right to operate a marijuana operation.

LOCAL STREET — A public street or road, which is not identified as an arterial or collector, or a proposed public or private street shown on an approved and recorded subdivision or private way plan.

LODGING — An overnight accommodation with sleeping arrangements provided for a fee. For the purposes of this chapter, the following types of lodging have specific meanings:

A. HOTEL or MOTEL — A building or group of buildings built or converted to accommodate for a

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fee travelers who are staying for a limited duration. A hotel or motel may include restaurant facilities where food is prepared and meals served to its guests and other customers. A motel is distinguished from a hotel only in that the sleeping rooms of a motel are accessed from the exterior of the building or from exterior hallways, parking is typically adjacent to the sleeping rooms, and occupancy is oriented to the automobile traveler.

B. INN/BED-AND-BREAKFAST — A single building containing fewer than 20 sleeping rooms and built or converted to accommodate for a fee travelers who are staying for a limited duration. An inn may provide dining services to its guests and may host special functions, such as weddings, but does not include a restaurant to serve the public at large, unless restaurants (eating places) are otherwise allowed in the district.

C. RENTING OF ROOMS AND FURNISHING OF BOARD — The provision of not more than two (2) rooms for rent in a building of residential character, which is used principally as a single family dwelling, in which the family or person residing permanently in the home acts as proprietor and in which meals may be taken.

LOT or PARCEL — Area of land described in a deed or depicted on a plan.

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

LOT WIDTH — The horizontal distance between the lot lines of a lot measured along the setback line as established by this chapter or, if no setback line is established, the distance between the side lot lines measured along the front lot line.

LUMBERYARD — A business involved in milling or distribution of lumber and/or the retail or wholesale sale of lumber and building materials.

MAINE MEDICAL USE OF MARIJUANA ACT — State statute contained in Title 22 M.R.S.A. Chapter 558-C which, in combination with state administrative rules contained in 10-144 CMR Chapter 122,[6] authorizes and provides guidance on the cultivation, production, possession, storage, distribution, and use of medical marijuana.

MAINE MEDICAL USE OF MARIJUANA RULES — State Administrative Rules contained in 10-144 CMR Chapter 122[7] which, in combination with the Maine Medical Use of Marijuana Act,[8] authorizes and provides guidance on the cultivation, production, possession, storage, distribution, and use of medical marijuana.

MANUFACTURED HOUSING UNIT — Structure, transportable in one (1) or more sections, which was constructed in a manufacturing facility and is transported to a building site and designed to be used as a dwelling when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein.

MANUFACTURING, LIGHT — A business engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, the creation of new products, and the blending of materials, such as oils, plastics, resins, or liquors, whether new products are finished or semifinished as raw material in some other process. All production operations shall occur within a fully enclosed building or structure. See also "medical marijuana

6. **Editor's Note: See now 18-691 CMR Ch. 2.**
7. **Editor's Note: See now 18-691 CMR Ch. 2.**
8. **Editor's Note: See 22 M.R.S.A. § 2421 et seq.**

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manufacturing facility."

MARGINAL ACCESS ROAD — A road or drive located outside of the road right-of-way and parallel to the roadway which provides access to multiple lots or uses.

MARIJUANA — As defined in Maine Medical Use of Marijuana Act, Marijuana Legalization Act, and state administrative rules, as appropriate.[9] Marijuana includes hemp as defined in 7 M.R.S.A. § 2231. Marijuana includes both adult use marijuana and medical marijuana unless otherwise specified.

MARIJUANA LEGALIZATION ACT — State law contained in 7 M.R.S.A. Ch. 417 as amended.[10]

MARIJUANA MANUFACTURING FACILITY — As defined in Maine Medical Use of Marijuana Act, Marijuana Legalization Act, and state administrative rules, as appropriate.

MARIJUANA PARAPHERNALIA — Equipment, products, or materials defined as paraphernalia in Maine Medical Use of Marijuana Act[11], Marijuana Legalization Act, and state administrative rules, as appropriate.

MARIJUANA PRODUCTION FACILITY — A facility used for cultivation, processing, and/or storage of marijuana and distribution of medical marijuana located in one (1) of the eight (8) licensed marijuana properties in conformance with standards described in § 280-15-10C, the Maine Medical Use of Marijuana Act, Marijuana Legalization Act, and state administrative rules, as appropriate. Cultivation, processing, storage and/or distribution shall be considered a commercial use.

MARIJUANA RETAIL STORE — A facility located on a licensed marijuana property in a zone that allows retail sales and is licensed by the City Council to purchase adult use marijuana, immature marijuana plants, and/or seedlings from a marijuana production and/or marijuana manufacturing facility, collect and transport marijuana and/or marijuana products, immature marijuana plants, and seedlings to consumers. A Marijuana Retail Store shall be limited exclusively to adult use marijuana retail sales and related activities authorized under the Marijuana Legalization Act and applicable state administrative rules. Under no circumstances shall a Marijuana Retail Store constitute, include, operate as, or be used for a medical marijuana dispensary, registered dispensary, or any form of medical marijuana retail sales, patient distribution, or dispensing activity authorized under the Maine Medical Use of Marijuana Act. See licensed marijuana property.

MARIJUANA WASTE AND/OR RESIDUE — Stems, stalks, roots, and other materials used in the growth, cultivation, production, and storage of marijuana. Marijuana waste and/or residue does not include an incidental amount of marijuana or excess prepared marijuana as defined in the Maine Use of Medical Marijuana Act, Marijuana Legalization Act, and state administrative rules, as appropriate.

MARINA — A water-dependent facility that makes available to members of the public space for berthing watercraft. The facility also may store, service, supply, and fuel watercraft and may sell boats and related equipment.

MARINE SALES AND SERVICE — A facility for the retail sale and repair of watercraft and related equipment and supplies.

MATERIALS RE-USE FACILITY — A yard, field, or other outside area used to store, dismantle, recycle, separate, or otherwise handle wood, debris, construction and demolition materials, scrap and junk lumber, and waste materials for commercial purposes. A materials re-use facility shall operate and abide by an approved operations manual reviewed and approved by the Planning Board. This use may be considered as an accessory use or may be a stand-alone business. Materials re-use facility activities shall not include acceptance of soluble solid materials, bio-degradable materials, or municipal solid waste, and does not include activities applicable to garbage dumps, solid or liquid waste dumps, burning facilities, sanitary landfills, automobile graveyards, or unlicensed junkyards as defined by Maine State statutes.

MEDICAL MARIJUANA — Marijuana that is acquired, possessed, cultivated, manufactured, used,

9. **Editor's Note: See 22 M.R.S.A. § 2421 et seq. in combination with 18-691 CMR Ch. 2.**

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10. Editor's Note: Chapter 417 of Title 7 M.R.S.A was repealed effective 5-2-2018. See now 28–B M.R.S.A. § 101 et seq.

11. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

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delivered, transferred or transported to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

MEDICAL MARIJUANA DISPENSARY — An entity registered under 22 M.R.S.A. § 2428 or 7 M.R.S.A. Ch. 417[12] that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, or dispenses marijuana or related supplies and educational materials to cardholders. This land use is a subset of NAICS No. 62149.

MEDICAL MARIJUANA HOME OCCUPATION — A home occupation that is conducted by a registered primary caregiver who resides in the dwelling as his/her primary residence in conformance with standards described in §§ 280-15-10A and 280-15-10B and (1) is performed within a single-family dwelling or within an accessory building to that single-family dwelling or within a unit in a multifamily structure; (2) is for the purpose of assisting one (1) or more qualifying patients with the medical use of marijuana who do not reside in the dwelling and are not family members of the primary caregiver; and (3) complies with the Maine Medical Use of Marijuana Act,[13] the Marijuana Legalization Act,[14] and state administrative rules, as appropriate.

MEDICAL MARIJUANA HOME PRODUCTION — Growing, cultivating, processing, and/or storing medical marijuana by a medical marijuana qualifying patient or patients at his/her/their primary residence as an accessory use in conformance with standards described in § 280-15-10A through § 280-15-10B, the Maine Medical Use of Marijuana Act and Rules.[15] This use shall be considered an accessory use to a legally permitted residential dwelling unit.

MEDICAL MARIJUANA QUALIFYING PATIENT — As defined in Maine Medical Use of Marijuana Act and state administrative rules.[16]

MEDICAL MARIJUANA REGISTERED PRIMARY CAREGIVER — As defined in Maine Medical Use of Marijuana Act and state administrative rules.[17]

MEDICINAL AND BOTANICAL MANUFACTURING (NAICS NO. 325411) — An establishment primarily engaged in (1) manufacturing uncompounded medicinal chemicals and their derivatives (i.e., generally for use by pharmaceutical preparation manufacturers) and/or (2) grading, grinding, and milling uncompounded botanicals.

MENTAL HEALTH AND ABUSE CLINIC (NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM NO. 621420) — An establishment with medical staff primarily engaged in providing outpatient services related to the diagnosis and treatment of mental health disorders and alcohol and other substance abuse. This establishment generally treats patients who do not require inpatient treatment. It may provide a counseling staff and information regarding a wide range of mental health and substance abuse issues and/or refer patients to more extensive treatment programs, if necessary.

MINERAL EXPLORATION — Hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.

MINERAL EXTRACTION — Any operation which removes soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location, except in conjunction with approved construction,

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12. **Editor's Note: Chapter 417 of Title 7 M.R.S.A was repealed effective 5-2-2018. See now 28–B M.R.S.A. § 101 et seq.**
13. **Editor's Note: See 22 M.R.S.A. § 2421 et seq. in combination with 18-691 CMR Ch. 2.**
14. **Editor's Note: See 28–B M.R.S.A. § 101 et seq.**
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and transports the product removed away from the extraction site. The operation may also involve the beneficiation of the product and the processing of both on-site and imported material. All activity and/or operations will cease to be approved with the exception of reclamation when the removal of the material is no longer active.

MISCELLANEOUS CROP FARMING (NAICS NO. 111998), INCLUDING MEDICAL MARIJUANA CULTIVATION — An establishment primarily engaged in one (1) or more of the following: (1) growing crops, except oilseeds and/or grains, vegetables and/or melons, fruits and/or tree nuts, greenhouse, nursery, and/or floriculture products, tobacco, cotton, sugarcane, hay, sugar beets, or peanuts; (2) growing a combination of crops, except a combination of oilseed and grain, and a combination of fruit and tree nuts, with no one (1) crop or family of crops accounting for one-half (1/2) of the establishment's agricultural production (i.e., value of crops for market); or (3) gathering tea or maple sap.

MIXED USE STRUCTURE, MIXED USE DEVELOPMENT — A building or structure that contains at least one (1) floor devoted to allowed nonresidential uses and at least one (1) devoted to allowed residential uses.

MOBILE HOME — A unit, single width or otherwise, which the manufacturer certifies is constructed in compliance with the State of Maine's Manufactured Housing Act[18] and regulations, meaning a structure, transportable in one (1) or more sections, which is not constructed on a permanent chassis and is designed to be used as dwellings on permanent foundations when connected to required utilities, including the plumbing, heating, air-conditioning, and electrical systems contained therein.

MOBILE HOME PARK — A lot of land under unified ownership designed and/or used to accommodate three (3) or more manufactured housing units.

MODULAR HOME — A unit, single width or otherwise, which the manufacturer certifies is constructed in compliance with the state's Manufactured Housing Act[19] and regulations, meaning a structure, transportable in one (1) or more sections, which is not constructed on a permanent chassis and is designed to be used as a dwelling on permanent foundation when connected to required utilities, including the plumbing, heating, air-conditioning, and electrical systems contained therein.

MOTOR VEHICLE REPAIR FACILITY — A business which provides services to motor vehicles which involve body work, painting, engine rebuilding, or structural repairs or alterations.

MOTOR VEHICLE SALES AND SERVICE — The use of any building or land area for the display and sale of new or used automobiles, trucks, vans, trailers and recreation vehicles, and including repair facilities for such vehicles. Does not include vehicles defined as "power sport vehicles."

MOTOR VEHICLE SERVICE FACILITY — A business which provides service, maintenance, and minor repairs for motor vehicles, including the accessory sale of gasoline, parts, and supplies. This use includes service stations, muffler, transmission, and brake shops, car washes, tune-up centers, and similar uses but shall not include operations involving body work, painting, engine rebuilding, or structural repairs or alterations.

MULTIFAMILY DEVELOPMENT — A subdivision that contains three (3) or more dwelling units on land in common ownership such as apartment buildings, condominiums, or mobile home parks.

MUNICIPAL USE — A use undertaken or a building occupied by a local governmental body, agency or organization or by a quasi-municipal agency or organization carrying out a recognized public purpose.

MUSEUM — An institution for the acquisition, preservation, study, and exhibition of works of artistic,

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18. Editor's Note: See 10 M.R.S.A. § 9001 et seq.

19. Editor's Note: See 10 M.R.S.A. § 9001 et seq.

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historical, or scientific value.

NET DEVELOPMENT AREA — The net area of a lot of land usable for determining the maximum allowable density of a site. Net development area shall be determined by subtracting the following from the gross site area:

A. The area located within the full width of the right-of-way of any proposed public or private street or access drive. If a right-of-way is not delineated, an area equal to a minimum fifty (50)-foot right-of-way shall be deducted.

B. Any portion of the site which is cut off from the main portion of the site by an existing road, water body, or similar physical condition which interrupts the continuity of the site.

C. Any land area which is regularly covered by water, including lakes, ponds, and rivers.

D. Any land area identified as a Class 1 wetland.

E. Any land located within utility easements or rights-of-way, if the restrictions preclude use of the land for development.

NET RESIDENTIAL DENSITY — The total number of dwelling units permitted per forty-thousand (40,000) square feet of net development area.

NEWER MOBILE HOMES — Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one (1) or more sections which, in the traveling mode, are fourteen (14) body feet or more in width and are seven-hundred-fifty (750) square feet or more, which are built on a permanent chassis and designed to be used as dwellings when connected to the required utilities, including plumbing, heating, air-conditioning, and electrical systems contained therein, and which has a pitched roof and exterior siding which is residential in appearance and is located on a permanent foundation.

A. ALL OTHER MOBILE HOMES — All other mobile homes and trailers are terms that may be used interchangeably and mean any factory-built home which fails to meet the definition of "modular home" or "mobile home." It shall include any mobile home constructed prior to June 15, 1976, and mobile homes constructed after that date which do not have pitched, shingled roofs and exterior siding that is residential in appearance.

NONCONFORMING BUILDING OR STRUCTURE — A structure that does not meet one (1) or more of the following dimensional requirements: the minimum setback, maximum lot coverage, or maximum height standards of the zone in which it is located. It is allowed solely because it was in lawful existence at the time this chapter or subsequent amendment took effect.

NONCONFORMING LOT — A single lot of record which, at the effective date of this chapter, does not meet the lot area, frontage, or width requirements of the zone in which it is located.

NONCONFORMING USE — Use of buildings, structures, premises, land or parts thereof which is not permitted in the zone in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this chapter or subsequent amendments took effect and, if established after 1953, which has been issued a valid certificate of occupancy.

NONPROFIT CLUB OR LODGE — Facility for a nonprofit social and fraternal organization, including accessory facilities for use as meeting rooms, function halls, and similar uses that may be rented to outside users.

NONPROFIT SERVICE ORGANIZATION — A nonprofit organization which provides and promotes

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sports facilities with a broad range of programs such as sports and games, personal fitness, child care, adult day services, overnight camping, employment readiness programs, conference centers and educational activities.

NONRESIDENTIAL FACILITY FOR EDUCATIONAL, SCIENTIFIC AND NATURE INTERPRETATION PURPOSES — A structure containing not more than five-hundred (500) square feet of total floor area associated with a natural, historic, or similar resource to provide information about the resource.

NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM, 2002 (NAICS) — A numerical identification system developed to provide a consistent framework for the collection, analysis and dissemination of industrial statistics used by government policy analysts, academics and researchers, the business community, and public. NAICS provides a definition for activities that are not single family and two (2) family residential uses.

OBSTRUCTION TO AIR NAVIGATION — Any structure, growth or other object, including a mobile object, which exceeds a limiting height as set forth in § 280-11-10B.

OFFICE, BUSINESS — A place of business where activities such as general management, bookkeeping, accounting, telephone sales, and telecommunications take place but where no consumer retail services are performed. This shall include businesses involved in real estate sales and management, insurance sales, and similar activities not involving the sale of physical products on the premises.

OFFICE, MENTAL HEALTH PRACTITIONER — (North American Industry Classification System No. 621330) The office of independent mental health practitioners engaged in the diagnosis and treatment of mental, emotional, and behavioral disorders and/or the diagnosis and treatment of individual or group social dysfunction brought about by such causes as mental illness, alcohol and substance abuse, physical and emotional trauma, or stress. These practitioners operate private or group practices in their own offices or in the facilities of others, such as hospitals or HMO medical centers. No medications shall be directly disbursed at the office, although prescriptions to be filled at another location shall be allowed.

OFFICE, PROFESSIONAL — The office of a person engaged in architecture, engineering, law, medicine, dentistry, or other activity in which specialized services to clients are performed by persons possessing a degree from a recognized institution of higher learning demonstrating successful completion of a prolonged course of specialized intellectual instruction and study, or its equivalency, and also possessing evidence of professional capability, such as membership in a professional society.

ONE-HUNDRED (100) YEAR FLOOD — The highest level of flooding that, on the average, has a one percent (1%) chance of occurring in any given year.

OUTDOOR RECREATION — Outdoor recreation activity operated by an entity other than a unit of government, whether operated for profit or not, including but not limited to cross-country ski centers, ball fields, parks and playgrounds, livery, and ski tows, provided they fulfill state and City public health requirements, but not including campgrounds, outdoor movies, and outdoor dine and dance facilities, or games and activities as described in the definition of amusements.

OUTPATIENT ADDICTION TREATMENT CLINIC (NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM NO. 621420) — A program or facility operated for the purpose of and specializing in the care, treatment and/or rehabilitation of persons suffering with addictions, including but not limited to gambling, alcohol or controlled-substance addictions. This includes, but is not limited to, substance abuse treatment programs licensed by the State of Maine Department of Behavioral and Developmental Services Office of Substance Abuse. An outpatient addiction treatment clinic does not include an inpatient or residential addiction treatment program, or a program consisting solely of support group activities without treatment by licensed health practitioners, such as Alcoholics Anonymous,

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Narcotics Anonymous, and similar programs.

PARKING DEMAND MANAGEMENT PROGRAMS — Parking demand management programs are a layer of policies, programs, information, services, and tools that together constitute comprehensive management strategies focused on changing or reducing parking demand. Parking demand management programs encourage widespread use of options that may include, but not be limited to, ridesharing, car and/or van pools, bicycling, walking, telecommuting and/or alternative work schedules, flex hours, staggered shifts, job sharing, removing subsidies/adding costs for parking, as alternatives to driving alone, which requires a greater number of parking spaces to accommodate workers and exacerbates the demand for parking during peak work hours, times, or special events. With the right incentives, or disincentives, employees and visitors to facilities that employ a parking demand management program may be influenced to use transportation systems in a way that contributes to less parking demand.

PARKING FACILITY, COMMERCIAL — A facility for the parking of licensed motor vehicles for a fee or to serve another use that is not located on the same lot.

PERSON — An individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two (2) or more individuals having a joint or common interest, or other legal entity.

PETROLEUM — Oil, gasoline, petroleum products and by-products, and all other hydrocarbons which are liquefied under normal atmospheric conditions.

PLANNING DIRECTOR — The staff person responsible for the management of the Department of Planning and Development, his/her designee, or other person designated by the City Council to be responsible for development review.

PORCH — A roofed or unroofed open structure projecting from a building. A porch for the purpose of this chapter is considered part of a building and may not project into any required yard.

POWER SPORT VEHICLES SALES AND SERVICE — This activity refers to the sales and/or repair of motorcycles, motor scooters, motor bikes, mopeds, off-road all-terrain vehicles (ATVs), personal watercraft, snowmobiles and/or powered golf carts. The activity is limited to structures with a gross footprint, including attached porches and patios, no larger than five-thousand (5,000) square feet and an unattached outdoor display area of one-thousand (1,000) square feet. The use of the unattached outdoor display area is limited to hours when the facility is open for business.

PREMISES — A lot or tract of land, or a combination of contiguous lots and/or tracts of land which is under single ownership as reflected in the City's assessing records.

PREPARED MARIJUANA — As defined in Maine Medical Use of Marijuana Act[20], Marijuana Legalization Act, and state administrative rules, as appropriate.

PRIMARY RESIDENCE — An individual's main residence or dwelling where he or she usually lives, typically a house or a unit in a multifamily structure. A individual can only have one (1) primary residence at a given time, though he or she may share the residence with other individuals.

PRINCIPAL DWELLING STRUCTURE — A residential structure having one or more dwelling units which abides by all zoning regulations and may have an accessory structure on the same premises.

PRINCIPAL STRUCTURE — A building other than one (1) which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

PRINCIPAL USE — A use other than one (1) which is wholly incidental or accessory to another use on the same premises.

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20. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

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PRIVATE WAY — A minor street meeting the requirements of Article XVI: Site Plan Review.

PROCESSING — A series of operations, usually in a continuous and regular or succession of actions, taking place or carried on in a definite manner. For the purposes of this chapter, processing does not include the chemical transformation of materials or substances into new products or the blending and combining of gases and liquids. Manufacturing is considered a separate use.

PROFESSIONAL ENGINEER — A professional engineer registered in the State of Maine.

PROPOSED LOCAL STREET — See definition of "local street."

PUBLIC UTILITY — A private organization, subject to governmental regulation, that provides an essential service or commodity, such as water, electricity, transportation, communication, or Internet to the public and which is intended to serve primarily populations or activities outside of the City. This term also includes buildings and pumping stations which are necessary for the furnishing of essential services, as defined in this chapter, whether local or greater in scope.

PUBLIC WATER SYSTEM — A water supply system that provides water to at least fifteen (15) service connections or services water to at least twenty-five (25) individuals daily for a least thirty (30) days a year.

RECHARGE AREA — Area composed of permeable, porous material through which precipitation and surface water infiltrate and directly replenish groundwater in aquifers.

RECORD DRAWINGS — Scaled, detailed drawings of the proposed, completed or encountered existing infrastructure within a public right-or-way or easement. The plans shall be prepared and organized in a form that is consistent with the design plans submitted for Planning Board during the review process or engineering review by the City Engineer. The plans shall be drawn and noted with field measurements, i.e., three (3)-way ties, made by the contractor installing the infrastructure. The plans shall note the infrastructure materials, widths, diameters, elevations, service connection locations at the main and the right-of-way line, ledge profile, permanent reference benchmark, and other appropriate data necessary to show the completed or encountered existing infrastructure. The record drawing plan set shall include a copy of the signed plan.

RECORDING PLAN — An original of the final plan, suitable for recording at the York County Registry of Deeds, that shows only information relevant to the transfer of an interest in the property and which does not show other information presented on the plan, including but not limited to sewer and water line locations and sizes, culverts, and building line.

RECREATION, FOR-PROFIT NONMOTORIZED OUTDOOR — A commercial facility that provides recreational opportunities that do not involve motorized vehicles or amusements, such as tennis clubs, riding stables, and similar uses.

RECREATION, FULLY ENCLOSED PLACE OF — A place enclosed by walls, roof, and floor, designed and equipped for the conduct of indoor sports, leisure time activities, and other customary and usual recreational activities, and operated by an entity other than a unit of government. These include, by way of example only, skating rinks, gymnasiums, bowling alleys, video arcades, and the like.

REPAIR SERVICES — Businesses providing for the repair of personal and business property, such as radios and televisions; electrical and electronic equipment; watches, clocks, and jewelry; furniture and upholstery; sporting equipment; small engines and equipment; and similar items but not including the repair of motor vehicles, boats, or heavy equipment. Retail sales of parts and supplies shall be allowed provided such sales are accessory to the repair service.

REPAIRS — Activities intended to restore an existing building or structure to a sound condition without changing the size or use of the building or structure. Repairs do not include:

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A. An enlargement of the building or structure.

B. The enclosing of decks, porches, and similar areas.

C. The reconstruction of a building or structure which has been damaged, destroyed, or removed.

D. The modification of structural elements of the building or structure unless required to comply with code requirements.

RESEARCH AND DEVELOPMENT FACILITY — A laboratory or other facility for carrying on investigation in the natural, physical, or social sciences or engineering and development of end products as an extension of such investigation. Such a facility does not engage in the manufacture or sale of products, except as incidental to the main purpose of research and investigation. A marijuana research and development facility shall be located on a licensed marijuana property.

RESIDENTIAL CARE OR CONGREGATE CARE FACILITIES — Residential facilities which provide lodging and shared community space to their occupants. These types of facilities may or may not provide medical care or supervision and house residents who are capable of living independently. These facilities may consist of either:

A. Individual dwelling units with full facilities for cooking; or

B. Residential units which do not have their own cooking facilities.

RESIDENTIAL ZONE — Residential zone includes the Single Family Residential Zone and the Residential Development Zone.

RETAIL STORE — An establishment that sells goods or commodities directly to the consumer or other end user. For the purposes of this chapter, the term "retail store" shall include sales rooms or showrooms but not yard sales, motor vehicle sales, either new or used, gas stations, or eating places.

RETAIL STORES, LIMITED — Retail store with five-thousand (5,000) square feet or less of gross floor area, including sales, storage, and support areas but excluding yard sales as defined in this chapter.

RURAL ZONES — Rural zones include the Rural Residential Zone and Rural Mixed Use Zone.

SCHOOL, COMMERCIAL — A business which provides instruction or training in vocational, recreational, or athletic areas, including but not limited to business or computer institutes, martial arts studios, schools for dance, music, riding, gymnastics, photography, driving, craft schools and trade schools.

SERVICE, BUSINESS — An activity that supplies a direct service to businesses, including by way of example, advertising, credit reporting and collection, mailing and reproduction, care of buildings, personnel supply, computer and data processing, market research, and management and public relations.

SERVICE, PERSONAL — Establishments primarily engaged in providing services involving the nonmedical care of a person or of his or her apparel, as exemplified by beauty shops, barbershops, shoe repair, photographic studios, coin-operated laundries, fitness studios, and similar establishments.

SERVICE ORGANIZATION, NONPROFIT — A nonprofit organization which provides and promotes sports facilities with a broad range of programs such as sports and games, personal fitness, child care, adult day services, overnight camping, employment readiness programs, conference centers and educational activities.

SETBACK, FRONT — An open area extending the entire width of a lot from lot side line to lot side line and extending in depth at a right angle from the street right-of-way to such depth as specified. Such area shall be unoccupied and unobstructed by any building from the ground upward. In the case of a corner lot that abuts two (2) or more streets, a front setback shall be maintained adjacent to each street right-of-way.

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Where the required setback is based upon a uniform setback relationship, a building on a corner lot shall maintain the established setback relationship on all streets where such a relationship exists.

SETBACK, REAR — An open area extending the entire width of a lot from lot side line to lot side line and extending at a right angle from the rear property line of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any building from the ground upward.

SETBACK, SIDE — An open area extending along each side line of a lot between the front setback and the rear setback on such lot and extending at a right angle from the side lines of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any building from the ground upward. In the case of a corner lot, a side setback shall be maintained along any lot line that is not a street right-of-way.

SIGHT DISTANCE — The length of an unobstructed view from a particular access point to the farthest visible point of reference on a roadway. It is used in these regulations as a reference for unobstructed road visibility.

SIGN — Any object, device, plaque, display, structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Sign does not include the flag or emblem of any organization or nation, state, city, or religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. A sign may be temporary or permanently installed.

A. ABANDONED SIGN — A sign whose message describes the availability of goods or services at a location where such goods and services are no longer available and have ceased to be available for a period of more than one (1) year or, in the alternative, a sign which is non-commercial in nature and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding three-hundred-sixty-five (365) days. Such abandonment includes intentional conduct, such as failure to pay taxes or permit fees, or to maintain the sign, or a negligent failure to do so.

B. AWNING SIGN — A building mounted sign that provides additional functionality as shelter. An awning or canopy which contains lettering or other commercial identification shall be considered to be a sign. That portion of the awning or canopy bearing the commercial message shall be counted as a sign face in calculating cumulative sign area.

C. BANNER — A sign made of fabric or other non-rigid material with no enclosing framework. A banner includes a vertical banner erected on a pole. A banner is one type of temporary sign.

D. BUILDING SIGN — Any wall sign, projecting sign, suspended sign, awning sign, any sign painted on a wall surface, or any sign attached to an exterior part of a building. Interior window displays, such as products or other items on display, are not considered building signs and are not included in the maximum calculation of cumulative sign area.

E. CUMULATIVE SIGN AREA — See "sign area."

F. DISPLAY — That portion of the surface area of a changeable sign that is, is designed to be, or is capable of being periodically altered for the purpose of conveying a message.

G. ELECTRONIC AND CHANGEABLE DISPLAYS — An on the premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the substitution or replacement of one (1) display by another. This definition includes time and temperature signs.

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H. FREESTANDING SIGN — A sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

I. GRAPHIC — A sign which is an integral part of a building facade and/or window. The sign shall be painted directly on, carved in, or otherwise permanently embedded in the facade and/or window.

J. INTERNALLY ILLUMINATED SIGN — A sign that has the light source enclosed within it so the source is not visible to the eye.

K. MOVING SIGN — A sign which has moving parts or is lit in such a manner as to flash including, but not limited to, inflatable devices designed for movement by the wind or mechanical means.

L. NONCONFORMING SIGN — Any sign that does not conform to all or part of the provisions of this chapter and was in existence and maintained and was lawfully erected, altered, or displayed prior to December 3, 2019.

M. OFF THE PREMISES SIGN — A sign located on a premises other than the location at which the business or activity is located, an official business directional sign, a sign which is part of a publicly erected informational board or center.

N. OFFICIAL BUSINESS DIRECTIONAL SIGN — Any sign, approved, erected, altered, displayed, or maintained by the City or the State to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services for the traveling public, and points of scenic, historical, cultural, recreational, educational, or religious interest.

O. ON THE PREMISES SIGN — A sign erected and maintained on the property on which the business, facility, or point of interest advertised by the sign is located.

P. PROJECTING SIGN — A sign which is attached to and projects from a structure or building face. The sign face of a double-faced projecting sign is calculated by measuring one (1) face of the sign only.

Q. PUBLIC SAFETY SIGN — A sign that is erected by a governmental body which is necessary for the public safety and welfare or as required by law, ordinance, or government regulation.

R. SANDWICH BOARD SIGN — A self-supporting, freestanding sign located on the sidewalk or in the esplanade directly in front of the business advertised.

S. SUSPENDED SIGN — A sign hanging from a marquee, awning, or porch.

T. TEMPORARY SIGN — A sign not permanently attached to the ground or a permanent structure or a sign designed to be transported including, but not limited to, signs on A- or T-frames, sandwich board signs, inflatable signs, or large scale tethered balloons.

U. WINDOW SIGN — A sign that is painted on, permanently or temporarily attached to, or suspended directly inside a window or the glass portion of a door.

SIGN AREA — The entire surface area of the sign, not including the supporting structure or bracing of the sign unless the supporting structure or bracing is made part of the sign. Where a sign has two (2) faces back to back, the area of only one (1) face shall be considered part of the cumulative sign area. When a sign has more than one (1) face, all areas which can be viewed simultaneously shall be considered the cumulative sign area. When a sign provides no border or frame, the sign area shall be the areas of the smallest rectangle which encompasses all characters and elements of the sign area.

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SMALL-SCALE MOTOR VEHICLE SERVICE, REPAIR OR SALES FACILITY — A use that involves a motor vehicle service facility, a motor vehicle repair facility, and/or motor vehicle sales and service that involves a building or structure of two-thousand (2,000) square feet or less of gross floor area and the exterior storage or display of fewer than ten (10) vehicles. Does not include vehicles defined as power sport vehicles.

SOLAR ENERGY SYSTEM — A solar collection system used to capture, convert, and supply electrical energy or thermal power, and consisting of one (1) or more freestanding, ground, roof, or wall mounted, solar arrays or modules, or solar related equipment, intended to reduce consumption of utility and/or fuel-generated power.

A. RESIDENTIAL SOLAR SYSTEM (RSS) — Intended for residential uses, an RSS may be up to two-thousand (2,000) square feet in surface area with a rated nameplate capacity of up to twenty (20) kilowatts (kW).

B. COMMERCIAL SOLAR SYSTEM (CSS) — Intended for a multifamily dwelling, multifamily dwelling above the ground floor of a mixed use development, mobile home park, convalescent, rest, or nursing home, residential care or congregate care facility, institutional use, recreational use, commercial or industrial use, or rural use, a CSS may be up to twenty thousand (20,000) square feet in surface area with a rated nameplate capacity of up to two-hundred-fifty (250) kilowatts (kW) The Planning Board may waive the size limits for surface area and nameplate capacity if the applicant demonstrates to the Board's satisfaction that the additional surface area and/or nameplate capacity is needed to meet the energy requirements for intended onsite use.

C. UTILITY SOLAR SYSTEM (USS) — Intended for off-site utility grid use, a USS is larger than twenty-thousand (20,000) square feet in surface area with no limit on the rated nameplate capacity.

STAFF — For the purposes of this chapter, staff shall consist of the City's Code Enforcement Officer, City Engineer, Assistant City Engineer, Planning Director, and any other professional identified by the Planning Board for the purposes of reviewing land use applications.

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it. A basement shall be counted as a story for the purpose of height measurement where more than one-half (1/2) of its height is above the ground. A half story is a story with at least two (2) of its opposite walls situated in a sloping roof, the floor area of which as measured four (4) feet above the floor level does not exceed two-thirds (2/3) of the floor immediately below it.

STREET —

A. A public way laid out and established by the State of Maine or York County;

B. A public way accepted by the City;

C. A way shown on a plan of a subdivision approved by the Planning Board; or

D. A private way approved by the Planning Board in accordance with the provisions of Article XVI.

STREET FRONTAGE — The distance between the side lines of a lot as measured along the front lot line at the street right-of-way limits.

STRUCTURAL ALTERATION — Any exterior change which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

STRUCTURE — Anything constructed or erected which requires location on the ground or attached to something having a location on the ground, but not including a tent, vehicle, road, path, or trail.

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STUDIO OF ARTISANS — A building or portion of a building used as a place of work by an artist, photographer, or person similarly skilled in the production of a particular product. Unless otherwise indicated, a studio may include the retail sale of items produced on the premises.

SUBDIVISION — For purposes of this chapter, this term is defined in 30-A M.R.S.A. § 4401

SUBDIVISION, MAJOR — Any subdivision containing ten (10) or more lots or dwelling units or any subdivision requiring any new street or municipal facilities.

SUBDIVISION, MINOR — Any subdivision containing nine (9) or fewer lots or dwelling units. All lots shall be located on an existing accepted public street, and no new public services or extensions of municipal facilities shall be required.

TESTING FACILITY — A business, whether within another business, or freestanding, whose primary purpose is the chemical, biological, electronic, or mechanical analysis or testing of products for conformance to industrial specifications or to public regulations. Such businesses include, but are not limited to assaying automobile and emissions testing, calibration and certification, food testing, medical testing, and marijuana testing that operates in conformance with Maine Medical Use of Marijuana Act[21], Marijuana Legalization Act, and state administrative rules, as appropriate. A testing facility within a building primarily devoted to manufacturing shall be considered accessory to the manufacturing.

TIMBER HARVESTING — The cutting and removal of trees from their growing site and the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads, and haul roads.

TRACT OR LOT OF LAND — All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract or lot of land unless such road was established by the owner of the land on both sides thereof.

TRADESMAN — An establishment occupied by a craftsperson or a person in a skilled trade, including, by way of example only, plumbing, carpentry, or electrical work. The term also shall include establishments engaged in the repair of electrical goods and appliances, watches, jewelry, equipment, furniture, or other goods, exclusive of motor vehicles, where such services are the primary use and not accessory to another use, such as retail sales. The shop may include work space, storage space, and office space but may not exceed two-thousand (2,000) square feet of total floor area.

TRANSMITTER TOWER — A facility for the location of telecommunications antennas and/or Internet equipment. This includes radio, radar, television, cellular telephone, or radio-telephone transmitting, repeating or broadcasting towers and necessary accessory structures but not studios or offices for such activities.

TRAVELED WAY — That part of the street used for the movement of vehicles and/or pedestrians, including the part of the street reserved for vehicles, sidewalks, and bicycle and parking lanes.

TRUCKING AND DISTRIBUTION FACILITIES — Facilities for the short-term storage and transshipment of materials or goods, including common carriers, oil terminals, moving companies, and similar operations.

ULTIMATE AIRPORT LAYOUT PLAN (UALP) — The final report and any corresponding exhibits of the Ultimate Airport Layout Plan (UALP), as amended from time to time and approved by the Federal Aviation Administration, which directs growth and development at the Airport.

UNIFORM SETBACK RELATIONSHIP FOR A LOT — The average of the setbacks of nine (9) lots, two (2) on either side of the subject lot and five (5) on the opposite side of the street from the lot, or the

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21. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

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number of existing lots on each side of the subject lot, all located on the same block, whichever is less. If one (1) or more of the nine (9) lots are undeveloped, it shall not be included in calculation. Furthermore, if the setback of one (1) of the nine (9) lots is greater than the average setback of the other lots, it shall not be included in the calculation.

USE — The purpose for which land or a building is arranged, designed, or intended or for which either land or a building is or may be occupied or maintained.

VARIANCE — A relaxation of the terms of this chapter where such variance would not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary or undue hardship. A financial hardship shall not constitute grounds for granting a variance. The crucial points of the variance are undue hardship and unique physical circumstances applying to the property.

VEGETATED BUFFER — An area of vegetation acting as a visual and sound barrier between parcels, generally used to separate commercial and residential uses. In addition to vegetation, this area may utilize existing topography and/or berms constructed to elevate the ground level to increase opacity and height of the buffer.

VEGETATION — All live trees, shrubs, ground cover, and other plants, including, without limitation, trees both over and under four (4) inches in diameter, measured at four and one-half (4 1/2) feet above ground level.

VETERINARY CLINIC/GROOMING — A facility where animals or pets are given medical or surgical treatment or where animals and pets are groomed and in which the boarding of animals is short term and incidental to the medical care or grooming.

WAREHOUSE, MINI STORAGE — Any self-storage building housing individual storage units or lockers, each of which is accessible through a private entrance and rented to the public for storage of personal or business belongings.

WELL FIELD — A tract of land which contains a number of existing or proposed wells for supplying water.

WELLHEAD — The specific location of a well and/or any structure built over or extending from a well.

WHOLESALE SALES — Trade that involves the sale of merchandise, in bulk or large quantities, to retailers for resale or to industrial, commercial, or institutional users.

WILDLIFE HABITAT — Areas identified by a governmental agency, such as the Maine Department of Inland Fisheries and Wildlife, as having significant value as habitat for birds or animals.

YARD SALE — The sale of tangible personal property from any given lot, whether conducted indoors or outdoors, and occurring not more than four (4) calendar days in a calendar year. Activities occurring more than four (4) calendar days in one (1) calendar year are considered a retail store or limited retail store as defined in this chapter. "Yard sale" shall include the term "garage sale," "barn sale," "lawn sale," "rummage sale" or "moving sale" or other such similar sales or activities.

YARD, FRONT — An open space extending the entire width of a lot from lot side line to lot side line and extending in depth at a right angle from the street boundary of such lot to such depth as specified. Such front yard is unoccupied and unobstructed by any building from the ground upward.

YARD, REAR — An open space extending the entire width of a lot from side line to side line and extending at a right angle from the rear line of such lot such depth as specified. Such rear yard is unoccupied and unobstructed by any building from the ground upward.

YARD, SIDE — An open space extending along each side line of a lot between the front yard and the rear

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yard on such lot and extending at a right angle from the side line of such lot to such depth as specified. Such side yard is unoccupied and unobstructed by any building from the ground upward.

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ARTICLE III
Administration and Enforcement

§ 280-3-1. Code Enforcement Officer.

This chapter shall be administered and enforced by a Code Enforcement Officer, except as otherwise noted. The Code Enforcement Officer shall be appointed by the City Council.

§ 280-3-2. Building, sign, or use permits.

A. Permit required. No building or sign or part thereof shall be constructed, structurally altered, enlarged, or moved unless a permit for such action has been issued by the Code Enforcement Officer or his or her agent, except as otherwise exempted from a permit in this chapter. The contractor, builder, and developer, as well as the property owner, shall be responsible for any and all permits. Site plan approval, in accordance with Article XVI, may be required prior to the issuance of a building permit for certain types of uses, including commercial, industrial and multifamily residential construction. **[Amended 12-19-2017 by Order No. 17-163-01]**

B. Compliance with this chapter. No building permit for a building, sign or structure on any lot shall be issued except to the owner of record thereof, or his or her authorized agent, until the proposed construction or alteration of a building or structure shall comply in all respects with the provisions of this chapter or with a decision rendered by the Board of Appeals, Planning Board, Site Plan Review Committee, and/or others under this chapter. **[Amended 12-19-2017 by Order No. 17-163-01; 5-7-2019 by Order No. 19-258-01]**

C. Applications for permits. All applications for building, sign, or use permits shall be submitted in writing to the Code Enforcement Officer on forms provided for the purpose. The application shall be accompanied by the following information: **[Amended 12-19-2017 by Order No. 17-163-01]**

(1) A plot plan drawn to scale showing the shape and dimensions of the lot to be built upon, the location and size of all buildings, signs, or structures already existing on the lot, the locations of new buildings, signs, or structures to be constructed, and the lines within which all buildings and structures are to be constructed;

(2) A statement of the use intended to be made of the lot and buildings;

(3) Approved plumbing permits where applicable;

(4) A drawing of proposed and existing signs, indicating dimensions, where applicable;

(5) Building elevation drawings for all attached signs, indicating the proposed location and specifications; and

(6) Evidence of site plan approval if required by Article XVI.

D. Action on applications. Within seven (7) days of filing of an application for a building or use permit, the Code Enforcement Officer shall approve, deny, or refer to the Planning Board for conditional use approval all such applications. If the proposed activity requires site plan review in accordance with Article XVI, the Code Enforcement Officer shall refer the applicant to the Planning Director. His/her decision shall be in writing on a form designed for the purpose and communicated directly to the applicant. One (1) copy of the Code Enforcement Officer's decision shall be filed in the Code Enforcement Officer's office. In cases where the Code Enforcement Officer deems that a conditional use permit is required, s/he shall also provide a copy of his decision to the Planning Board.

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E. Plumbing permit required. No building permit shall be issued for any structure or use involving the construction, installation, or alteration of plumbing facilities unless a valid plumbing permit has been secured by the applicant or his or her authorized agent.

F. Start of work. No work shall be begun on a project requiring a building permit, plumbing permit, site plan approval, and/or other municipal approval or permit until all required permits and/or approvals have been obtained. Start of work shall include clearing and grubbing of the site, grading, excavation, or construction of buildings or structures.

G. Revision of proposed work. A new permit is required if any changes in plans, construction, size, or use of any building, structures, or parts thereof are made after issuance of the previous permit.

H. Time valid.

(1) A building permit secured under the provisions of this chapter shall expire if the work or change is not commenced within six (6) months of the date on which the permit is granted and if the work or change is not substantially completed within eighteen (18) months of the date on which the permit is granted.

(2) Extensions of up to six (6) months beyond the commencement or completion dates may be granted by the Code Enforcement Officer upon written request.

I. Pending applications. Nothing in this chapter shall require any change in the plans, construction, size, or designated use for any building, structure, or part thereof for which an application for a building permit has been made or a building permit has been issued or upon which construction has been commenced prior to the adoption or amendment of this chapter, provided construction shall start within sixty (60) days after the issuance of such permit.

J. Required records. Applications for permits with their accompanying plans and building permits shall be maintained as a permanent record by the Code Enforcement Officer.

K. Rights related to a public right-of-way. Neither the granting of a permit nor the installation or placement of a sign in the public right-of-way conveys permanent property rights relating to the public right-of-way. An illegal sign in the public right-of-way may be removed by the City without notice, at the owner's expense if the illegal sign is within the public right-of-way. **[Added 12-19-2017 by Order No. 17-163-01]**

§ 280-3-3. Certificates of occupancy.

A. After the building, or part thereof, has been completed, altered or enlarged or relocated, the owner or his or her agent shall obtain a certificate of occupancy for the proposed use before the same may be occupied or used. A certificate of occupancy shall be issued by the Code Enforcement Officer only if he or she finds that the project is in compliance with this chapter, with any applicable site plan approval, and any other regulations of the City.

B. A certificate of occupancy shall also be required for any of the following:

(1) Increase in the number of dwelling units in a structure.

(2) Establishment of a home occupation in a residential district.

(3) Establishment of any professional office in connection with the residence of a professional person.

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(4) Change in the use of a nonconforming use.

(5) Occupancy and use of vacant land, except for the raising of crops, or change in the use of land, except in the raising of crops.

(6) Any change in the use of a building from one category of use as set forth in § 280-11-9or the Table of Land Uses[22] to another category of use.

(7) Any change in the occupancy of nonresidential space.

C. In cases of use and occupancy of any building or part thereof during a period of construction or alteration, the Code Enforcement Officer may issue temporary certificates for periods not exceeding six (6) months. Temporary certificates of occupancy for single-family homes may be renewed for additional six (6)-month periods provided that the owner provides the Code Enforcement Officer with written evidence that progress is being made toward the completion of the home.

§ 280-3-4. Fees. [Amended 12-20-2016 by Order No. 16-158.07; 5-7-2019 by Order No. 19-258-01]

The City Council shall establish by order, after prior notice and public hearing, a fee schedule for all permits, escrow, and construction compliance reviews required by this chapter and for such other fees as the City Council deems appropriate in Chapter 120: Fees. Permit, zoning, escrow, and construction compliance fees are intended to help recover costs incurred by the City in public notice, review, administration, and site inspection associated with amendment of the text of this chapter, changes to Zoning Maps, contract zoning, site plan, and other review and permitting of development. Permit fees are deemed to be a cost of review, shall not be waived or contingent on approval, and are nonrefundable. Any balance in an escrow account remaining after the final decision shall be returned to the applicant in a timely fashion.

A. These costs include:

(1) Publishing and public notice fees associated with advertising public hearings and meetings on the proposed application. Public hearings on the request shall not be scheduled until the fee is paid.

(2) Contracted staff, independent consulting, and peer review escrow fee, including but not limited to architectural, landscape architectural, geotechnical, hydrological, engineering, surveying, planning, legal, and similar professional consulting services. The results of such services shall be available for public review, although such results shall be deemed to have been made solely for the benefit of the City and shall remain its property. Such fees shall be:

(a) Limited to reasonable and necessary review that exceeds the expertise of City staff or its ability to review the application materials within required time limits;

(b) Assessed only to recover costs directly associated with review of the application submitted by the applicant to whom it is assessed;

(c) Reasonable in amount, based on the consulting or peer review time involved and complexity of the review;

(d) Assessed for the privilege of review and shall be payable without regard to consulting or peer review results or outcome of the application.

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22. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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B. Escrow account. The applicant shall establish an escrow account with the City to guarantee payment in advance of actual fees assessed pursuant to this chapter. The original deposit shall be such amount as specified in § 280-3-4. If the balance in the escrow account shall be drawn down by seventy-five percent (75%), the City shall notify the applicant and require that an additional amount equal to fifty percent (50%) of the initial deposit be submitted to cover the cost of remaining work. The City shall continue to notify the applicant and require that an additional amount be deposited whenever the balance of the account is drawn down by seventy-five percent (75%) of the original deposit. Any excess amount deposited with the City in advance shall be refunded to the applicant in a timely fashion after final action on the application.

C. Fee disputes. Any dispute regarding the application of § 280-3-4 or the amount required to be paid, either in advance or upon completion, may be appealed in writing within ten (10) days to the City Manager. The City Manager, after due notice and investigation and for good cause shown, may affirm, modify, or reverse the disputed decision or reduce the amount assessed.

D. Payment of fees required. By submitting an application under this chapter, the applicant agrees to reimburse the City for the reasonable and necessary fees set forth herein, and the City shall not amend the text of this chapter, change Zoning Maps, execute contract zoning agreements until such amounts have been paid in full. In addition, no building permit or certificate of occupancy may be issued nor approved site, subdivision or other plan released until all fees assessed hereunder have been paid in full. Any individual or firm who has an outstanding fee balance shall not be eligible to submit a request to amend the text of this chapter, change Zoning Maps, contract zoning, or a new or amended site plan application or building or occupancy permit until the outstanding balance is paid in full.

E. Administration. Fees associated with amendment of the text of this chapter, changes to Zoning Maps, contract zoning, development permits regulated under Article XVI, and other items overseen by the Planning Board shall be administered by the Planning Director.

§ 280-3-5. Enforcement.

A. It shall be the duty of the Code Enforcement Officer or his or her agent to enforce the provisions of this chapter. If the Code Enforcement Officer or his or her agent shall find that any provision of this chapter is being violated, he or she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He or she shall order discontinuance of illegal use of buildings, structures, or additions or work being done or shall take any other action authorized by this chapter to ensure compliance with or to prevent violation of its provisions.

B. The Code Enforcement Officer is hereby authorized to institute or cause to be instituted, in the name of the City, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this chapter; provided, however, that this section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this chapter.

C. The Code Enforcement Officer, in his or her discretion, where a violation of this chapter has been brought to his or her attention, may so advise the party in violation, in writing, and may give such violators permission to continue for a period not exceeding ten (10) days, provided that such violators intend and do appeal to the Board of Appeals. Failure to perfect or commence such appeal within ten (10) days will then subject the violator to prosecution under this section. **[Amended 5-7-2019 by Order No. 19-258-01]**

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§ 280-3-6. Violations and penalties. [Amended 5-7-2019 by Order No. 19-258-01]

Any person, firm, or corporation, being the owner of or having control or use of any building or premises, who or which violates any of the provisions of this chapter shall be fined not less than one-hundred dollars ($100) nor more than twenty-five-hundred dollars ($2,500) as provided for by state law. Each day such a violation is permitted to exist after notification shall constitute a separate offense. The penalty for failure to correct a violation after a second written notice by the City shall be in conformance with Chapter 90.

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ARTICLE IV
Interpretation, Amendments and Legal Provisions
[Amended 12-20-2016 by Order No. 16-158.07; 5-7-2019 by Order No. 19-258-01]

§ 280-4-1. Public hearings.

Public hearings required for amendment of this chapter, contract zone, conditional use, major site plan, or other request identified in this chapter shall be noticed and conducted in conformance with the following provisions.

A. Submission requirements. The applicant shall provide an abutters list and mailing envelopes in conformance with this section.

(1) Abutters list. A complete list of abutters within two-hundred-and-fifty (250) feet of the property, including those in neighboring communities, and public drinking water suppliers if the property contains or is within a source water protection area.

(2) Mailing envelopes. A mailing envelope for each abutter identified in § 280-4-1A. Each mailing envelope shall include a first class stamp, an address for each abutter, and the return address for the City Department which oversees the public hearing process.

B. Notification of applicant and abutters. Once an application is determined to be complete and, at least ten (10) days prior to the date of its public hearing, the City Department which oversees the public hearing process shall post a notice in City Hall and send written notice to the applicant and abutters by first class mail, as specified in § 280-4-1A, except that notice for an amendment of this chapter or contract zone shall be posted and written notice send out at least thirteen (13) days prior to the date of the public hearing. Notice shall contain a brief description of the proposed activity, the name of the applicant, the location of the property that is the subject of the public hearing and the nature of the request, the location where the application is available for inspection, description of how to submit written comments and how the reviewing board or committee shall consider comments, and the date, time, and location at which the application shall be considered. Failure of any abutter to receive a notice of public hearing shall not be grounds for delay of the public hearing, consideration of the application, and approval or denial of the project. In considering the subject of the public hearing, the City Department which oversees the request shall, without altering the meaning, intent, or substance of the proposal, put into such language or form as is appropriate to the review and requirements of this chapter.

C. Advertisement in newspaper and posting. An advertisement for any request which requires a public hearing in this chapter shall be posted in a newspaper of general circulation in the City at least ten (10) days prior to the date of the public hearing, except that a request for amendment of this chapter or contract zone shall be published at least twice, the first advertisement shall be published at least twelve (12) days prior to the date of the public hearing and the second notice shall be published at least seven (7) days prior to the public hearing.

D. Hearing procedure.

(1) Any persons may appear in person or by agent or attorney at the hearing. Hearings shall not be continued to other times except for good cause.

(2) The board or committee conducting the public hearing may ask staff to attend and/or present plans, photographs, or other materials it deems appropriate for an understanding of the subject of the public hearing.

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(3) Persons wishing to share complex data, reports, or arguments are encouraged to submit the information in writing seven (7) days in advance of the hearing.

(4) Individuals and organizations with comparable positions in support or opposition are encouraged to be brief and not provide duplicative comments.

(5) Anyone wishing to present testimony before the board or committee shall provide his/her name and address. Representatives of organizations including, but not limited to, City Committees and Homeowners' Associations, shall state for the record at the outset of his/her presentation whether the organization has authorized the substance of what is being presented.

(6) To maintain orderly procedure, anyone wishing to present testimony shall be allowed to proceed without interruption. Following testimony, members of the board or committee shall have the opportunity to raise questions.

(7) The hearing shall be closed after all parties have been heard. If additional time is needed, the hearing may be continued to a later date. All participants shall be notified of the date, time, and place of the continued hearing.

(8) Once the public hearing is closed, all further comment by the public and/or the applicant shall only be allowed through the Chair. The Chair may limit further input from the public and/or the applicant to allow the board or committee time for deliberation on the application.

(9) In the case of extenuating circumstances, the board or committee may waive any of the above rules by unanimous vote of those in attendance upon good cause shown.

§ 280-4-2. Administrative appeals.

Any person who believes that the Code Enforcement Officer has made an error in the interpretation or application of the provisions of this chapter may appeal such determination to the Board of Appeals as an administrative appeal under the provisions of § 280-10-4-1. If the Board of Appeals finds that the Code Enforcement Officer erred in his/her interpretation of this chapter, it shall modify or reverse the action accordingly.

§ 280-4-3. Amendments.

Amendments of this chapter may be initiated by the City Council, the Planning Board, an individual or corporation or other entity having control of the property that is the subject of the request, or by petition by five percent (5%) or more of the registered voters of the City as provided for by the City Charter.

A. Fee.

(1) Any request for amendments of the text of this chapter or for changes in zone boundaries or other revision to the Zoning Maps initiated by the City Council or Planning Board or by petition by five percent (5%) or more of the registered voters of the City in conformance with the City Charter shall not be required to pay a fee.

(2) All other requests for a zoning amendment shall be accompanied by a filing fee established by the City Council and administered in conformance with § 280-3-4.

B. Required information. All proposals for an amendment or map change shall be accompanied by the following information:

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(1) Address or exact location of the request, the exact location and dimensions of any changed district boundaries, and a location map that shows the relationship of the location to the surrounding area. Any proposed map changes shall be shown on the appropriate Assessor's tax map and shall indicate tax map and lot numbers.

(2) Name, address, and phone number of property owner.

(3) Name, address, and phone number of applicant.

(4) Statement regarding existing and proposed land use.

(5) Existing and proposed zoning classification or ordinance language.

(6) Statement regarding the way in which the proposed amendment or change complies with or promotes the City's Comprehensive Plan.

(7) Documentation of right, title, or interest.

(8) Documentation of financial ability to carry out the purpose of the amendment or change, if any.

C. Notification of abutters, advertising in newspaper, and posting. A public hearing shall be held on all requests for amendment of this chapter in conformance with § 280-4-1.

D. Planning Board recommendation. Within thirty (30) days following the date of the public hearing, the Planning Board shall send a written report of its findings and recommendation to the City Council, which shall conduct its own public hearing, with notice as provided in the City Charter. A representative of the Planning Board shall attend such public hearing.[23]

§ 280-4-4. Relation to other ordinances.

This chapter shall not repeal any other ordinance relating to the use of land or buildings, however, where this chapter imposes greater restrictions, it shall control.

§ 280-4-5. Severability.

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

23. Editor's Note: See also Article V, Planning Board.

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ARTICLE V
Planning Board

§ 280-5-1. Creation and purpose.

Pursuant to 30-A M.R.S.A. § 3001, there is hereby created a Planning Board for the City for purpose of serving as an advisory board in matters relating to the planned development and general land use of the City.

§ 280-5-2. Membership; terms of office; qualifications; vacancies; removal.

A. The Planning Board shall consist of seven (7) members who shall be appointed by the City Council and who shall serve without pay and who shall be representatives of the City at large. Each member shall be appointed for three (3) years or until a successor is appointed. Members appointed shall be residents of the City. A City Councilor or his/her spouse may not be a member of the Planning Board.

B. A vacancy may occur by reason of resignation, death, giving up residency or failure to attend at least seventy-five percent (75%) of all meetings during the previous twelve (12) months. The Chair of the Board shall immediately notify the City Council in writing of any vacancy when it occurs.

C. Members may be removed for cause by the City Council after presentation of written charges and public hearing.

§ 280-5-3. Officers; meetings; records; votes.

A. At the first regular meeting of the Board in January of each year, the members shall meet and elect a Chair and Vice Chair and such other officers as it may determine to serve for a period of one (1) year or until a successor is elected, and a member may succeed himself or herself in office if so elected. The Planning Board shall hold a regular monthly meeting and other meetings as it deems necessary from time to time. Any records deemed public records under state law may be inspected at the Planning Department during regular business hours.

B. On any and all voting matters pertaining to recommended adoption or amendments of the Comprehensive Plan or to proposed adoption or amendment of land use ordinances, an affirmative vote of a majority of all members of the Planning Board shall be necessary for its passage and only after a public hearing has been conducted on the matter. All other voting matters shall be decided by a majority vote of those present and voting and shall require at least three (3) affirmative votes.

§ 280-5-4. Powers and duties.

A. The Planning Board shall exercise such powers and perform such duties and other functions as are authorized and provided for under the City's ordinances and the laws of the State of Maine pertaining to zoning, subdivisions and land use throughout the City. Any amendments to the Comprehensive Plan as recommended by the Planning Board shall be submitted to the City Council for adoption.

B. The Planning Board shall have such other powers and perform such other duties as may be necessary for the administration of its affairs on behalf of the City, including, without limitation, the adoption of bylaws and the procurement of goods and services necessary for its proper functions.

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ARTICLE VI
(Reserved)[24]

24. **Editor's Note: Former Art. VI, Zoning Board of Appeals, was repealed 5-7-2019 by Order No. 19-258-01. See now Ch. 10, Appeals, Board of.**

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ARTICLE VII
Nonconformance

§ 280-7-1. Intent; transfer of ownership; maintenance.

A. Intent. It is the intent of this chapter to promote land use conformities, except that nonconforming conditions that existed before the effective date of this chapter shall be allowed to continue, subject to the requirements set forth in this article.

B. Transfer of ownership. Nonconforming structures, lots, and uses may be transferred, and the new owner may continue the nonconforming use or continue to use the nonconforming structure or lot, subject to the provisions of this chapter.

C. Repair and maintenance. This chapter allows, without a permit, the normal upkeep and maintenance of nonconforming uses and structures, including repairs or renovations which do not involve expansion of the nonconforming use or structure, and such other changes in a nonconforming use or structure as federal, state, or local building and safety codes may require.

§ 280-7-2. Nonconforming structures.

A. Expansions. A structure which does not conform to the dimensional requirements of the zone in which it is located may be added to or expanded after obtaining a permit from the Code Enforcement Officer if such addition or expansion does not increase the nonconformity of the structure.

B. Relocation. **[Amended 5-7-2019 by Order No. 19-258-01]**

(1) A nonconforming structure may be relocated within the boundaries of the lot on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent, as determined by the Code Enforcement Officer in conformance with the purposes of this chapter, and provided that, if the use is not connected to the public sewerage system, the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and the State of Maine Subsurface Wastewater Disposal Rules or that a new system can be installed in compliance with the law and said rules. The Code Enforcement Officer shall notify abutters of the request for a building permit in compliance with § 280-4-1B. The Code Enforcement Officer shall determine whether the application is in compliance with § 280-7-2B(2) and, if she/he determines that there are no unresolved issues raised by abutters within ten (10) days of when notice of the application is sent, shall grant the permit. The Code Enforcement Officer may ask the Planning Board to review the request and make the determination if there are unresolved issues raised by abutters or if she/he finds that the scale or complexity of the proposal warrants review by the Board or other elements of the proposal require review by the Board. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming. **[Amended 9-20-2022 by Order No. 22-440-01]**

(2) In determining whether the building relocation meets the setback to the greatest practical extent, the Code Enforcement Officer or Planning Board shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system, if any, and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.

C. Reconstruction or replacement.

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(1) Any nonconforming structure which is located less than the required setback from the property line and which is removed or damaged or destroyed may be reconstructed or replaced provided that a permit is obtained within one (1) year of the date of said damage, destruction, or removal and provided that such reconstruction or replacement is in compliance with the setback requirement to the greatest practical extent as determined by the Code Enforcement Officer in accordance with the purposes of this chapter. The Code Enforcement Officer shall notify abutters of the request for a building permit in compliance with § 280-4-1B. The Code Enforcement Officer shall determine whether the application is in compliance with § 280-7-2C(2) and if she/he determines that there are no unresolved issues raised within ten (10) days of when notice of the application is sent, shall grant the permit. The Code Enforcement Officer may ask the Planning Board to review the request and make the determination if there are unresolved issues raised by abutters or if she/he finds that the scale or complexity of the proposal warrants review by the Board or other elements of the proposal require review by the Board. In no case shall a structure be reconstructed or replaced so as to increase its nonconformity. **[Amended 5-7-2019 by Order No. 19-258-01]**

(2) In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent, the Planning Board shall consider, in addition to the criteria in § 280-7-2B(2), the physical condition and type of foundation present, if any.

D. Change of use of a nonconforming structure.

(1) The use of a nonconforming structure may not be changed to another use unless the Planning Board, after receiving a written application and holding a public hearing, determines that the new use will have no greater adverse impact on the subject or adjacent properties and resources than the existing use.

(2) In determining that no greater adverse impact will occur, the Planning Board shall require written documentation from the applicant regarding the probable effects on public health and safety, erosion and sedimentation, and water quality.

§ 280-7-3. Nonconforming uses.

A. Expansions. A use which is nonconforming in the zone in which it is located may be expanded by a total of not more than thirty percent (30%) of the gross floor area existing as of the date of adoption of this provision. The expansion may occur at one (1) time or incrementally, but in no case shall the cumulative total of additional floor area exceed the thirty percent (30%) limit.

B. Resumption prohibited. A lot, building or structure in or on which a nonconforming use is discontinued for a period exceeding one (1) year, or which is superseded by a conforming use, may not again be devoted to a nonconforming use.

§ 280-7-4. Nonconforming lots.

A. A nonconforming lot of record as of the effective date of this chapter or amendment thereto may be built upon, without the need for a variance, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership and that all provisions of this chapter, except lot size and frontage, can be met. Variances relating to setback or other requirements not involving lot size or frontage shall be obtained by action of the Board of Appeals. **[Amended 5-7-2019 by Order No. 19-258-01]**

B. Contiguous built lots.

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(1) If two (2) or more contiguous lots are in a single or joint ownership of record at the time of adoption of this chapter, and if all or part of the lots do not meet the dimensional requirements of this chapter, and if a principal use or structure exists on each lot, the nonconforming lots may be conveyed separately or together, provided that the State Minimum Lot Size Law[25] and Subsurface Wastewater Disposal Rules are complied with. **[Amended 9-20-2022 by Order No. 22-440-01]**

(2) If two (2) or more principal uses or structures existed on a single lot of record on the effective date of this chapter, each may be sold on a separate lot, provided that the above-referenced law and rules are complied with. When such lots are divided each lot thus created shall be as conforming as possible to the dimensional requirements of this chapter as determined by the Planning Board.

C. Contiguous lots, vacant or partially built. When two (2) or more contiguous lots are in single or joint ownership of record at the time of adoption or amendment of this chapter or any time thereafter, if any of these lots do not individually meet the dimensional requirements of this chapter or subsequent amendments, and if one (1) or more of the lots is vacant or contains no principal structure, the lots shall be combined to the extent necessary to meet the dimensional requirements of this chapter; provided, however, that any two (2) or more contiguous lawful lots of record as of November 21, 1995, and located in the Rural Residential or Rural Mixed Use Zones shall not be required to be combined pursuant to this subsection. **[Amended 9-20-2022 by Order No. 22-440-01]**

25. Editor's Note: See 12 M.R.S.A. § 4807 et seq.

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ARTICLE VIII
Variances and Appeals
[Amended 5-7-2019 by Order No. 19-258-01]

§ 280-8-1. Standards for granting dimensional variances.

A. A variance shall be granted only for a use allowed in a particular zone. A dimensional variance is authorized only for height, building size, lot area, setback, or open space.

B. Undue hardship variance.

(1) The land in question cannot yield a reasonable return unless a variance is granted;

(2) The need for a variance is due to the unique circumstances of the property and not to the general condition in the neighborhood;

(3) The granting of a variance will not alter the essential character of the locality; and

(4) The hardship is not the result of action taken by the applicant or a prior owner.

C. Practical difficulty variance. The Board of Appeals may grant a variance from the setback standards of this chapter when strict application of this chapter to the applicant and the applicant's property would cause a practical difficulty and when certain conditions set forth in this subsection exist.

(1) As used in this subsection, practical difficulty means that the strict application of this chapter to the property precludes the ability of the applicant to pursue a use allowed in the zoning district in which the property is located and results in significant economic injury to the applicant.

(2) To approve a practical difficulty variance as permitted in this subsection, the Board of Appeals shall find that the following conditions exist:

(a) The need for the variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;

(b) The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;

(c) The practical difficulty is not the result of action taken by the applicant or a prior owner;

(d) No other feasible alternative to a variance is available to the applicant;

(e) The granting of the variance will not unreasonably adversely affect the natural environment; and

(f) The property is not located in whole or in part within the shoreland areas as described in 38 M.R.S.A. § 435.

D. Setback variance for a single family dwelling which is the primary residence of the applicant. The Board of Appeals may grant a setback variance for a single family dwelling only when strict application of this chapter would cause undue hardship to the applicant and the applicant's property.

(1) As used in this subsection, undue hardship means:

(a) The need for the variance is due to the unique circumstances of the property and not to the

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general condition of the neighborhood;

(b) The granting of the variance will not alter the essential character of the locality;

(c) The hardship is not the result of action taken by the applicant or a prior owner;

(d) The granting of the variance will not substantially reduce or impair the use of abutting property; and

(2) That the granting of a variance based upon demonstrated need, not convenience, and no other feasible alternative is available.

(3) A setback variance shall not be granted if it would cause the area of the dwelling to exceed the maximum permissible lot coverage.

E. Disability variance for vehicle storage. The Board of Appeals may grant a variance to an owner who resides in the dwelling and is a person with a permanent disability for the construction of a place of storage and parking for her/his personal use of a noncommercial vehicle. The width and length of the structure shall not be larger than two (2) times that of the vehicle. The applicant shall submit plans for the proposed structure with the request for a variance.

(1) The applicant shall prove by a preponderance of the evidence that the disability is permanent. All medical records and other documents submitted to demonstrate a permanent disability shall be confidential.

(2) The applicant shall demonstrate that the noncommercial vehicle is owned by the applicant, weighs no more than six-thousand (6,000) pounds in conformance with 29-A M.R.S.A. § 101(42), and bears a disability registration in conformance with 29-A M.R.S.A. § 521.

(3) The Board of Appeals may impose conditions on the disability variance for vehicle storage.

F. Disability permit for access to a dwelling. As authorized by 30-A M.R.S.A. § 4353(4A), the Code Enforcement Officer is authorized to issue a permit to an owner of a dwelling for the purpose of making a dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. If the permit includes a variance, the permit is deemed to include that variance, solely for the installation of equipment or construction of structures necessary for access to or egress from the dwelling for the person with a disability, including ramps and associated railings, walls, or roof systems necessary for the safety or effectiveness of the ramps. The Code Enforcement Officer may ask the Board of Appeals to review the request if there are unresolved issues raised by abutters or if she/he finds that the scale or complexity of the proposal warrants review by the Board or other elements of review require review by the Board. All medical records submitted to the Code Enforcement Officer and any other documents submitted for the purpose of describing or verifying a person's disability are confidential. The Code Enforcement Officer may ask the Board of Appeals to impose conditions on the disability permit for access to a dwelling, including limiting the permit to the duration of the disability or to the time that the person with the disability lives in the dwelling.

§ 280-8-2. Appeal procedure.

Filing of appeal.

A. The applicant shall file his/her appeal with the Code Enforcement Officer, shall specify the grounds for the appeal and/or for the variance, and shall submit a filing fee established by the City Council in conformance with § 280-3-4. Upon receipt of the application, the Code Enforcement Officer shall

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notify the Chair of the Board of Appeals.

B. For an administrative appeal, a person aggrieved by a decision of the Code Enforcement Officer shall commence his/her appeal within thirty (30) days after a decision is made by the Code Enforcement Officer.

§ 280-8-3. Recording of variances.

If the Board of Appeals grants a variance under this article, the Code Enforcement Officer shall prepare a certificate indicating the name of the current property owner, the property referenced in the last recorded deed in its chain of title, and the fact that a condition has been granted, and the date of the granting in record this certificate in the York County Registry of Deeds and provide the Code Enforcement Officer with a copy of the recorded variance, with the book and page number from the Registry of Deeds, within ninety (90) days of the date of the final written approval of the variance or the variance is void. The variance is not valid until recorded as provided in this section. For the purpose of this section, the date of the final written approval shall be the date stated on the written approval.

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ARTICLE IX
Zoning Districts and Zoning Maps

§ 280-9-1. Zoning districts.

The area of the City shall be divided into zones as identified in Articles IX and X. The use of land, buildings, and structures shall conform to the standards of the zone in which it is located except as otherwise provided in this chapter. In addition, all uses shall conform to Chapter 265: Floodplain Management, Chapter 270: Shoreland Zoning, and Chapter 275: Subdivision of Land.

§ 280-9-2. Official Zoning Maps.

The location and boundaries of the above zones are hereby established as shown on a map titled "Official Zoning Map of the City of Sanford" dated February 1, 2014, certified by the attested signature of the City Clerk and kept on file at City Hall[26] and on the Airport Clear Zone Map, Airport Protection Overlay Zone Map, Transmitter Tower Overlay Zone Map, Rushton Street Institutional Controls Overlay Map and Public Water Supply Protection Districts Maps, which maps, with all explanatory matter thereon and all amendments thereto, shall be deemed to be and are hereby made a part of this chapter.

§ 280-9-3. Zoning boundaries.

The location of the zones shall be as shown on the Official Zoning Maps. Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

B. Boundaries indicated as approximately following well-established lot lines shall be construed as following such lot lines, even if the location of such lines is inaccurately represented on the Zoning Maps or tax maps.

C. Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits.

D. Boundaries indicated as following shorelines shall be construed to follow the normal high-water line, and in the event of natural change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center line.

E. Boundaries indicated as being parallel to or extensions of features indicated in § 280-9-3A through D shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map. Any conflict between the Zoning Map and description of metes and bounds in a deed shall be resolved in favor of the description by metes and bounds.

F. Where physical or cultural features existing on the ground deviate from those shown on the Zoning Map or as described in this section, or in circumstances where the items covered by § 280-9-3A through E are not clear, the Zoning Board of Appeals shall interpret the zone boundaries.

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26. Editor's Note: The Zoning Map is included as an attachment to this chapter.

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§ 280-9-4. Division of lots by zone boundaries.

Zone boundaries shall follow property lines as of the date of this revision, February 1, 2014. If it is found that a boundary line of a zone divides a lot, then the property owner may petition the Planning Board for one (1) of the zone designations for the entire lot. Where the boundary line of a zone divides a lot having frontage on a street in the less restricted zone, the provisions of this chapter covering the less restricted portion of such lot may extend to the entire lot, but in no case for a distance of more than thirty (30) feet beyond the zone boundary. Where the boundary line of a zone divides a lot having frontage only on a street in a more restricted zone, the provision of this chapter covering the more restricted portion of such lot shall extend to the entire lot.

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ARTICLE X
Establishment of Zones

§ 280-10-1. Division of City into zones.

To implement the provisions of this chapter, the City is hereby divided into the following zones:

A. Rural Residential Zone (RR).

B. Rural Mixed Use Zone (RMU).

C. Single-Family Residential Zone (SFR).

D. Residential Development Zone (RD).

E. Urban Zone (UB).

F. Industrial Business Zone (IB).

G. Industrial Reuse Zone (IR).

H. Airport Development Zone (AD).

(1) Airport Development Zone Airport Subdistrict.

(2) Airport Development Zone Support Subdistrict.

I. Public Water Supply Protection Districts.

J. Mousam River Watershed.

K. Great Works River Watershed.

L. Airport Protection Overlay Zone and Airport Clear Zone.

M. Transmitter Tower Overlay Zone.

N. Rushton Street Institutional Controls Overlay I and II Zones.

O. Sanford Downtown Design District Overlay Zone.

P. Springvale Village Design District Overlay Zone.

Q. Urban Overlay District. **[Amended 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01]**

R. Residential Development Overlay (RDO) Zone. **[Added 11-23-2021 by Order No. 21-494-01]**

§ 280-10-2. Shoreland zoning.

In addition to the zones created in this chapter, the City has adopted Chapter 270: Shoreland Zoning. This chapter creates two (2) additional zones, a Resource Protection Zone and a Shoreland Overlay Zone. The areas covered by these zones are defined in Chapter 270 and are shown on the Official Shoreland Zoning Map of the City. In adopting these provisions, the City's standards are intended to be at least as restrictive as the state's shoreland zoning provisions.

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§ 280-10-3. Floodplain management.

In addition to the requirements of this chapter, areas of the City are located within flood hazard areas as defined by Chapter 265: Floodplain Management and shall comply with the additional requirements of that chapter.

§ 280-10-4. Contract zoning.

A. Contract zoning authorized. Pursuant to 30-A M.R.S.A. § 4352(8), contract zoning is hereby authorized for development where, for reasons such as the unusual nature or unique location of the development proposed, the City Council, exercising its sole and exclusive judgment as the legislative body of the City, finds it necessary or appropriate to impose, by agreement with the property owner or otherwise, certain conditions or restrictions not generally applicable to other properties similarly zoned. All rezoning under this section shall establish rezoned areas that are compatible with the existing and permitted uses within the original zones. Nothing in this section shall authorize a rezoning, or an agreement to change or retain a zone, that is inconsistent with the Comprehensive Plan.

B. Relationship to shoreland zoning. A lot rezoned under this section may include land areas subject to Chapter 270: Shoreland Zoning, but any provision of a contract zoning amendment adopted by the City Council that removes or modifies any restrictions or limitations imposed by Chapter 270 shall not take effect until approved by the Commissioner of Environmental Protection as required by 38 M.R.S.A. § 438-A(3), as may be amended from time to time. **[Amended 9-20-2022 by Order No. 22-440-01]**

C. Conceptual sketch plan.

(1) A person wishing to propose contract zoning under this section may, prior to filing an application, submit a conceptual sketch plan to the Site Plan Review Committee together with a sketch plan review fee in such amount as the City Council may from time to time establish by City Council order. The conceptual sketch plan submission shall include, at a minimum, the following information:

(a) A map showing existing and proposed zoning district lines.

(b) The address or exact location of the request, including the Assessor's map references for the property to be rezoned.

(c) The name, address and telephone number of the property owner and of the applicant, if the applicant is not the owner.

(d) Evidence of the applicant's right, title or interest in the property.

(e) A site analysis that describes the major features of the property, allowing the Site Plan Review Committee to make an informed judgment about how it will be used. Section 275-15, as may be amended from time to time, shall be used as a guideline for preparation of the site analysis.

(f) A conceptual development plan showing the approximate layout of all buildings, structures, streets, driveways, parking areas and other significant improvements to be constructed on or above the surface of the ground plus any proposed open spaces, conservation areas, buffer areas or other features of the development, but it is not required to show subsurface infrastructure installations, building plans, engineering plans or other

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details which would be required for a subdivision plan or site plan.

(g) A statement describing the existing use of the property and the proposed new use and development and describing how the proposed contract zone will be consistent with the Comprehensive Plan, shall be consistent with existing and permitted uses within the existing zoning district classification of the property, and shall have beneficial effects on the City as a whole which would not result if the property were developed under the existing zoning district classification.

(2) Such sketch plan review by the Site Plan Review Committee will not be binding on the applicant or the City but is intended to permit informal evaluation of the proposed rezoning before formal application to the Planning Board. The sketch plan review fee is nonrefundable.

D. Application procedures.

(1) Application. Notwithstanding § 280-10-4A, any proposal to amend the Official Zoning Map of the City through the establishment of a contract zone shall be filed with the Planning Board. A contract zone application shall be in writing in such form as prescribed by the City and shall include, at a minimum, the following information:

(a) All of the information required to be submitted for the conceptual sketch plan review.

(b) A proposed contract zoning agreement which complies with the requirements of this section.

(c) Any other information requested by the Planning Department and/or the City Engineer.

(d) A nonrefundable application fee in such amount as the City Council may from time to time establish by City Council order.

(2) Fees. **[Amended 12-20-2016 by Order No. 16-158.07]**

(a) Any request for contract zoning shall be accompanied by a filing fee established by the City Council and administered in conformance with § 280-3-4.

E. Public hearing. **[Amended 5-7-2019 by Order No. 19-258-01]**

(1) The Planning Board shall notice and conduct a public hearing in conformance with § 280-4-1 prior to any property being rezoned under this section.

F. City Council action on contract zoning request.

(1) If the City Council approves a request for contract zoning, the City Council shall simultaneously approve an agreement setting forth the conditions and restrictions to apply to the property, including time limits for compliance with all conditions and restrictions. Such agreement shall include a provision granting the City the power to enforce all conditions and restrictions, both through enforcement action pursuant to this chapter and through legal action for specific performance. The rezoning shall not be effective until the agreement is executed, delivered to the City Council and recorded by the applicant at the York County Registry of Deeds within thirty (30) days after the City Council approves the request for rezoning. If the agreement is not recorded within this period, the approval shall be null and void. Prior to the expiration of the thirty (30) day period, the City Council may extend the time limit for an additional thirty (30) days upon written request by the applicant and a finding that such extension is consistent with the agreement. **[Amended 8-20-2019 by Order No. 19-397-01]**

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(2) The conditions and restrictions set forth in the agreement shall run with the land and bind all future owners of the land and any other person who claims an interest in the property and may be removed only by subsequent action of the City Council expressly removing, relieving or discharging one (1) or more of the specific conditions or restrictions. If the conditions and restrictions are not fulfilled or complied with within the specified time limits, the City Council may, after review by the Planning Board, extend the time limits or may initiate a rezoning to the original zoning district classification or to another zoning district classification. The City Council may require a bond, escrow agreement, irrevocable letter of credit, or other surety in such amount as is approved by the City Manager as being reasonably necessary to ensure compliance with the conditions or restrictions required by the rezoning and, where necessary to ensure continued compliance, may require such surety to remain in effect after occupancy of rezoned property. Such surety shall be posted before the agreement is recorded at the York County Registry of Deeds.

G. Land use reviews.

(1) Where site plan or subdivision review is required for the use proposed in the rezoning request, the Planning Board may conduct the site plan or subdivision review concurrent with review of the request for rezoning, and the public hearing required by § 280-10-4E may be conducted simultaneously with a public hearing conducted as part of site plan or subdivision review. If the Planning Board determines that the proposed development meets such land use approval standards, the Planning Board shall grant preliminary, provisional approval to the plans, subject to enactment of the contract zoning amendment by the City Council. The Planning Board shall also advise the applicant of any changes or revisions to the proposed contract zoning agreement necessary to conform to the Planning Board's preliminary approval of the plan. **[Amended 5-7-2019 by Order No. 19-258-01]**

(2) After the contract zoning agreement is recorded in the York County Registry of Deeds, the Planning Board shall complete its final site plan review of the development proposal and final subdivision review, if required. In the case of a subdivision, the Planning Board shall adopt, as its findings under 30-A M.R.S.A. § 4404(9) and Chapter 275: Subdivision of Land, the findings made by the City Council regarding consistency with the Comprehensive Plan.

(3) Notwithstanding any other provision of this section, where the development proposed in a request for contract zoning is designed to be constructed in phases and the Planning Board concludes that it would be impractical to require preliminary subdivision and/or site plan review and approval of all phases before approval of the contract zoning amendment, the Planning Board, in its discretion, may waive the provisions of this section requiring the Planning Board to approve a preliminary plan before the City Council takes final action on the contract zoning amendment, but only with respect to phases subsequent to the first phase of the development to be constructed. If the Planning Board grants such a waiver, the City shall include a phasing schedule in the contract zoning agreement, specifying the dates for completion of the subdivision and/or site plan review, and may reserve in the contract zoning agreement the right of the City Council to review the plans for subsequent phases prior to their construction.

H. Contract zoning agreement.

(1) Conditions and restrictions imposed under the authority of this section shall relate only to the physical development and operation of the property and may include, by way of example:

(a) Limitations on the number and types of uses permitted;

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(b) Restrictions on the scale and density of development;

(c) Specifications for the design and layout of building and other improvements, including landscaping;

(d) Schedules for commencement and completion of construction;

(e) Performance guarantees securing completion and maintenance of improvements, including landscaping, and guarantees against defects;

(f) Preservation of open space and buffers, and protection of natural areas and historic sites;

(g) Contributions toward the provision of municipal services required by the development;

(h) Provisions for enforcement and remedies for breach of any condition or restriction; and

(i) Provisions for reservation or dedication of land for public purposes.

(2) The City Council may impose conditions under this section that are more restrictive than the applicable requirements of this chapter.

I. No rights created before City Council vote. The submission of a request for contract zoning under this section, the payment of application fees, or the expenditure of funds by the applicant in presenting such a request shall not create any vested rights in the application. The availability of contract zoning under this section shall not be construed as creating any entitlement to approval of any request. The decision whether or not to rezone remains committed to the City Council, exercising its sole and exclusive judgment as the legislative body of the City.

J. Time period for renewal of contract zoning request. No proposal to amend the Official Zoning Map under this section shall be entertained within one (1) year from the date of denial of the same request.

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ARTICLE XI
Zone Requirements

§ 280-11-1. General provisions.

All land use activities within the City shall conform to the use, development, and performance standards of the zone in which such use is located. Throughout this article reference is made to the Table of Land Uses[27] in which permitted uses, uses allowed with site plan review, and conditional uses are organized by categories of use, such as residential uses or institutional uses. These headings or categories shall carry no legal meaning, but rather serve only for organizational purposes.

§ 280-11-2. Rural Residential Zone (RR).

A. Purpose. The purpose of the Rural Residential (RR) Zone is to provide areas in the City which promote high-quality rural residential environments in sections of the community which cannot be served by public water and sewerage systems, while maintaining the rural character of these areas.

B. Permitted uses.

(1) Uses shown on the Table of Land Uses as being permitted uses shall be permitted by right in the RR Zone.

(2) Those lots listed below are considered nonconforming lots of record at the time they were rezoned in 2006 from Residential Development and may be built upon, without the need for a variance, with a single-family detached dwelling, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership and that all provisions of the Residential Development Zone can be met. **[Amended 9-20-2022 by Order No. 22-440-01]**

Lots Rezoned Residential Development to Rural Residential February 2006 Considered Preexisting Nonconforming				
R8-3	G17-1	G17-3	R8-35B	G17-2
H17-3	R8-30	G17-4	H17-4	G17-8
G17-7	H17-5	R8-6A	G17-6	R8-28
R6-69C	R8-5B	R6-69	R8-5F	R6-69D
H18-11	R8-7	R8-5D	R11-55C	R11-90
R11-55B	R6-56	R8-72C	R8-72D	R8-8

C. Uses permitted with site plan review. Uses outlined in the Table of Land Uses as being permitted with site plan review in the RR Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article XVI. **[Amended 12-3-2019 by Order No. 19-168-01; amended 9-20-2022 by Order No. 22-440-01]**

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the RR Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

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27. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review or a conditional use in the RR Zone shall be prohibited within the RR Zone.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the RR Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Maximum net residential density: one (1) dwelling unit per two (2) net acres.

(b) Minimum lot size: see § 280-11-2F(2)(e).

(c) Minimum lot area per dwelling unit: see § 280-11-2F(2)(e).

(d) Minimum street frontage:

[1] Arterial or collector in designated resource conservation areas: three-hundred (300) feet.

[a] Route 11A from Hanson Ridge Road to Harry Howes Road.

[b] The Hanson Ridge Road.

[2] Arterial: two-hundred (250) feet.

[3] Collector: two-hundred-fifty (250) feet.

[4] Existing local street: two-hundred (200) feet.

[5] Proposed local street: one-hundred (100) feet.

(e) Minimum front setback (principal and accessory buildings).

[1] Arterial: seventy-five (75) feet.

[2] Collector: forty (40) feet.

[3] Existing local street: forty (40) feet.

[4] Proposed local street: twenty-five (25) feet.

(f) Minimum side and rear setbacks.

[1] Principal residential buildings: fifteen (15) feet.

[2] Combined side setbacks of residential buildings: forty (40) feet.

[3] Accessory buildings or structures: fifteen (15) feet, except when they directly abut a building used for agricultural purposes.

[4] Nonresidential buildings or structures: one (1) foot for each foot of height but not less than thirty (30) feet, excluding agricultural buildings.

(g) Minimum vegetated area, side and rear, nonresidential use: twenty (20) feet.

(h) Maximum height.

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[1] Residential buildings and structures: thirty-five (35) feet.

[2] Nonresidential buildings and structures: fifty-five (55) feet.

[3] Transmitter towers and wind generators: none.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-2F(1), the following standards shall apply as indicated:

(a) Subdivisions. The division of any lot of land containing ten (10) or more acres as of the date of adoption of this subsection shall: **[Amended 9-20-2022 by Order No. 22-440-01]**

[1] Be a cluster subdivision meeting the requirements of § 280-15-4; or

[2] Conform to the following development standards:

[a] Access to all new lots shall be from an existing or proposed local street as defined in this chapter unless no other reasonable alternative is feasible as determined by the Planning Board.

[b] A forty (40)-foot area adjacent to any existing street or road shall be maintained as a vegetated buffer.

[c] Where tree lines or wooded areas exist along existing streets or roads, an effort shall be made to preserve these features and suitable provisions made to protect them through deed covenants or easements.

[d] The layout of lots and the placement of buildings on lots shall respect natural features, including wetlands, streams, and wildlife habitat, as well as existing site features, such as tree lines and stone walls. In approving plans for subdivisions, the Planning Board may require the identification of building envelopes within which all construction and development shall occur.

(b) Reuse of agricultural buildings. Agricultural buildings existing as of the date of adoption of this section may be reused for nonresidential purposes subject to the following limitations:

[1] There is no retail sale of goods not otherwise allowed in the zone.

[2] The nonresidential activity occurs completely within the agricultural building and there is no outside storage of materials, equipment, or products.

[3] The architectural character of the building is maintained.

[4] Exterior changes in the structure shall be limited to minor changes and/or additions needed to provide access or comply with code requirements.

(c) Outdoor storage of machinery, equipment, materials, or products. Any outdoor storage permitted in conjunction with an allowed nonresidential use shall be screened from view from any public street or road or adjacent lot in residential use by fencing or sight-impervious vegetation or a combination thereof. This requirement shall not apply to the normal use and storage of farm equipment in conjunction with an agricultural use.

(d) Child-care center or nursery school for more than thirteen (13) children. In addition to the requirements of conditional use, child-care center or nursery school for thirteen (13) or

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more children shall comply with the following standards: **[Amended 8-21-2018 by Order No. 18-348-01]**

[1] Minimum lot size shall be eight (8) acres.

[2] The lot shall have four-hundred-fifty (450) feet of frontage on Route 109 or Route 4. When a lot fronts on either Route 109 or Route 4 and another road, access shall be from Route 109 or Route 4. **[Amended 9-20-2022 by Order No. 22-440-01]**

[3] All building improvements associated with the proposed use shall meet the following minimum vegetated front, side, and rear setbacks.

[a] Front yard setback: one-hundred (100) feet.

[b] Side and rear yard setback: seventy-five (75) feet.

[4] The use shall serve a maximum of forty-nine (49) children. An existing facility shall only be allowed to expand the number of children if the property is located on an arterial, shall demonstrate that there are adequate provisions for water supply and sanitary wastewater disposal, and shall require conditional use approval.

[5] The use shall occur either within a single-family detached dwelling or a separate structure. When the proposed use will be located in a separate structure, the structure shall be used exclusively for the child-care center or nursery school.

(e) Individual lot sizes. The creation of any individual lot shall conform to the maximum net residential density provision of one (1) dwelling unit per two (2) net acres. Individual lots may be as small as forty-thousand (40,000) square feet provided that the cumulative net residential density of all lots created from the original lot conforms to the density standard. If a lot with a lot area of less than two (2) net acres or less than two (2) net acres per proposed dwelling unit is proposed to be created, the owner shall provide the Code Enforcement Officer with written evidence that the lot will be in conformance with the maximum net residential density requirement of one (1) dwelling unit per two (2) net acres. This evidence may include, but is not limited to, the following: **[Amended 9-20-2022 by Order No. 22-440-01]**

[1] Evidence that the lot is part of an approved subdivision that conforms to the maximum density requirement.

[2] Evidence that the proposed lots, in conjunction with other lots created from the same lot, conforms to the maximum density requirement.

[3] Evidence that, in addition to the proposed lots, a conservation area on the same lot, adequate to allow the combination of the lots and conservation area to conform to the maximum density requirement, has been permanently restricted from development through a conservation or similar easement.

(3) Performance standards. Uses within the RR Zone shall conform to all applicable performance standards, including but not limited to the following.

(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

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(c) § 280-15-4: Residential cluster development standards.

(d) § 280-15-5: Manufactured housing.

(e) § 280-15-6: Mineral extraction standards.

(f) § 280-15-7: Archaeological and historic resources.

(g) § 280-15-10: Marijuana standards. **[Amended 5-5-2020 by Order No. 19-874-01]**

G. Overlay districts.

(1) Areas within the RR Zone are located within the Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter 270.

(2) Areas within the RR Zone may be located within the Airport Protection Overlay Zone as defined in § 280-11-10. The provisions of that section shall apply to all use of land within the Airport Protection Overlay Zone.

H. Flood management. Areas of the RR Zone which are located within flood hazard areas as defined by Chapter 265: Floodplain Management shall additionally comply with the terms of that chapter.

§ 280-11-3. Rural Mixed Use Zone (RMU).

A. Purpose. The purpose of the Rural Mixed Use (RMU) Zone is to provide areas in the City which foster a working rural environment, including a mix of residential and traditional rural uses, while maintaining the rural character of these areas.

B. Permitted uses. Uses shown on the Table of Land Uses[28] as being permitted uses shall be permitted by right in the RMU Zone.

C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being permitted with site plan review in the RMU Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article XVI.

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the RMU Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the RMU Zone shall be prohibited within the RMU Zone.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the RMU Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Maximum net residential density: one (1) dwelling unit per two (2) net acres.

(b) Minimum lot size: See § 280-11-3F(2)(a)[2][e].

(c) Minimum lot area per dwelling unit: See § 280-11-3F(2)(a)[2][e].

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28. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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(d) Minimum street frontage.

[1] Arterial: two-hundred-fifty (250) feet.

[2] Collector: two-hundred-fifty (250) feet.

[3] Existing local street: two-hundred (200) feet.

[4] Proposed local street: one-hundred (100) feet.

(e) Minimum front setback (principal and accessory buildings).

[1] Arterial: seventy-five (75) feet.

[2] Collector: forty (40) feet.

[3] Existing local street: forty (40) feet.

[4] Proposed local street: twenty-five (25) feet.

(f) Minimum side and rear setbacks.

[1] Principal residential buildings: fifteen (15) feet.

[2] Combined side setbacks of residential buildings: forty (40) feet.

[3] Accessory buildings or structures: fifteen (15) feet, except when they directly abut an agricultural building.

[4] Nonresidential buildings or structures: one (1) foot for each foot of height but not less than thirty (30) feet, excluding agricultural buildings.

(g) Minimum vegetated area, side and rear, nonresidential use: twenty (20) feet.

(h) Maximum height.

[1] Residential buildings and structures: thirty-five (35) feet.

[2] Nonresidential buildings and structures: fifty (55) feet.

[3] Wind generators: none.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-3F(1), the following standards shall apply as indicated:

(a) Subdivisions. The division of any lot of land containing ten (10) or more acres as of the date of adoption of this subsection shall: **[Amended 9-20-2022 by Order No. 22-440-01]**

[1] Be a cluster subdivision meeting the requirements of § 280-15-4; or

[2] Conform to the following development standards:

[a] Access to all new lots shall be from an existing or proposed local street as defined in this chapter unless no other reasonable alternative is feasible as determined by the Planning Board.

[b] A forty (40)-foot area adjacent to any existing street or road shall be maintained

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as a vegetated buffer.

[c] Where tree lines or wooded areas exist along existing streets or roads, an effort shall be made to preserve these features and suitable provisions made to protect them through deed covenants or easements.

[d] The layout of lots and the placement of buildings on lots shall respect natural features, including wetlands, streams, and wildlife habitat, as well as existing site features, such as tree lines and stone walls. In approving plans for subdivisions, the Planning Board may require the identification of building envelopes within which all construction and development shall occur.

[e] Individual lot sizes. The creation of any individual lot shall conform to the maximum net residential density provision of one (1) dwelling unit per two (2) net acres. Individual lots may be as small as forty-thousand (40,000) square feet provided that the cumulative net residential density of all lots created from the original lot conforms to the density standard. If a lot with a lot area of less than two (2) net acres or less than two (2) net acres per proposed dwelling unit is proposed to be created, the owner shall provide the Code Enforcement Officer with written evidence that the lot will be in conformance with the maximum net residential density requirement of one (1) dwelling unit per two (2) net acres. This evidence may include, but is not limited to, the following:

[i] Evidence that the lot is part of an approved subdivision that conforms to the maximum density requirement.

[ii] Evidence that the proposed lots, in conjunction with other lots created from the same lot, conforms to the maximum density requirement.

[iii] Evidence that, in addition to the proposed lots, a conservation area on the same lot, adequate to allow the combination of the lots and conservation area to conform to the maximum density requirement, has been permanently restricted from development through a conservation or similar easement.

(b) Reuse of agricultural buildings. Agricultural buildings existing as of the date of adoption of this section may be reused for nonresidential purposes subject to the following limitations:

[1] There is no retail sale of goods not otherwise allowed in the zone.

[2] The nonresidential activity occurs completely within the agricultural building and there is no outside storage of materials, equipment, or products.

[3] The architectural character of the building is maintained.

[4] Exterior changes in the structure shall be limited to minor changes and/or additions needed to provide access or comply with code requirements.

(c) Outdoor storage of machinery, equipment, materials, or products. Any outdoor storage permitted in conjunction with an allowed nonresidential use shall be screened from view from any public street or road or adjacent lot in residential use by fencing or sight-impervious vegetation or a combination thereof. This requirement shall not apply to the

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normal use and storage of farm equipment in conjunction with an agricultural use.

(d) Access limitations to Route 4. In addition to the general access limitations set forth in §§ 280-14-4 and 280-14-5, any nonresidential use, located on a lot with frontage on Route 4 shall either: **[Amended 1-21-2020 by Order No. 19-580-01; 4-7-2020 by Order No. 19-772-01; 5-5-2020 by Order No. 19-874-01]**

[1] Obtain its vehicular access from an existing or proposed local street, or

[2] Provide for the coordination of vehicular access with abutting properties where feasible through the use of shared or combined access drives, the creation of marginal access roads, or the interconnection of parking and service areas. The Planning Board or the Site Plan Review Committee may waive this requirement during site plan review under Article XVI if access is not feasible because of existing conditions, the layout of lots, or physical conditions of the site or adjoining lots.

(e) Residential buffer. Any commercial or industrial use, as identified in the Table of Land Uses, that abuts a lot located in a Residential Development Zone shall maintain a fifty (50)-foot buffer strip along the adjoining lot line. This buffer strip shall be maintained as a vegetated area and shall not be used for parking, storage, display of materials, placement of dumpsters, or similar items. A visual barrier shall be established within the buffer strip by landscaping and/or fencing. **[Amended 1-16-2024 by Order No. 23-518-01]**

(f) Child-care center or nursery school for more than thirteen (13) children. In addition to the requirements of conditional use, a child-care center or nursery school for thirteen (13) or more children shall comply with the following standards: **[Amended 8-21-2018 by Order No. 18-348-01]**

[1] Minimum lot size shall be eight (8) acres.

[2] The lot shall have four-hundred-fifty (450) feet of frontage on an arterial or collector road. When a lot fronts on both an arterial and/or collector road, access shall be from the collector road unless otherwise approved by the Planning Board. **[Amended 8-20-2019 by Order No. 19-397-01; 9-20-2022 by Order No. 22-440-01]**

[3] All building improvements associated with the proposed use shall meet the following minimum vegetated front, side, and rear setbacks.

[a] Front yard setback: one-hundred (100) feet.

[b] Side and rear yard setback: seventy-five (75) feet.

[4] The use shall serve a maximum of forty-nine (49) children. An existing facility shall only be allowed to expand the number of children if the property is located on an arterial, shall demonstrate that there are adequate provisions for water supply and sanitary wastewater disposal, and shall require conditional use approval.

[5] The use shall occur either within a single-family detached dwelling or a separate structure. When the proposed use will be located in a separate structure, the structure shall be used exclusively for the child-care center or nursery school.

(3) Performance standards. Uses within the RMU Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:

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(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

(c) § 280-15-4: Residential cluster development standards.

(d) § 280-15-5: Manufactured housing.

(e) § 280-15-6: Mineral extraction standards.

(f) § 280-15-7: Archaeological and historic resources.

(g) § 280-15-10: marijuana standards. **[Amended 5-5-2020 by Order No. 19-874-01]**

G. Overlay districts.

(1) Areas within the RMU Zone are located within the Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter 270.

(2) Areas within the RMU Zone may be located within the Airport Protection Overlay Zone as defined in § 280-11-10. The provisions of that section shall apply to all use of land within the Airport Protection Overlay Zone.

H. Flood management. Areas of the RMU Zone which are located within flood hazard areas as defined by Chapter 365: Floodplain Management shall additionally comply with the terms of that chapter.

§ 280-11-4. (Reserved)[29]

§ 280-11-5. Residential Development Zone (RD). [Amended 5-5-2020 by Order No. 19-874-01; 11-23-2021 by Order No. 21-494-01; 9-20-2022 by Order No. 22-440-01; 1-16-2024 by Order No. 23-517-01; 2-4-2025 by Order No. 25-33-01]

A. Purpose. The purpose of the Residential Development (RD) Zone is to provide areas in the City for the extension of a compact pattern of residential development in areas where public sewer and water service can be extended.

B. Permitted uses. Uses shown on the Table of Land Uses[30] as being permitted uses shall be permitted by right in the RD Zone.

C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being permitted with site plan review in the RD Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article XVI.

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the RD Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the RD Zone shall be prohibited within the RD Zone.

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29. Editor's Note: Former § 280-11-4, Single-Family Residential Zone (SFR), was repealed 1-16-2024 by Order No. 23-518-01, as amended.

30. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the RD Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Maximum net residential density.

[1] Basic: six (6) dwelling units per net acre.

[2] With density bonus: ten (10) dwelling units per net acre.

(b) Minimum lot size.

[1] Seven-thousand-five-hundred (7,500) square feet.

[2] Within density bonus: six-thousand (6,000) square feet.

(c) Minimum street frontage: sixty-five (65) feet.

(d) Minimum front setback (principal and accessory buildings): twenty-five (25) feet. Where the existing buildings have a uniform setback relationship to the street, any new building shall maintain the existing relationship. The setback of an expansion and/or addition to an existing structure shall not vary from the existing setback by more than eight (8) feet, except when the expansion or addition brings the existing building into greater conformance with the uniform setback relationship for the lot.

(e) Minimum side and rear setbacks: ten (10) feet.

(f) Maximum height:

[1] Thirty-five (35) feet.

[2] With density bonus: fifty (50) feet.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-5F(1), the following standards shall apply as indicated:

(a) Connection to public sewerage system. Any new development or change of use shall be connected to the public sewerage system operated by the Sewerage District, except that:

[1] For lots existing as of January 1, 2025, up to two new dwelling units shall be allowed without connecting to the public sewerage system. Each lot may be split in conformance with § 280-11-5F(1), so long as the total number of private sewer systems does not exceed two.

[2] Any change in use and/or expansion of an existing building or parcel of land which increases the design sewerage flow by less than 25%, as determined by the Maine State Plumbing Code, shall not be required to connect to the public sewerage system.

(b) Density bonus. Space and bulk requirements may be altered with review by the Planning Board to allow for increased density in conformance with the following standards:

[1] The maximum net residential density shall be increased to ten (10) dwelling units per net acre.

[2] The minimum lot size may be decreased to six thousand (6,000) square feet.

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[3] The maximum building height may be increased to 50 feet for residential structures having two (2) or more dwelling units within the primary structure.

[4] In review of proposed space and bulk standards stated in § 280-11-5F(2)(b), the Planning Board shall consider the following standards.

[a] The overall layout of the streets, lots, and buildings creates a neighborhood which has an urban character with a pedestrian orientation.

[b] The buildings are oriented to the streets in an urban fashion with buildings fronting on the streets.

[c] Parking and service areas are located to the side and rear of the buildings.

[d] The layout provides for varying lot frontages and side setbacks.

[e] Provisions are made for sidewalks or other pedestrian ways linking the neighborhood.

[f] The proposed development will be connected to the public water system operated by the Sanford Water District and the public sewerage system operated by the Sanford Sewerage District.

[g] The proposed development is compatible in building scale and mass with the neighboring buildings fronting on the same street. This includes the setback and orientation of the building to the street, the relative proportion of the height and width of the building as seen from the street, and the nature of any proposed parkland or recreational amenities; while still allowing for a variety of building forms and styles within a neighborhood.

(c) Accessory office and retail uses. Projects meeting the standards of § 280-11-5F(2)(b) may provide for low-intensity nonresidential use of not more than five percent (5%) of the total lot area of the project. These nonresidential uses shall be designed as part of the overall project and shall be limited to business and professional offices, business and personal services, and limited retail stores as defined in this chapter, subject to the granting of a conditional use permit by the Planning Board. These types of uses shall not otherwise be permitted within the zone.

(d) Commercial vehicle parking accessory to an allowed residential use. Overnight parking of not more than one (1) commercial vehicle shall be permitted in conjunction with an allowed residential use, provided that:

[1] The vehicle is parked on the same lot as the residential use;

[2] The vehicle is regularly driven by a resident of the premises; and

[3] The commercial vehicle is not over one (1) ton in size.

(e) Use of front yard. Parking of motor vehicles in the area between the front property line and the wall of the building or structure closest to the street and running the full width of the property shall be allowed only on driveways. No other parking of vehicles shall be permitted in this area.

(f) Reduced side and rear setbacks for accessory structures. The required side and rear setback

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for accessory buildings and structures may be reduced to not less than two (2) feet subject to the following:

[1] The relationship of the structure to the side and/or rear lot line shall conform to the established pattern on abutting residential lots;

[2] The accessory structure shall be located at least ten (10) feet from any other structure on the same or an abutting lot;

[3] The owners of the abutting lots adjacent to the encroachment approves of the reduced setback in writing; and

[4] The Fire Department approves of the reduced setback in writing.

(3) Performance standards. Uses within the RD Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:

(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

(c) § 280-15-4: Residential cluster development standards.

(d) § 280-15-5: Manufactured housing.

(e) § 280-15-7: Archaeological and historic resources.

(f) § 280-15-10: Marijuana standards.

G. Overlay districts. Areas within the RD Zone may be located within overlay districts and shall comply with the standards and requirements of those districts as specified, including but not limited to the following:

(1) The Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning.

(2) The Airport Protection Overlay Zone or Airport Clear Zone as defined in § 280-11-10.

H. Flood management. Areas of the RD Zone which are located within flood hazard areas as defined by Chapter 265: Floodplain Management, shall additionally comply with the terms of that chapter.

§ 280-11-6. Urban Zone (U). [Amended 10-2-2018 by Order No. 18-426-01; 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01; 12-3-2019 by Order No. 19-168-01; 5-5-2020 by Order No. 19-874-01; 9-20-2022 by Order No. 22-440-01; 3-5-2024 by Order No. 24-17-01; 5-21-2024 by Order No. 24-17-01]

A. Purpose. The purpose of the Urban (U) Zone is to provide areas for urban commercial centers within the built-up areas of the City which promote an urban rather than a suburban character of development. The development is characterized as vertical mixed use which emphasizes mixed uses in a structure, typically having two (2) or more stories, with a streetscape that encourages reduced traffic speeds and increased walkability.

B. Permitted uses. Uses, shown on the Table of Land Uses[31] as being permitted uses shall be permitted by right in the U Zone.

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31. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being permitted with site plan review in the U Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the guidelines and provisions of Article XVI.

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the U Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the U Zone shall be prohibited.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the Urban Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Front setback (principal buildings):

[1] The maximum front yard setback shall be twenty (20) feet.

[2] An applicant may request a waiver for § 280-11-6F(1)(a)[1] if one of the following conditions is met:

[a] Multiple principal buildings are proposed on one parcel and at least one structure meets the required setback;

[b] The use is residential and no other viable option for setback exists due to topography or other lot constraints;

[c] The increase setback is utilized for the inclusion of public space in the form of a plaza, seating area, landscaped pathway, or other similar amenity. Privatized areas and areas otherwise blocked from public use may be allowed with review and approval of the Planning Board; or

[d] The applicant requests a setback which maintains the uniform setback relationship of existing buildings to the street, as calculated by the Code Enforcement Officer.

(b) Front setback (accessory structures):

[1] With approval from the Code Enforcement Officer, shall be located no closer to the front property line than the principal structure.

[2] With approval from the Site Plan Review Committee, shall be allowed closer to the front property line than the principal structure.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-6F(1), the following standards shall apply as indicated:

(a) For the construction of new single-family or two-family units the Code Enforcement Officer shall review and approve the application subject to any and all applicable state or local construction and/or fire codes, and § 280-11-6F.

(b) Parking.

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[1] Minimum number of spaces required. The required number of off-street parking spaces is determined by the use as shown in § 280-14-12B(4) and may be reduced for the reuse of an existing building or with evidence of parking demand data in conformance with § 280-14-12B(4)(a).

[2] Location. Off-street parking shall be located to the side or rear of the building, unless stipulated by the following:

[a] For residential uses, parking shall be allowed in the area between the front property line and the wall of the building or structure closest to the street on driveways with a maximum width of twenty (20) feet. No other parking of vehicles shall be permitted in this area.

[b] The required parking spaces for uses in the Urban Zone may be located off-site in conformance with § 280-14-12B(1).

[c] The required parking spaces for uses in the Urban Zone may be accommodated by a shared parking agreement in conformance with § 280-14-12B(1)(b).

[3] Commercial vehicle parking accessory to an allowed residential use. Overnight parking of not more than one (1) commercial vehicle shall be permitted in conjunction with an allowed residential use, provided that:

[a] The vehicle is parked on the same lot as the residential use;

[b] The vehicle is regularly driven by a resident of the premises; and

[c] The commercial vehicle is not over one (1) ton in size.

(c) Access.

[1] Private ways, The Planning Board may allow up to ten (10) residential units on a private way in the Urban Zone in conformance with § 280-16-7T(h).

[2] Street connections. Notwithstanding § 275-51C(2), for internal subdivisions and the development of multifamily residential buildings, frontage on any public or private road shall be considered a street connection if:

[a] Emergency personnel can reasonably access the building; and,

[b] Residents can reasonably evacuate the building.

(d) Design standards. Any proposal involving the change of use of an existing building, expansion of the gross floor area of an existing building, construction of a new building or structure, exterior modification of an existing structure or site, or demolition of an existing structure in the Sanford Downtown or Springvale Village Design District Overlay Zones, except for a single family home shall conform to the design standards of § 280-15-11 and solicit review and comment by the Design Review Committee in conformance with §§ 280-16-4C and 280-16-5D prior to final review by the Planning Board, Site Plan Review Committee, Planning Director, and/or Code Enforcement Officer.

(e) Lighting. Illumination from exterior lighting shall be shielded, directed downward, and contained on the property, except as otherwise provided for in § 280-15-11 Design District standards.

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(f) Building design. The architectural design of any new buildings shall be compatible with the architectural style of neighboring buildings fronting on the same street. In determining the compatibility of any new building with the Design District Standards, the Code Enforcement Officer, Planning Director, Planning Board or Site Plan Review Committee shall consider the recommendations of the Design Review Committee on the scale and massing of the structure, the setback and orientation of the building to the street, the relative proportion of the height and width of the building as seen from the street, the overall height of the building, the roof style and pitch, the location and sizes of windows, and the exterior surface materials.

(g) Solid waste. Receptacles for solid waste may be in the form of dumpsters or smaller bins, provided that:

[1] All solid waste receptacles shall adhere to the regulations stated in § 220-26, Dumpster requirements. For the use of smaller bins, the storage area must follow all requirements.

[2] The minimum front setback shall be twenty (20) feet for all solid waste receptacles. The required setback may be reduced if site constraints prohibit the full twenty (20) feet with approval from the reviewing body as authorized under § 280-16-5.

(3) Performance standards. Uses within the U Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:

(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

(c) § 280-15-3: Industrial performance standards.

(d) § 280-15-7: Archaeological and historic resources.

(e) § 280-15-10: Marijuana standards.

G. Overlay districts. Areas within the U Zone may be located within the Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter 270.

H. Flood management. Areas of the U Zone which are located within flood hazard areas as defined by Chapter 265: Floodplain Management, shall additionally comply with the terms of that chapter.

§ 280-11-7. Industrial Business Zone (IB).

A. Purpose. The purpose of the Industrial Business (IB) Zone is to provide areas for traditional industrial and business park development in a well-planned environment where public water supply and sewerage are available or can be provided.

B. Permitted uses. Uses shown on the Table of Land Uses[32] as being permitted uses shall be permitted by right in the IB Zone.

C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being allowed with site plan review in the IB Zone shall be allowed, but only upon the receipt of approval of a

32. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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development plan in accordance with the provisions of Article XVI.

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the IB Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the IB Zone shall be prohibited within the IB Zone.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the IB Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Minimum lot size: forty-thousand (40,000) square feet.

(b) Minimum street frontage: two-hundred (200) feet.

(c) Front setback (principal and accessory buildings): fifty (50) feet.

(d) Minimum side and rear setbacks.

[1] Principal buildings: fifty (50) feet.

[2] Accessory buildings and structures: twenty (20) feet plus one (1) additional foot for each foot of building height in excess of thirty (30) feet except where residential buffer requirement applies.

(e) Maximum height.

[1] Principal buildings: fifty-five (55) feet.

[2] Accessory buildings and structures: as determined by the Planning Board.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-7F(1), the following standards shall apply as indicated:

(a) Street line landscaped area. A strip of land not less than twenty-five (25) feet in width shall be maintained as a vegetated area adjacent to the front property line. This area shall be appropriately landscaped and maintained as a vegetated area. Where tree lines exist along existing streets or roads, an effort shall be made to preserve this feature and suitable provisions made to protect it through deed covenants or easements. This vegetated area shall not be used as parking, for the storage or display of materials, or for the location of dumpsters or similar items. Access drives or streets may cross this area, but drives or accessways providing internal circulation shall not be located within this area.

(b) Residential buffer. A fifty (50)-foot buffer strip shall be maintained along any lot line adjoining a lot located in a residential zone. This buffer strip shall be maintained as a vegetated area and shall not be used for parking, storage, or display of materials or the placement of dumpsters or similar items. A visual barrier shall be established within the buffer strip by landscaping and/or fencing.

(c) Access limitations to Routes 4 and 109. In addition to the general access limitations set forth in §§ 280-14-4 and 280-14-5, any nonresidential use located on a lot with frontage on Route 4 or 109 shall provide for the coordination of vehicular access with abutting

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properties where feasible through the use of shared or combined access drives, the creation of marginal access roads, or the interconnection of parking and service areas. The Planning Board or Site Plan Review Committee may waive this requirement during site plan review under Article XVI if access is not feasible because of existing conditions, the layout of lots, or physical conditions of the site or adjoining lots.

(d) Maximum height of accessory buildings and structures. In approving the height of accessory buildings and structures, the Planning Board shall not allow any encroachment above the imaginary surface of the Airport as specified in § 77.13 of Part 77 of the Federal Aviation Regulations unless the Planning Board finds that such encroachment will not have a detrimental impact on the instrument landing approach minimums currently in use or likely to be in use in the future.

(3) Performance standards. Uses within the IB Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:

(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

(c) § 280-15-3: Industrial performance standards.

(d) § 280-15-6: Mineral extraction standards.

(e) § 280-15-7: Archaeological and historic resources.

(f) § 280-15-10: Marijuana standards. **[Amended 5-5-2020 by Order No. 19-874-01]**

G. Overlay districts.

(1) Areas within the IB Zone are located within the Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter 270.

(2) Areas within the IB Zone are located within the Airport Protection Overlay Zone as defined in § 280-11-10. The provisions of that section shall apply to all use of land within the Airport Protection Overlay Zone.

(3) For areas within Tax Map R19, Lot 9A and 201-215 retail is allowed as a conditional use subject to Planning Board approval and the provisions of Articles XIII and XVI.

H. Flood management. Areas of the IB Zone which are located within flood hazard areas as defined by Chapter 265: Floodplain Management, shall additionally comply with the terms of that chapter.

§ 280-11-8. Industrial Reuse Zone (IR).

A. Purpose. The purpose of the Industrial Reuse (IR) Zone is to foster the continued use, reuse, and redevelopment of existing mill complexes and other under-utilized industrial areas where a mix of residential and nonresidential uses and/or nonresidential uses are encouraged in existing, large buildings that have potential for efficient reuse of existing land and buildings and dense, mixed use development which relies on shared infrastructure systems including but not limited to service alleys, parking lots, public transportation facilities, stormwater management, and driveways. **[Amended 11-24-2020 by Order No. 20-149-01]**

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B. Permitted uses. Uses shown on the Table of Land Uses [33]as being permitted uses shall be permitted by right in the IR Zone.

C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being permitted with site plan review in the IR Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article XVI.

D. Conditional uses. Uses shown on the Table of Land Uses as being conditional in the IR Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the IR Zone shall be prohibited.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the IR Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

(a) Maximum net residential density: none.

(b) Minimum lot size: none.

(c) Minimum street frontage: fifty (50) feet.

(d) Front setback.

[1] Principal buildings. Where existing buildings have a uniform setback relationship to the street, any new building or alteration of an existing building shall maintain the existing relationship. Where a uniform setback relationship does not exist, or abutting lots are not developed, the front setback shall be a minimum of twenty (20) feet.

[2] Accessory buildings: twenty (20) feet.

(e) Minimum side and rear setbacks (principal and accessory buildings): ten (10) feet.

(f) Maximum height.

[1] Principal buildings: seventy-five (75) feet.

[2] Accessory buildings and structures: seventy-five (75) feet.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-8F(1), the following standards shall apply as indicated:

(a) Design standards. For any proposal involving the change of use of an existing building, or the expansion of the gross floor area of an existing building, or the construction of a new building or structure, the Planning Board or Site Plan Review Committee shall find that it complies with the following standards:

[1] Off-street parking. New off-street parking shall be located to the side or rear of the principal building. No new off-street parking for a nonresidential use shall be located

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33. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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in the area between the front property line and the wall of the building or structure closest to the street and running the full width of the property.

[2] Lighting. Illumination from exterior lighting shall be shielded, directed downward, and contained on the property; except when otherwise allowed under § 250-15-11. **[Amended 11-24-2020 by Order No. 20-149-01]**

[3] Residential buffer. Where feasible, a strip of land between ten (10) and twenty feet in width, as determined by the Planning Board, shall be maintained as a vegetated area along any lot line adjoining a lot located in a residential zone to create a visual barrier to minimize impacts on existing abutting residential uses. A visual barrier, which may be created by landscaping, berms, and/or fencing, shall be established within the required buffer strip. **[Amended 11-24-2020 by Order No. 20-149-01]**

[4] Storage. There shall be no exterior storage or display of material or equipment in conjunction with a nonresidential use in any required setback area.

(b) Multifamily residential on the first floor of a mixed use structure. **[Added 11-24-2020 by Order No. 20-149-01[34]]**

[1] Shall be allowed as a conditional use under Article XIII and the following conditions:

[a] A minimum of twelve (12) months effort to secure an allowed nonresidential tenant and/or buyer has been unsuccessful.

[b] Residential units that front on public streets shall not exceed fifty percent (50%) or one-hundred (100) linear feet of the building's frontage on a public street, whichever is smaller. The Planning Board may increase the percent or linear feet up to twenty-five percent (25%) if the local economy is experiencing a prolonged economic downturn with documented inability to rent nonresidential space for eighteen (18) months or longer.

[c] Shall maximize the amount of space on the first floor dedicated to active uses that invite the public into the first floor of the structure.

[d] Shall not convert spaces which have unique features including, but not limited to, views of waterfalls and/or other water features from active uses that invite the public into the first floor of the structure.

[e] If direct access to the structure from a public street is obstructed by topographic conditions, the Planning Board may consider the compatibility of accommodations for American with Disabilities, or other features that provide direct access with the architectural and/or historic character of the structure and/or area. The Planning Board may take financial impacts of providing such accommodations for direct access into consideration in determining the significance of the obstruction.

[2] Minimum size of residential units. Any residential dwelling unit created in the IR Zone shall comply with the following minimum floor area requirements based on the type of unit:

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34. Editor's Note: This order also redesignated former Subsection F(2)(c) as Subsection F(2)(b)[2].

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[a] Studio/efficiency unit: not less than four-hundred-ten (410) square feet.

[b] One (1)-bedroom unit: not less than five-hundred-thirty-five (535) square feet.

[c] Two (2)-bedroom unit: not less than seven-hundred-twenty (720) square feet.

[d] Three (3)-bedroom unit: not less than nine-hundred-twenty (920) square feet.

[e] Four (4) or more bedroom unit: not less than one-thousand-one-hundred-twenty (1,120) square feet.

(3) Performance standards. Uses within the IR Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:

(a) § 280-15-1: Groundwater protection standards.

(b) § 280-15-2: Watershed performance standards.

(c) § 280-15-3: Industrial performance standards.

(d) § 280-15-7: Archaeological and historic resources.

(e) § 280-15-10: Marijuana standards. **[Amended 5-5-2020 by Order No. 19-874-01; 11-24-2020 by Order No. 20-149-01]**

G. Overlay districts. Areas within the IR Zone may be located within the Shoreland Overlay Zone as defined by Chapter 270: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter 270.

H. Flood management. Areas of the IR Zone which are located within flood hazard areas as defined by Chapter 265: Floodplain Management, shall additionally comply with the terms of that chapter.

§ 280-11-9. Airport Development Zone (AD). [Amended 5-5-2020 by Order No. 19-874-01; 4-1-2025 by Order No. 25-65-01]

A. Purpose. The purpose of the Airport Development Zone (AD) is to promote the smooth and efficient functioning of the Airport. This zone includes the Sanford Seacoast Regional Airport, adjacent clear zones, and nearby properties with potential for providing support services to the Airport. All land use and development in this zone shall comply with all applicable federal, state, and local laws, including, without limitation, Federal Aviation Administration (FAA) rules and regulations, Maine Department of Transportation rules and regulations, and Airport lease agreements. All land use and development within the AD Zone shall be compatible with the goals and objectives of the Comprehensive Plan, as may be amended from time to time, and the Ultimate Airport Layout Plan, as may be amended from time to time.

B. District boundaries. The AD Zone consists of the land shown on the Official Zoning Map of the City, as may be amended from time to time. The AD Zone is further divided into two subdistricts, the location and boundaries of which are described as follows:

(1) AD Airport Subdistrict. All of the land area owned by the City or private property owners that is used for Airport runways and Airport runway direct access activities with controlled access.

(2) AD Support Subdistrict. All of the land area located in the AD Zone but not in the AD Airport Subdistrict.

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C. Permitted uses. Uses may be permitted, permitted with review, conditional use, or not permitted in the AD Zone, as established in the Table of Land Uses.[35] Construction activities related to permitted and/or approved uses may require an Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) and be subject to approval by the Sanford Airport Manager.

D. Review authority and submission requirements. All development applications in the AD Zone shall adhere to the following requirements, pursuant to § 280-11-9F:

(1) AD Airport Subdistrict. Notwithstanding Article XVI, review authority for land use and development activities in the AD Airport Subdistrict shall be as follows:

(a) Planning Board approval. Following a recommendation of approval from the Site Plan Review Committee, a public hearing and approval from the Planning Board is required for the following projects within the AD Airport Subdistrict:

[1] Updates or Amendments to the Ultimate Airport Layout Plan (UALP);

[2] Updates or Amendments to the AD Airport Subdistrict boundary, or Exhibit A of the UALP, the Airport Official Property Map; and,

[3] Any project as requested by the Site Plan Review Committee, Airport Advisory Committee, or the Planning Director.

(b) Site Plan Review Committee approval. Review and approval from the Site Plan Review Committee is required for the following projects within the AD Airport Subdistrict:

[1] All projects as required by § 280-11-9 D(1)(a).

[2] Construction or expansion of a building or structure included in an approved UALP that involves more than 5,000 square feet of gross floor area change;

[3] Construction or reconstruction of roadways, taxiways, or helipads included in an approved UALP;

[4] Construction or reconstruction involving new underground utility connections or stormwater management installations;

[5] Any change in a preexisting, nonconforming use; and,

[6] Any project as directed by the Planning Board, Airport Advisory Committee, or the Planning Director.

(c) Planning Director authority. The Planning Director, or his or her designee, has the authority to review and approve, or elevate for review by the Site Plan Review Committee and/or the Planning Board, the following projects within the AD Airport Subdistrict:

[1] Construction or expansion of a building or structure included in an approved UALP that involves 5,000 square feet or less of change in gross floor area, parking, and/or impervious surfaces; and,

[2] Any building, structure, or use considered accessory to a use previously approved under this section.

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35. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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(d) Submission requirements. All projects for review by the Site Plan Review Committee and/or the Planning Board shall adhere to the following submission requirements:

[1] Application elements. All application elements as listed in § 280-16-6G(1) (a), (b), and (c); and § 280-16-6G(2)(a), (b), (c), and (d). A signed Option to Lease or draft Lease Agreement between the applicant and the Airport shall sufficiently fullfill the requirements of § 280-16-6G(2)(a)[7] pertaining to right, title, or interest in the property.

[2] Abutter notices. Applicants shall provide an abutters list and mailing envelopes in conformance with § 280-4-1, except that the radius of measurement shall be 500 feet from the existing or proposed boundary of the sub lot or the area of proposed use, as determined by a lease agreement with the Airport submitted with the application.

[3] Performance Guarantee. Acknowledgement of, and agreement to comply with, Article XVII, notwithstanding § 280-17-1B, which shall be replaced with the requirement that the conditions and amount of the performance guarantee shall be determined by the designated review authority in § 280-11-9D with the advice of the City Engineer or Public Works Director.

[4] As-built plans. Signed agreement to supply as-built plans to the Planning Department and Airport Manager at the completion of construction which include but are not limited to buildings, pavement, stormwater management, and utilities, and any corresponding details. The Code Enforcement Officer may withhold occupancy permits until as-built plans have been supplied to and approved by the Airport Manager.

[5] Supplemental information. Any supplemental information as determined by the Planning Director, or his or her designee.

(2) AD Airport Support Subdistrict. All projects within the AD Airport Support Subdistrict shall comply with the requirements of Article XVI.

E. Prohibited uses. A use that is not designated as a use permitted is deemed to be a prohibited use in the AD Zone, except for accessory buildings, structures, and uses.

F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the AD Zone shall be used in accordance with the following standards.

(1) Space and bulk standards.

Standard	AD Airport Subdistrict	AD Support Subdistrict
Minimum lot size	Not applicable	40,000 square feet
Minimum street frontage	Not applicable[1]	Not applicable[1]
Minimum front setback	Not applicable	15 feet
Minimum side setback	Not applicable	15 feet
Minimum rear setback	Not applicable	15 feet
Maximum impervious surface[2]	100%	80%

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Standard	AD Airport Subdistrict	AD Support Subdistrict
Maximum building height	Subject to FAA regulations	60 feet, subject to FAA regulations

Notes:

[1] Notwithstanding §§ 280-14-3 and 280-14-4, there is no minimum street frontage in the AD Zone; provided, however, that each land use and development plan in this zone shall demonstrate to the applicable review authority that the development can provide safe and convenient access to the site relative to the site's location, use, and accessibility from other streets.

[2] For purposes of this section, impervious surface is defined as any material that prevents absorption of stormwater into the ground including but not limited to buildings, pavement, and gravel parking areas.

(2) Development standards. In addition to the space and bulk standards set forth in § 280-11-9F(1) standards for land use and development within the AD Zone shall be in conformance with the minimum standards set forth in the Chapter 70: Airport as may be amended from time to time, including, without limitation, Hangar Construction Design Standards and Minimum Standards and Procedures for the Lease and/or Use of Property and Facilities for Aeronautical Activities. Copies of these documents are available for review in the Planning Department. In addition, land use and development within the AD Zone shall be in conformance with this chapter, including, without limitation, Article XVI, Article XV, and Article XVI, as applicable.

(3) Performance standards. Uses within the AD Zone shall conform to all applicable performance standards of this chapter and Article XV.

§ 280-11-10. Airport Approach Protection Overlay Zone and Airport Clear Zone. [Amended 4-1-2025 by Order No. 25-65-01]

A. Purpose. The purpose of this section is to promote the compatibility of land uses in the vicinity of the Airport, to prevent interference with the safe and efficient operations of the Airport, and to protect the public at large.

B. Airport Clear Zone.

(1) Clear zone defined. The Airport "Clear Zone" consists of those areas identified as clear zones or the inner approach surfaces of Runway 7-25 or 14-32 as depicted in the Ultimate Airport Layout Plan (UALP).

(2) Clear zone standards. The following additional standards shall apply within the Airport Clear Zone:

(a) Objects shall be considered obstructions to air navigation and their construction or use shall be prohibited if they extend into any aviation easement within the Airport Clear Zone. The Code Enforcement Officer may waive this restriction upon receipt of written approval from MaineDOT Airports and Aviation and/or the Federal Aviation Administration (FAA). Forms for requesting an exemption may be obtained from the Code Enforcement Office.

(b) No structure or tree shall be erected, altered, or allowed to grow above the Airport

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referenced imaginary surface, unless found not objectionable by MaineDOT Airports and Aviation and/or FAA.

C. Airport Approach Protection Overlay Zone.

(1) The Airport Approach Protection Overlay Zone consists of the area lying within the limit of the conical surface as shown in the Ultimate Airport Layout Plan (UALP), as may be amended from time to time.

(a) No use shall be permitted which creates electrical interference with radio aids or communications, or results in glare in the eyes of pilots using the Airport, or impairs visibility in the vicinity of the Airport by the creation and discharge of smoke, steam, dust, or other obstructions to visibility, or endangers the landing, taking off, or maneuvering of aircraft.

(b) No structure or tree shall be erected, altered, or allowed to grow above the height of the imaginary surface of the Airport as specified in Section 77.13 of Part 77 of the Federal Aviation Regulations. The Code Enforcement Officer may waive this restriction upon receipt of written approval from MaineDOT Airports and Aviation and/or the Federal Aviation Administration (FAA). Forms for requesting an exemption may be obtained from the Code Enforcement Office.

(c) Construction standards which result in an outdoor-indoor noise level reduction of at least 25 decibels shall be encouraged.

D. Exemptions. The provisions of this section shall not apply to any building existing as of September 27, 1989, nor to any building for which a building permit was issued on or before September 27, 1989, nor to any lot in an approved subdivision. For the purposes of this section, an approved subdivision shall include any subdivision for which a sketch plan was accepted before September 27, 1989.

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ARTICLE XII
Rushton Street Institutional Controls Overlay I and II Zones

§ 280-12-1. Purpose.

The purpose of these zones is to:

A. Protect the City's implementation of remedial control measures at the former Rushton Street landfill site.

B. Prevent additional surface or ground water contamination.

C. Prevent exposure to contamination from the landfill itself.

D. Protect neighboring properties from the risk of groundwater contamination that could occur in the absence of the restrictions contained in this chapter.

E. Comply with the requirements of Paragraph 37 of the Administrative Order by Consent signed by the City and the Maine Department of Environmental Protection on November 11, 1999.

§ 280-12-2. Area of zones.

The area of these zones shall be as delineated on the Rushton Street Institutional Controls Overlay Zoning Map, prepared by Sevee and Mahar Engineering and dated September 12, 2000.

§ 280-12-3. Rushton Street Institutional Controls Overlay I Zone.

The restrictions set forth in this section shall apply to any property or portion of property located within the Rushton Street Institutional Controls Overlay I (RSIC-I) Zone and shall be in addition to those restrictions set forth in the underlying zoning district in which the property is located. The owner of any property or portion of property located within the RSIC-I Zone or any person authorized to act on behalf of the owner shall acquire written approval from the Maine Department of Environmental Protection prior to undertaking any of the following activities:

A. The drilling or digging of any water supply well.

B. Any dewatering, pumping, or injection into or out of the groundwater on the property.

C. Any soil excavation on the site. This requirement shall not apply to minor excavations associated solely with lawn maintenance or the planting of small bushes or trees, where no soil will be removed from the property.

D. Paving, soil compacting, or the placement of any impervious materials on the site soils.

E. Any change in the use of the property that could affect the integrity or effectiveness of the remedial measures or any monitoring well installed under the terms of the Administrative Order by Consent.

§ 280-12-4. Rushton Street Institutional Controls Overlay II Zone.

The restrictions set forth in this section shall apply to any property or portion of property located within the Rushton Street Institutional Controls Overlay II (RSIC-II) Zone and shall be in addition to those restrictions set forth in the underlying zoning district in which the property is located. The owner of any property or portion of property located within the RSIC-II Zone or any person authorized to act on behalf

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of the owner shall acquire written approval from the Maine Department of Environmental Protection prior to undertaking any of the following activities:

A. The drilling or digging of any water supply well.

B. Any dewatering, pumping, or injection into or out of the groundwater on the property.

C. Any excavation that will occur below elevation two-hundred-forty-two (242) feet above mean sea level.

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ARTICLE XIII
Conditional Uses

§ 280-13-1. Purpose and definition.

A. The purpose of this article is to establish the procedures and standards to enable the City to review applications for conditional use permits.

B. A conditional use is a use that the City has determined to be generally appropriate within a zone but that has the potential for creating undue or unusual impacts on the public health, safety, and welfare, surrounding properties, the natural environment, or on municipal services and therefore requires case-by-case review and approval in accordance with the provisions of this article.

§ 280-13-2. Conditional use approval required.

A. A building, structure, or lot of land may be used for a conditional use if: **[Amended 9-20-2022 by Order No. 22-440-01]**

(1) The use is specifically listed as a conditional use in the zone; and

(2) Conditional use approval is granted by the Planning Board.

B. Any project involving the establishment of a new conditional use or the construction or expansion of a building for a conditional use shall obtain site plan approval by the Planning Board in accordance with Article XVI.

C. Applications for location and/or construction of a mental health and abuse clinic referred by the City Clerk require review as a conditional use as part of Chapter 149: Licensing.

§ 280-13-3. Administrative procedures.

A. Prior to submitting a formal application for conditional use approval, the applicant and/or his or her representatives should meet with the Planning Director to informally discuss the proposed application and the review process. The purpose of this meeting is informational to allow the applicant to understand the process and clarify any questions before submitting a formal application.

B. An application for conditional use approval shall be made to the Planning Director on forms provided for that purpose.

C. The application form shall be accompanied by the supporting materials set forth in §§ 280-16-6G and 280-16-G(2)(d)[10] and an application fee as established by the City Council.

D. Upon receipt of an application, the Planning Director shall review it for completeness within ten (10) days and shall refer it to other departments for review. If the application is complete, the Planning Director shall place it on the Planning Board's agenda. If the application is not complete, the Planning Director shall provide the applicant with a written description of the additional information required.

E. Within forty-five (45) days of the application being determined to be complete, the Board shall notice and conduct a public hearing in conformance with § 280-4-1 **[Amended 5-7-2019 by Order No. 19-258-01[36]]**

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36. Editor's Note: This ordinance also repealed former Subsections F, G and H, regarding notice and public hearing, and redesignated former Subsection I as Subsection F.

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F. Within thirty (30) days of the initial consideration of the application by the Planning Board, the Planning Board shall act to approve, approve with conditions, or deny the application. The period for consideration of the application may be extended by mutual agreement of the applicant and Planning Board.

§ 280-13-4. Applications for mental health and abuse clinics. [Amended 8-21-2018 by Order No. 18-348-01]

Applications for a mental health and abuse clinics, shall also meet the following criteria:

A. Location criteria.

(1) No clinic may be located within one-half (1/2) mile (walking distance) of any church, school, family child-care home, child-care center or nursery school, or public park or playground.

(2) No clinic may be located within the bounds of the following revitalization and/or growth areas: Sanford Downtown, Lafayette Circle and Springvale Village.

B. Neighborhood compatibility standards. No approval shall be recommended if the Planning Board finds that the granting of the license will violate one (1) or more of the following neighborhood compatibility standards:

(1) Neither the proposed use nor the proposed site on which the use will be located is of a character such that the use will have significant adverse impact on the value or quiet possession of surrounding properties. The Planning Board shall not find that this standard is satisfied unless:

(a) The size of the proposed use is comparable to the size of surrounding uses;

(b) The amount and type of traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces are comparable to surrounding uses;

(c) The generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances is comparable to that generated by surrounding uses;

(d) The impact of the use on the quality and quantity of groundwater available to abutting properties is comparable to that for surrounding uses;

(e) Unusual physical characteristics of the site, including size and shape of the lot, topography, and soils, do not aggravate adverse impacts upon surrounding properties.

(2) Vehicular and pedestrian access and circulation to, from, into and within the site will be safe, and no public way will be overburdened or made hazardous as a result of the new use and/or development of the property.

(a) The Planning Board may not find that this standard has been satisfied unless:

[1] Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development. Adequate capacity means that: Intersections on major access routes to the site within a one-half (1/2)-mile radius of any entrance road will function after development, at a minimum, at Level of Service C, as defined in Maine Department of Transportation regulations, 17-229 CMR Ch. 305, Rules and Regulations Pertaining to Traffic Movement Permits (2000); or

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[2] If any such intersection is functioning at a Level of Service D, as defined in Maine Department of Transportation regulations Chapter 305, cited above, or lower prior to the development, the project will not reduce the current level of service.

(b) The Planning Board may recommend approval of an application not meeting this requirement if the applicant demonstrates that a public agency has committed funds to construct the improvements necessary to bring the level of service to said standard, or the applicant will assume financial responsibility for the improvements necessary to bring the level of service to said standard and will guarantee the completion of the improvements within one (1) year of approval of the license.

(3) The topography of the site shall permit the construction of all driveways, entrances or proposed streets to meet the standards set forth in §§ 280-14-4, 280-15-5, 275-35 and 275-51.

(4) Adequate facilities are present to assure the safety of pedestrians passing by or through the site.

(5) Municipal or other facilities serving the proposed use will not be overburdened or made hazardous. The Planning Board shall not find that this standard is satisfied unless:

(a) The capacity of sewerage and water supply systems is adequate to accommodate the proposed use;

(b) The capacity of the storm drainage system is adequate to accommodate the proposed use; and

(c) The ability of the fire department to provide necessary protection services to the site and development is adequate.

(6) The soils on the proposed site shall have adequate capacity and stability to support all loadings, including fill, developed by the proposed use, and the use will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water to the extent that a dangerous or unhealthy condition may result on the site or the land of abutters. In considering whether this standard is satisfied, the Planning Board shall take into account the elevation of the site and surrounding properties above sea level, its relation to floodplains, the slope and vegetation of the land and their effects on drainage.

(7) The design of the proposed structures with respect to materials, scale and massing shall be compatible with existing structures within five-hundred (500) feet of the site in areas where the existing structures are of a similar scale and architectural treatment.

C. Screening requirements. All clinics shall be required to erect and maintain opaque fencing to provide an effective visual screen at least six (6) feet in height, to be located along side and rear property lines that abut properties in residential use. Said fencing is intended to screen the clinic entrance and parking lot from ordinary view from all directly adjoining properties.

§ 280-13-5. Standards for conditional use approval.

A. The Planning Board shall approve a conditional use application, or approve it with conditions, if it makes a positive finding, based on the information presented, that the proposed use, with any conditions attached, meets the following standards:

(1) The proposed use will not place a burden on municipal services which, due to its location or the characteristics of the site or proposed development, is significantly greater than the burden that

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would result from similar uses in other situations;

(2) The proposed use will not create hazards to vehicular or pedestrian traffic on the roads and sidewalks serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, volume and intensity of use by both pedestrians and vehicles, reduction in level of service, need for infrastructure improvements including but not limited to intersection traffic controls, and the visibility afforded to pedestrians and the operators of motor vehicles; **[Amended 4-19-2022 by Order No. 22-151-01]**

(3) The proposed use will not cause water pollution, sedimentation, or erosion, contaminate any water supply or reduce the capacity of the land to hold water so that a dangerous, aesthetically unpleasant, or unhealthy condition may result;

(4) The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants;

(5) The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard, or unreasonably restricted access of light and air to neighboring properties;

(6) The proposed location for the use has no peculiar physical characteristics due to its size, shape, topography, or soils which will create or aggravate adverse environmental impacts on surrounding properties;

(7) The proposed use has no characteristics that are atypical of the general category of use that will depreciate the economic value of surrounding properties; and

(8) If located in the Shoreland Overlay Zone, the proposed use will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat; will conserve shoreland vegetation; will conserve visual points of access to waters as viewed from public facilities; will conserve actual points of access to waters; will conserve natural beauty; and will avoid problems associated with floodplain development and use.

(9) A proposed ground-mounted commercial solar system or utility solar system in the Rural Residential Zone (RR) shall minimize impacts on prime or unique farmland soils, farmland soils of statewide significance, and active farmland. **[Added 4-7-2020 by Order No. 19-772-01]**

(10) A proposed Utility Solar System in the Residential Development Overlay Zone shall: **[Added 5-3-2022 by Order No. 21-494-01]**

(a) Provide an analysis that demonstrates it is not economically feasible to extend a compact pattern of residential development because of the physical and natural features of the property. The analysis shall review topography and natural features including, but not limited to streams, rivers, ponds, wetlands, flood plains, rock outcrops, steep slopes, soil conditions, and critical habitats on the site within the context of meeting state and local regulations for development, but exclude the cost of extending required public sewer and water services to the property.

(b) Minimize impacts on existing abutting residential development and/or residential zones.

(11) A proposed retail use allowed in the Industrial Business (IB) Zone shall provide a traffic impact analysis that assesses development impacts on level of service and safety on the street network and improvements that may be warranted for mitigation of impacts. The traffic impact analysis

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shall be prepared by a Maine licensed professional engineer and conform with Maine Department of Transportation Rules and Regulations Pertaining to Traffic Movement Permits. **[Added 4-19-2022 by Order No. 22-151-01]**

B. Nonprofit service organization. In addition to the requirements of this section and any other applicable section of the City's ordinances, the minimum lot size for this use is ten (10) acres. **[Added 3-6-2007; amended 9-20-2022 by Order No. 22-440-01]**

C. Horse shows. In addition to the requirements of this section and any other applicable section of the City's ordinances, the minimum lot size for this use is twenty (20) acres. **[Amended 3-6-2007; amended 9-20-2022 by Order No. 22-440-01]**

D. Antiques stores. In addition to the requirements of this section and any other applicable section of the City's ordinances, the following guidelines shall be used in the review of applications: **[Added 7-20-2010]**

(1) The limits of outdoor display will be determined by the Planning Board during site plan review such that they are found to be consistent with the character of the neighborhood.

(2) No stripping of antiques and/or furniture is permitted on the premises.

(3) Signs shall be of residential character on simple posts and/or attached to the building and shall be consistent with the requirements of § 280-14-13. If a sign is illuminated it shall be of low wattage, not create a public hazard or nuisance, and be compatible with the character of the property and the surrounding neighborhood. **[Amended 12-19-2017 by Order No. 17-163-01]**

(4) Exterior lighting shall be of residential style.

(5) The business shall be owner-occupied.

(6) The building for the proposed antique store shall have been in existence at least ten (10) years as of the date of the application.

(7) Any additional conditions determined by the Planning Board at the time of review.

E. Commercial schools. In addition to the requirements of this section and any other applicable section of the City's ordinances, the following guidelines shall be used in the review of applications for commercial schools:[37]

(1) All activities shall be conducted within a fully enclosed building.

(2) Adequate off-street parking shall be provided, the number of spaces to be based on the maximum capacity as determined by the Fire Chief divided by three (3).

(3) Signs shall be of residential character on simple posts and shall be consistent with the requirements of § 280-14-13. If a sign is illuminated, it shall be of low wattage, not create a public hazard or nuisance, and be compatible with the character of the property and the surrounding neighborhood. **[Amended 12-19-2017 by Order No. 17-163-01]**

(4) Exterior lighting shall be of residential style.

(5) The activity may be a stand-alone business or as an accessory use to a residence as long as the

37. Editor's Note: Former Subsection E, Nonprofit medical marijuana dispensary, was repealed 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01. This ordinance also redesignated former Subsection F as Subsection E.

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business is owned by the resident of the residence.

(6) Review and approval by the Planning Board is required, the classification of the site plan to be determined by the Planning Director based on the size of the structure and requirements of the ordinance.

F. Excavation contracting businesses. In addition to the requirements of this section and any other applicable section of the City's ordinances, where allowed as a conditional use, the following guidelines shall be used in the review of applications for excavation contracting businesses: **[Added 6-18-2024 by Order No. 24-222-01]**

(1) Frontage. Each use will be located with frontage on a numbered highway (i.e. 4, 11A, 99, 109, 202 or 224), including any roadway that becomes designated as a numbered highway or state route following adoption of this section.

(2) Minimum lot size. The minimum lot size for this use is five (5) acres.

(3) Minimum setback. Any parking, staging areas, or garages used for equipment storage shall be located with a minimum setback distance of one hundred (100) feet from the property line of a residential use, unless:

(a) The residential use is owned by the excavation contracting business, or

(b) An easement with any residential abutter(s) along property lines where the required setback cannot reasonably be met stating the excavation contracting business is allowed to operate within the required setback is signed and recorded at the York County Registry of Deeds.

(4) Buffering. All outdoor staging or parking areas for equipment used by the excavation contracting business is buffered by a vegetated buffer a minimum of fifteen (15) feet high and thirty (30) feet wide, or other buffering and/or fencing options as determined by the Planning Board. The Board may request a larger buffer if necessary for noise remediation.

§ 280-13-6. Conditions of approval.

The Board may attach conditions to its approval of a conditional use. These conditions may include, but are not limited to, requirements such as:

A. Off-site street improvements to address impacts generated by the proposed conditional use.

B. Access restrictions.

C. Hours of use.

D. Buffering and screening.

E. Utility improvements.

F. Performance guarantees for off-site improvements.

§ 280-13-7. Reapplication.

If the Planning Board denies a conditional use application, a second request of a similar nature shall not be brought before the Planning Board within one (1) year from the date of denial of the first request, unless:

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A. In the opinion of the majority of the Planning Board, substantial new evidence has been brought forward;

B. The Planning Board finds that an error of law or misunderstanding of facts has been made; or

C. An amendment to this chapter has changed the status, circumstances, or conditions of the matter which was brought before the Planning Board.

§ 280-13-8. Duration of conditional use approval.

A. Provided that all conditions and standards of approval are met, a conditional use shall be a continuing grant of permission for as long as the property is used for such purposes. The conditional use shall expire if the owner abandons the conditional use by:

(1) Physically altering the property and/or structure so it can no longer be used for the conditional use; or

(2) Failing to actively use the property for the conditional use for five (5) years or more.

B. A conditional use may be expanded in area or function only with the granting of a new conditional use approval by the Planning Board.

C. Construction, or occupancy if no construction is involved, shall commence within one (1) year of Planning Board approval of the conditional use and a certificate of occupancy issued within three (3) years of approval. If construction or occupancy is not commenced or a certificate of occupancy issued within these time limits, the conditional use approval shall be null and void. The Planning Board may extend these time limits upon written request of the applicant and a finding that such extension is consistent with current requirements.

§ 280-13-9. Scope of approval.

Any permit or approval granted hereunder is subject to all elements of the final plans and specifications submitted by the applicant and to all representations, oral or written, made by or on behalf of the applicant in support of the application or with respect to the nature and scope of the use, activity or work proposed, and all such permits or approvals shall include, as an express condition, a written statement to said effect.

§ 280-13-10. Appeal of conditional use decision.

Appeal from an action of the Planning Board on a conditional use application shall be to the Superior Court in accordance with state law.

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ARTICLE XIV
General Standards

Note: General Standards apply to activities which do not require Site Plan, Subdivision, or Planning Board approval.

§ 280-14-1. Conformance required.

The use of land, buildings, and structures shall conform to the following general standards as applicable.

§ 280-14-2. Relationship of buildings to lots.

Every building hereafter erected shall be located on a lot as defined in § 280-2-2. In no case shall there be more than one (1) principal residential building and its accessory buildings on one (1) lot, except in the case of projects such as multiple dwelling or building developments intended and designed to be managed as a unit on an unsubdivided lot.

§ 280-14-3. Access of lots to streets.

No building shall be erected on a lot unless the lot has frontage on a street as defined in § 280-2-2.

§ 280-14-4. Creation of lots along arterials.

The following limitations shall apply to the creation of all new lots on all land located adjacent to Route 4, Route 109, Route 202, Route 11A and Route 224.

A. Access to new residential lots. Any new residential lots created adjacent to the principal arterials listed above shall be divided so that vehicular access to the lot is obtained from a local or collector street rather than the arterial. Access to the new lots shall be obtained from any local or collector street, a street in an approved subdivision, or a private way approved by the Planning Board. This requirement shall apply to any new lot whether, or not, the lot is part of a subdivision.

B. Waiver of the access limitation for new lots.

(1) The Planning Board or Site Plan Review Committee may waive the access limitation provisions of this subsection when there are unique conditions which make access, other than from the arterial impractical. The Planning Board may grant a waiver only if one (1) of the following conditions is met: **[Amended 9-20-2022 by Order No. 22-440-01]**

(a) There is too little road frontage to reasonably allow for the creation of a local street, and there will be no further subdivision of the lot; or

(b) The shape or physical condition of the lot does not permit access to or the creation of a local street, and there will be no further subdivision of the lot.

(2) The owner of the lot seeking a waiver shall make a written request to the Planning Board setting forth how the project conforms to the above criteria.

C. Existing lots. Any lot of record existing as of the date of the adoption of this section shall be permitted one (1) vehicular access point to a principal thoroughfare, notwithstanding the provisions of this chapter, unless such lot also has frontage on a local street.

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§ 280-14-5. Curb cuts and driveways.

A. Curb cut permit required. No person may build or construct a driveway which provides an access to a public street without first obtaining a curb cut permit from the Code Enforcement Officer. The Code Enforcement Officer shall refer all permit applications to the City Engineer for review. If the City Engineer finds that the application meets the requirements of §§ 280-14-5B and 280-14.5C, the City Engineer shall approve the curb cut and notify the Code Enforcement Officer to issue the permit. Such permits shall be issued only to the property owner or to the person having an option or lease on the property in question. If the work authorized by a curb cut permit has not been completed within twelve (12) months of the date of issuance, the permit shall be null and void.

B. Curb cut limitations.

(1) Each single-family and/or multifamily residential lot fronting on an arterial or collector street shall be entitled to one (1) curb cut, and no more.

(2) The number of curb cuts allowed for any lot fronting on an arterial or collector street that is used for institutional, retail, commercial, service, or industrial use shall be determined based upon the amount of its street frontage. The following curb cut standards shall apply for these types of uses:

Feet of Street Frontage	Number of Curb Cuts
Zero to one-hundred-ninety-nine (0 to 199)	One (1)
Two-hundred (200) plus	Two (2)

(3) The Planning Board may waive these limitations if it finds that the characteristics of the site and/or use necessitate additional curb cuts and that the additional curb cuts can be provided without affecting public safety.

(4) Drive-up or drive-through windows when allowed by the Planning Board, will be designed such that there will be no direct access, including entrances or exits, to Routes 4, 109, 202, 11A, and 224.

C. Curb cut requirements.

(1) Location. All curb cuts shall be located to minimize the impact on traffic safety and flow at least twenty-five (25) feet from the point of tangency of streets as shown on the diagram in § 280-14-10B. For lots fronting on arterial or collector streets, a curb cut may not be located less than fifty (50) feet from the point of tangency of streets at any unsignalized intersection or less than one-hundred (100) feet from the point of tangency of streets at any signalized intersection.

(2) Width.

(a) The width of curb cuts shall conform to the following standards:

[1] Single-family residential use: maximum twenty (20) feet.

[2] Multifamily residential use: maximum twenty-six (26) feet.

[3] Commercial use: maximum twenty-six (26) feet.

[4] Industrial use: maximum thirty (30) feet.

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(b) The Planning Board or Site Plan Review Committee may allow wider access drives if necessary to accommodate turning lanes or the anticipated volume of traffic as part of site plan review.

(3) Separation.

(a) Within the Urban Compact Zone as defined in 23 M.R.S.A. § 754(2)(A), as may be amended from time to time, the distance between curb cuts shall be fifty (50) feet from the edge of each curb cut. Outside of the Urban Compact Zone, for lots fronting on arterial or collector streets, the minimum allowable distance between the center lines of each curb cut shall be at least fifty (50) feet.

(b) The Planning Board or Site Plan Review Committee may approve applications for curb cuts that do not meet the minimum standards if one (1) or more of the following circumstances is demonstrated:

[1] The development proposal reduces the number of curb cuts that exist within the minimum separation distance;

[2] The proposal consolidates curb cuts for one (1) or more abutting lots; or

[3] The speed limit and sight line distance permit safe siting of the curb cut.

(c) Notwithstanding the existence of one (1) or more of these circumstances, the minimum separation standard of twenty (20) feet from edge to edge shall apply.

(4) Construction standards. Curb cuts shall be constructed in accordance with a plan approved by the City Engineer and shall meet the following standards:

(a) A permanent surface of asphalt or concrete shall be used for the finished surface within the street right-of-way lines for all curb cuts constructed for commercial or industrial uses.

(b) The existing grade of sidewalks which are crossed by curb cuts shall be maintained so as to provide a safe area for people to walk. Such sidewalks may be required to be reconstructed to withstand expected traffic loads.

(c) Where the positioning of curb cuts requires the location, removal, or installation of drainage facilities, such relocation, removal, or installation shall be done in accordance with traffic safety and drainage standards, as authorized by the City Engineer. The City Engineer shall consider the effect of the change on adjacent and downgrade properties, and the potential for and probable impact of increased erosion and/or flooding caused by pertinent factors relative to human and/or environmental health and safety.

(d) The cost of curb cuts shall be borne by the applicant.

(e) All curb cuts which are constructed within the state right-of-way shall conform to all provisions and regulations set forth by the Maine Department of Transportation as well as the provisions of this chapter. In the case of contradictory regulations the most restrictive prevail.

§ 280-14-6. Development of rear lots.

A rear lot is a lot which is located to the rear of another lot or lots which front on a street as defined in this chapter. A rear lot existing as of the date of adoption of this section may be used for uses allowed within

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the zone in which it is located provided that:

A. There is an unobstructed access to the rear lot from the street over land which is not needed to meet the minimum requirements of the zone for the front lot.

B. Access is at least twenty-five (25) feet wide.

C. The access strip is in the same ownership as the rear lot.

D. The access strip may not be used to meet the requirement for minimum lot size of the zoning district.

E. The rear lot shall meet all requirements of the zoning district, other than minimum frontage. For the purpose of setback requirements, the setback line of such lots is deemed to be the prescribed setback distance from the deepest rear property line of the lot or lots between said rear lot and the nearest street.

§ 280-14-7. Projections into required setbacks.

Notwithstanding other provisions of this chapter, the following structural elements may project into a required setback as set forth below:

A. A cornice, eave, or canopy or other similar architectural features, but not including a bay window, may project up to two (2) feet into required setbacks.

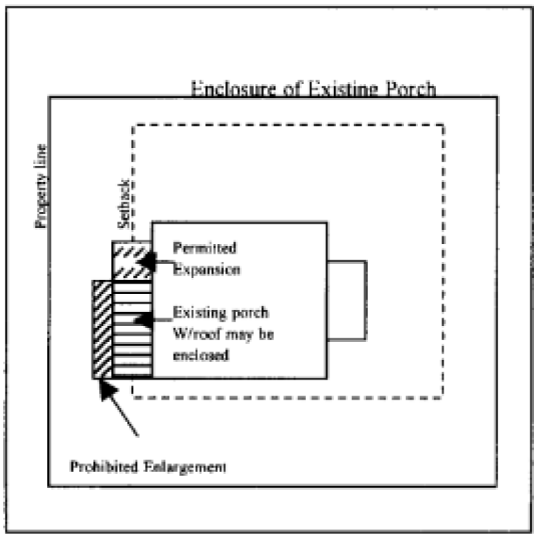
B. A fire escape may project up to four (4) feet into required setbacks.

C. A chimney may project up to two (2) feet into required setbacks.

D. An open, unenclosed platform, stoop, or steps, not covered by a roof, may project up to six (6) feet into required setbacks. The platform or stoop shall be no more than sixteen (16) square feet.

E. Any porch with a roof that existed as of the date of adoption of this provision may be enclosed and used as living area even if it currently encroaches on the required setback. The enclosed porch shall not further encroach on the setback but it may be enlarged in such manner as to maintain the existing relationship to the property line.

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F. Facilities for handicapped access, including ramps, lifts, and elevators, added to a building constructed prior to December 30, 1990, may project into any required setback area provided that the facilities are approved by the Fire Department on the basis that they will not create or aggravate any public safety or fire-fighting issues.

G. Signs consistent with the requirements of § 280-14-13B. **[Added 12-19-2017 by Order No. 17-163-01]**

§ 280-14-8. Structures permitted above height limits.

Notwithstanding other provisions of this chapter, roof structures for the housing of elevators, stairways, tanks, fans, or other building operating equipment; fire or parapet walls; skylights; steeples; flagpoles; chimneys; smokestacks; domestic radio or television masts; and water tanks or silos may be erected not more than twenty (20) feet above maximum height limits specified in the zone in which they are located.

§ 280-14-9. Temporary activities and events.

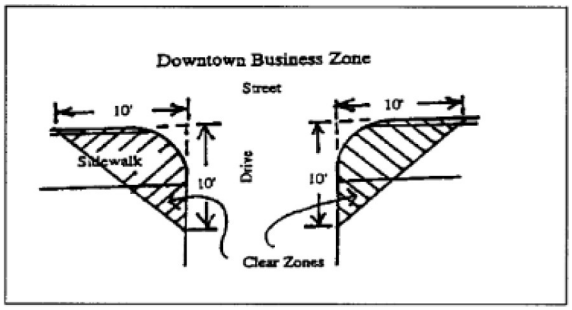
Notwithstanding the provisions of this chapter, temporary uses of a community or nonprofit nature, such as festivals, fairs, carnivals, and similar events, may be permitted in any zone by vote of the City Council, as long as such temporary use is not contrary to the objectives of this chapter. A vote by the City Council allowing such temporary use shall not be deemed a change in the zoning and shall apply to the specific event or activity only for its stated duration.

§ 280-14-10. Required sight lines.

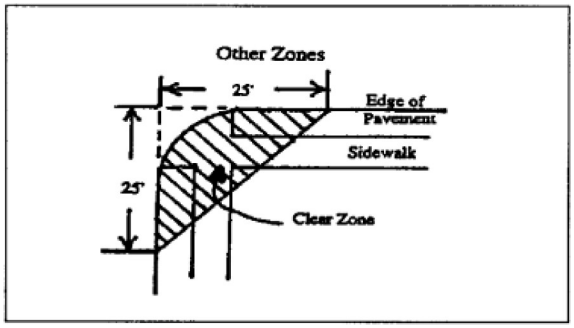
The purpose of this provision is to maintain a clear line of sight for drivers of vehicles at street and driveway intersections. This requirement shall apply to buildings, structures, fences, signs, landscaping or other elements.

A. Within the Urban Zone, no visual obstruction that interferes with a vehicle operator's line of sight shall be located within the triangular area created by measuring ten (10) feet back from the point of intersection of the travel way of two (2) streets or a street and a driveway and connecting these points.

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B. In other zones, no visual obstruction shall be located within the triangular area created by measuring twenty-five (25) feet back from the point of intersection of the travel way of two (2) streets or a street and a driveway.



C. Existing trees shall not be considered to be visual obstructions, nor shall objects located within thirty (30) inches of the ground or located more than six (6) feet above the ground. Any landscaping within this area shall be maintained so that a clear line of sight is retained at all times.

§ 280-14-11. Noise control.

All use of land, buildings, and structures shall conform to the requirements of Chapter 178: Noise.

§ 280-14-12. Off-street parking. [Amended 8-21-2018 by Order No. 18-348-01; 11-12-2024 by Order No. 24-401-01]

A. Applicability. Off-street parking shall be provided for all new construction, expansions, and changes of use in accordance with the requirements and standards of this section.

B. Minimum requirements for off-street parking. Off-street parking shall be considered an accessory use when required or provided to serve any legal use located in any zone. An off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet long and may be open or covered. Access to individual parking spaces shall be unobstructed except for parking for residential uses. Parking for single and two (2)-family dwellings may be arranged in a stacked layout so that access to one (1) space is over another. Stacked parking may also be used for multifamily residential uses if the parking spaces are assigned to units and the access to one (1) unit's parking space is not obstructed by the parking space of another unit. In order to determine compliance with this section, the Code

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Enforcement Officer shall require a plan showing the physical layout of all required off-street parking areas. Any change in the evidence or conditions upon which the plan is approved shall nullify such approval.

(1) Parking shall be provided on the lot occupied by the use for which the parking is required or on an adjacent lot owned or controlled by such use. In addition, uses located within the Urban Zone may provide all or part of the required off-street parking through any of the following:

(a) Private off-street parking located on another lot that is located within 1,000 feet of the subject lot and that is controlled by long-term lease or ownership by the proposed use.

(b) Off-street parking shared with other uses located within 1,000 feet of the subject lot, provided that the Planning Board or Site Plan Review Committee finds that there is adequate parking capacity to meet the parking requirements of all uses sharing the parking due to variation in the time of parking demand and/or anticipated use of parking to access multiple uses in a single trip, and that the shared parking is controlled through a leasehold or other enforceable agreement. The Planning Board or Site Plan Review Committee may allow off-site parking to be more than 1,000 feet from the site if it finds that the distance is reasonable given the nature of the proposed use.

(c) For nonresidential uses, off-street parking located in a municipal parking lot provided by the City, subject to the Planning Board or Site Plan Review Committee finding that there is adequate available parking to meet the needs of the use based on the parking standards of this chapter. The Planning Board or Site Plan Review Committee may allow legal on-street parking to be used to meet the parking requirement of a nonresidential use in the Urban and Industrial Redevelopment Zones if it finds that this parking can reasonably be expected to be available for customers of the use and is located within close proximity of the use.

(2) Where multiple use of a lot occurs, off-street parking shall be provided for each use in accordance with this section. Where the applicant can demonstrate and document nonconflicting periods of use, shared use of parking spaces may be permitted by the Planning Board or Site Plan Review Committee.

(3) Travel and queuing aisles associated with off-street parking, drive-in facilities and motor vehicle fuel pumps shall be provided and shall not interfere with the use of or be part of the required off-street parking.

(4) Minimum number of parking spaces required.

(a) The following minimum number of spaces, rounded up to the nearest whole number, shall be provided and maintained for each use on a lot, including each use within all buildings. The Planning Board or Site Plan Review Committee may reduce the required parking:

[1] For reuse of an existing building by up to 30%. In granting a reduction, the Planning Board or Site Plan Review Committee shall find that the reduction will not create or worsen parking problems in the neighborhood and that the required number of spaces cannot be reasonably accommodated on the lot; or

[2] For new or existing buildings, if the applicant demonstrates to the Planning Board or Site Plan Review Committee that proposed parking is adequate for the use based on national or regional parking demand studies such as those published by the Institute

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of Traffic Engineers or by data on actual parking demand for similar uses in similar situations and/or consideration of the availability of parking demand management programs that reduce the demand for on-site parking.

(b) The maximum number of employees scheduled during peak demand/shift shall be used in calculating the number of required parking spaces when employee is referenced in the list below. Gross floor area shall be used in calculating the number of required parking spaces, unless otherwise noted.

Use	Number of Spaces
Residential	
Single-family dwellings, including mobile and manufactured homes	Two (2) spaces per dwelling unit
Two (2)-family dwellings	Two (2) spaces per dwelling unit
Multifamily	One-and-one-half (1.5) spaces per dwelling unit with one (1) bedroom, and-three-quarter (1.75) spaces for unit with two (2) bedrooms, and two (2) spaces per unit with three (3) or more bedrooms
Renting of rooms; furnishing board	One (1) space per guest room, plus two (2) spaces per dwelling unit, plus one-half (0.5) space per employee
Home occupation	Two (2) spaces in addition to required parking for residences
Convalescent/rest or nursing home and residential or congregate care	One (1) space per four (4) beds, plus one (1) space per employee
Institutional	
Municipal uses/public utilities	One-and-one-quarter (1.25) spaces per employee, plus one (1) space per one-hundred-fifty (150) square feet of public assembly and meeting area
Museums/libraries	One (1) space per three-hundred (300) square feet, plus one (1) space per employee
Places of public assembly, such as theaters, cinemas, auditoriums, stadiums and sports arenas	One (1) space per four (4) seats, plus one (1) space per two (2) employees
Church/synagogue	One (1) space per four (4) seats
Schools	For schools containing places of public assembly, parking shall be required per places of public assembly above or the following, whichever is greater
Grades K-8	One (1) space per classroom, plus one (1) space for each employee
Secondary	Eight (8) spaces per classroom

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Use	Number of Spaces
Post secondary	One (1) space for each two (2) students, plus one (1) space for each employee
Child care provider, including nursery school, and/or adult day services center	One (1) space per employee, plus a safe off-street area for vehicle pickup and dropoff of students/children/clients
Schools not listed above	One (1) space per each two (2) students at capacity, plus one (1) space for each employee
Clubs and lodges	One (1) space per one-hundred-fifty (150) square feet, plus one (1) space per employee
Health service facility/hospitals	One-and-one-quarter (1.25) spaces per four (4) beds, plus one (1) space per each full-time staff doctor, plus one (1) space per each other employee
Commercial	
Retail sales	Three (3) spaces per use or three (3) spaces per one-thousand (1,000) square feet [or one (1) space per three-hundred-thirty-three (333) square feet or portion thereof], plus one (1) space per employee, whichever is greater
Gas and/or service station; auto repair garage [For gas stations involving other uses (e.g., gas pumps with convenience stores), the minimum number of required parking spaces shall be the total of the requirements for each use, plus the standards listed above.]	One-quarter (0.25) space per fuel pump, plus one (1) space per employee, plus four (4) spaces per service bay
Motor vehicle sales and service	Three (3) spaces per one-thousand (1,000) square feet [or one (1) space per three-hundred-thirty-three (333) square feet or portion thereof] of nonservice bay area, plus two (2) spaces per employee
Banks	Four (4) spaces per use or three (3) spaces per one-thousand (1,000) square feet [or one (1) space per three-hundred-thirty-three (333) square feet or portion thereof], whichever is greater
Studios of artisans	Three (3) spaces per one-thousand [(1,000) square feet (or one (1) space per three-hundred-thirty-three (333) square feet or portion thereof], whichever is greater
Personal services and business services	Three (3) spaces per use or four (4) spaces per one-thousand (1,000) square feet [or one (1) space per two-hundred-fifty (250) square feet or portion thereof], whichever is greater

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Use	Number of Spaces
Business and professional offices (nonmedical)	Three (3) spaces per use or four (4) spaces per one-thousand (1,000) square feet [or one (1) space per two-hundred-fifty (250) square feet or portion thereof], whichever is greater
Professional office (medical)	Four (4) spaces per doctor, plus one (1) space for each other employee
Wholesale sales/rental of equipment	Four (4) spaces per use or one (1) space per one-thousand (1,000) square feet, plus one (1) space per employee, whichever is greater
Restaurants/eating places/drinking places	One (1) space per four (4) patrons at capacity, plus one (1) space per employee (measurement of standing and seating capacity shall be based upon the latest adopted edition of the ICC International Building Code and NFPA 101, whichever is more stringent)
Motels, hotels and inns	One (1) space per guest room, plus one (1) space per employee, plus four (4) spaces per one-thousand (1,000) square feet [or one (1) space per two-hundred-fifty (250) square feet or portion thereof] of public assembly area
Funeral homes	One (1) space per four (4) seats
Kennels	Three (3) spaces per use or three (3) spaces per one-thousand (1,000) square feet
Veterinary clinics	Four (4) spaces per doctor, plus one (1) space per other employee
Industrial	
Manufacturing	One (1) space per employee
Warehouse	One (1) space per employee
Nonvehicular repair facilities	One (1) space per employee
Research and development	One (1) space per employee
Testing facilities	One (1) space per employee
Tradesmen's shops	Three (3) spaces per use or three (3) spaces per one-thousand (1,000) square feet, whichever is greater
Recreation/Marine	
Golf courses	Four (4) spaces per hole
Marina	One (1) space per boat slip

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Use	Number of Spaces
Fully enclosed place of recreation	Five (5) spaces per one-thousand (1,000) square feet [or one (1) space per two-hundred (200) square feet or portion thereof]
Outdoor recreation facilities	One (1) space per two (2) participants
Marine sales/services	Three (3) spaces per use or three (3) spaces per one-thousand (1,000) square feet, whichever is greater
Other Uses	As determined by the Planning Board based upon the ITE Parking Generation Manual

C. Off-street parking design standards. The following design standards shall apply to all new and expanded off-street parking areas:

(1) Parking areas for uses other than single- and two (2)-family dwellings shall be designed so that vehicles will not back out into a street.

(2) Parking areas shall not inhibit emergency vehicle access to any building or structure.

(3) Parking areas shall be separated from the front of all buildings by a landscaped area at least five (5) feet wide.

(4) Wheel stops/curbs shall be placed where needed to prevent encroachment into walkways, landscaped areas, circulation aisles, streets and structures.

(5) Where possible, parking spaces and travel aisles shall be clearly delineated.

(6) All parking areas shall be designed to adequately control drainage. In furtherance of this standard, drainage calculations used shall reflect a paved condition, and all parking areas shall be constructed with base material which can withstand normally expected vehicle loading and winter maintenance.

(7) In lots with ten (10) or more parking spaces, at least five percent (5%) of the parking spaces shall be designed and designated for handicapped parking. These spaces shall be located in close proximity to the entrances to the building.

§ 280-14-13. Signs. [Amended 12-19-2017 by Order No. 17-163-01; 12-3-2019 by Order No. 19-540-01; 9-20-2022 by Order No. 22-440-01; 11-26-2024 by Order No. 24-448-01]

A. Applicability. All signs erected, altered, displayed, or maintained in all areas of the City and visible from a street shall meet the standards of this section. Signs not in conformance with this section shall be removed. This section shall not apply to signs listed in § 280-14-13A(1) through § 280-14-13A(6).

(1) Traffic movement signs and devices erected, altered, displayed, or maintained by the City or the State.

(2) Official business directional signs.

(3) Signs bearing noncommercial messages erected, altered, displayed, or maintained in the street, outside of traveled ways, by a duly constituted governmental body, soil and water conservation district, or regional planning commission.

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(4) Hand-held signs not affixed to the ground or buildings.

(5) Historic markers and/or plaques.

(6) Seasonal signs.

B. General provisions. All signs shall be in conformance with the following provisions, except as may be otherwise regulated in this chapter including but not limited to § 280-15-11H(11):

(1) Signs shall be clean, legible, and free from all hazards, such as faulty wiring, loose fastenings, or dilapidated or deteriorated condition, including, but not limited to, signs which have parts which are falling off, and shall be maintained so as not to be detrimental to the public health or safety or create a public nuisance, distraction, or obstruction that impairs vehicular or pedestrian traffic movement or safety. If the Code Enforcement Officer finds that a sign does not meet the requirement of this subsection or is a nuisance or safety hazard, the sign shall be removed or repaired by the owner of the land, building, or structure upon which the sign is located.

(2) Signs shall be designed, located, and maintained so that they do not create a vehicular or pedestrian traffic, safety, or health hazard or nuisance due to illumination, placement, display, or manner of construction. All signs shall be located so as not to obstruct views of traffic and shall be placed so as to maintain a clear line of sight for drivers and pedestrians at street intersections and shall not be located within the area of a triangle with vertices measured twenty-five (25) feet from the intersection of the curb lines of a traveled way.

(3) Signs shall conform to the Building and Electrical Codes.

(4) Existing nonconforming signs may be rebuilt, maintained, repainted, or refaced, except that a nonconforming sign shall be brought into conformity with the provisions of this section when it is enlarged or relocated or when the principal use of the property is changed to a residential use as outlined in the Table of Land Uses.[38]

(5) Signs shall be securely connected to the ground or a building unless the sign can be temporarily moved from place-to-place without equipment.

(6) Any sign which becomes a nuisance or safety hazard shall be removed.

(7) Temporary signs located on the inside of windows shall not be included when calculating cumulative sign area and shall meet the following standards. Signs located on the inside of windows shall:

(a) Not be permanently affixed to the interior surface of the windows.

(b) Take up no more than fifteen percent (15%) of total window area or six (6) square feet of any single storefront, whichever is smaller.

(c) Be displayed for no more than thirty (30) days with no limit on the total number of days per year. The date of placement of an interior window sign shall be written in indelible ink on the lower, right hand corner of the sign.

(d) Be removed if the Code Enforcement Officer finds that it is frayed, torn, broken, or illegible.

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38. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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(e) Existing temporary signs that are not in compliance with this section shall be removed within one (1) year of effective date of December 3, 2019.

(8) Any sign at a location where goods, services, or a point of interest has ceased to be available for a period of one (1) year or more shall be considered abandoned and shall be removed by the owner of the land, building, or structure upon which the sign is located. Any abandoned sign shall not be replaced with a non-conforming sign. A temporary sign on a property that is for sale may remain on the property for up to two (2) weeks after the date of sale of the property.

(9) Freestanding signs shall be set back twenty (20) feet from the street, outside of traveled ways, unless a waiver is granted by the Code Enforcement Officer. The waiver shall be granted only if the required setback cannot be met due to traffic safety, lot area, building or site constraints, or to reflect compact patterns of development described in § 280-15-11. A minimum setback of at least five (5) feet from the curb line or pavement edge shall be maintained.

(10) A sign shall not exceed one-hundred-fifty (150) square feet in cumulative sign area, notwithstanding other provisions of this section.

(11) A sign shall not exceed twenty-five (25) feet above the ground level upon which it is located; except that the maximum height of a sign that is affixed to or is part of a building is ten (10) feet above the roof of the building.

(12) Signs, awnings, and canopies may extend over or be placed in the street, provided that the sign is located at least two (2) feet behind the curb line, or edge of pavement if no curb exists, and is located so as not to obstruct pedestrian or vehicular movement.

C. Prohibited signs. The following signs are prohibited in all areas unless specifically provided for in this section:

(1) Off the premises business signs.

(2) Signs that imitate, resemble, or interfere with official traffic or emergency control signs, signals, lights, or intersections.

(3) Signs that move, flash light intermittently, change color, blink, fade, scroll, strobe, or have animated parts or the appearance of movement, except for electronic and changeable displays, as provided for in § 280-14-13H. A revolving barber pole sign is not considered to be a sign that moves.

D. Signs allowed without a permit. The following types of signs may be installed in all zones without obtaining a sign permit from the Code Enforcement Officer; however, they shall comply with all other applicable standards of this section:

(1) Public safety signs.

(2) Signs indicating that access is prohibited.

(3) Temporary signs, located on the inside of windows or not in the public right-of-way.

(4) Temporary signs bearing noncommercial messages placed within the public right-of-way, with the following conditions:

(a) Placement is limited to a maximum of six (6) weeks per calendar year;

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(b) Shall not be placed within thirty (30) feet of another temporary sign bearing the same or substantially the same message;

(c) Shall be labeled with the name and address of the individual, entity, or organization that placed the sign; and

(d) The date of placement of the temporary sign and designated time period that the sign will be maintained shall be written in indelible ink on the lower, right hand corner of the sign.

(5) Address numbers, nameplates, name of a building or structure, name of the company that built or designed the building or structure, hours of operation, information about credit cards accepted, decals identifying membership in the Chamber of Commerce or Sanford Regional Economic Growth Council, and similar standardized business information. These types of signs shall be excluded from the cumulative sign area.

(6) Movement control signs such as entrance and exit signs at any premises with the following conditions:

(a) Shall be attached or freestanding;

(b) Shall not exceed five (5) square feet;

(c) May contain words that shall not exceed six (6) inches in height; and

(d) Shall convey a message which directs vehicular or pedestrian movement within or onto the premises on which the sign is located.

E. Residential Standards

(1) Single family residential properties shall be allowed signs associated with a home occupation as described in § 280-2-2.

(2) Residential subdivisions, multifamily dwellings, and condominium complexes, excluding mixed use properties shall:

(a) Be allowed one permanent freestanding sign, not to exceed twenty-four (24) square feet. One (1) such sign shall be allowed for each separate street entrance and/or street frontage. No sign shall extend more than six (6) feet above the ground.

(b) Be allowed one (1) sign per building, not to exceed twenty-four (24) square feet per each street frontage.

(c) Be allowed temporary signs, not to exceed a total of eight (8) square feet in cumulative sign area.

(d) Not be allowed electronic and changeable displays.

(e) Be allowed to be lighted.

F. Commercial, industrial, institutional, agricultural, and mixed use standards. Commercial industrial, institutional, agricultural and mixed use properties shall:

(1) Be allowed one (1) freestanding sign, not to exceed sixty-four (64) square feet in cumulative sign area per street frontage. Corner lots and lots with frontage on more than one (1) street are allowed one (1) additional freestanding sing, not to exceed sixty-four (64) square feet in

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cumulative sign area. Freestanding signs used as a directory of tenants engaged in commercial activity on the premises shall be allowed an additional six (6) square feet of sign area per tenant in excess of four (4) tenants.

(2) Be allowed one (1) building sign per tenant, not to exceed one and a half (1.5) square feet per one (1) linear foot of the suite associated with building frontage that faces a public street or parking lot up to a maximum cumulative sign area of one-hundred-ninety (190) square feet.

(3) Be allowed additional building sign area, not to exceed a cumulative sign area of one and one-half (1.5) square feet per one (1) linear foot of building frontage that faces a public street or parking lot, including signage allowed in § 280-14-13F(2).

(4) Be allowed temporary signs, not to exceed a total of thirty-two (32) square feet in cumulative sign area placed outside on private property, with the following conditions:

(a) Placement is limited to a maximum of thirty (30) days at a time for no more than a total of ninety (90) days per calendar year.

(b) Shall not be placed within thirty (30) feet of another temporary sign bearing the same or substantially the same message.

(c) Shall be labeled with the name and address of the individual, entity, or organization that placed the sign; and

(d) Shall be labeled with the date of placement of the temporary sign in the lower, right hand corner of the sign.

(5) Be allowed one (1) electronic and changeable display for each sign face, not to exceed twenty-four (24) square feet per sign face.

G. Lighting standards.

(1) Luminaires shall be fully capped, shielded, and directed at the sign being illuminated. No light shall be directed at any portion of the public way or be of such intensity or brilliance as to cause glare or impair the vision of an operator of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle.

(2) Signs shall be illuminated so that they do not create a public hazard or nuisance for the traveling public and/or neighborhood. Lamps and light bulbs, in general, shall be shielded by landscaping and/or other means and shall be directed to minimize glare and light pollution beyond the signage.

(3) Internally illuminated signs shall be lighted so they do not create a hazard or nuisance for the traveling public and/or neighborhood. Lamps and light bulbs, in general, shall be fully shielded inside the fixture to reduce glare and light pollution.

(4) Sign lighting shall not be motion activated.

H. Electronic and changeable displays.

(1) The display on each side of an electronic and changeable display may not have a message period of less than ten (10) seconds. If a message changes it must be without transition or animation. The change of message shall occur simultaneously for the entire display. The display may not phase, fade, dissolve, pulse, roll, scroll, flash, move, blend or contain any movement-type

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changes between or during display periods. The display may not stream information or contain video animation. Official public notices are exempt from these standards.

(2) The display may consist of alphabetical or numeric text on a plain or colored background and may include graphic, pictorial, and photographic images.

(3) An electronic and changeable display shall contain automatic dimming controls, either by photo cell or software settings and shall comply with the maximum luminance level of one-hundred (100) candelas per square meter at least one-half (1/2) hour before sunset and one-half (1/2) hour after sunrise as determined by the National Oceanic and Atmospheric Administration for the specific geographic location and date to reduce hazard or nuisance for the traveling public and/or neighborhood and to reduce glare and light pollution.

I. Planning Board approval. The Planning Board may approve the installation of:

(1) Additional freestanding signs if it finds that due to the unique physical characteristics of the site a single sign is impractical or confusing;

(2) Additional building signs, including electronic and changeable displays, required to identify different product lines sold by the business: or,

(3) Historical or artistic building signs, which may or may not represent the current business and may otherwise place a burden on the applicant to meet the total allowable signage area.

J. Substitution clause. For every commercial sign that is allowed under this chapter, any non-commercial message may be legally substituted.

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ARTICLE XV
Performance Standards

Note: Performance Standards apply to activities which do not require Site Plan, Subdivision, or Planning Board approval.

§ 280-15-1. Groundwater protection standards.

A. Applicability. The general provisions of this section apply to all land uses, including storage of hazardous materials, new construction, structural alteration, and substantial change in use, occurring in the City. Additional standards and requirements apply in areas delineated as Public Water Supply Protection Districts.

B. Delineation of the Public Water Supply Protection Districts.

(1) Public Water Supply Protection Districts shall be delineated on copies of the Assessor's maps and shall be titled "Public Water Supply Protection Districts Map: City of Sanford." This map shall be deemed an integral part of this chapter and shall be maintained on file in the Code Enforcement Office.

(2) The Public Water Supply Protection Districts shall operate as overlay districts. If there is any conflict between the provisions of the Public Water Supply Protection Districts and other sections of this chapter, the more restrictive provision shall apply.

(3) The Public Water Supply Protection Districts are comprised of areas in and around Water District well fields and in the Branch Brook Aquifer where aquifer recharge occurs. Regulatory standards apply to the following districts:

(a) District 1, as delineated on the Official Public Water Supply Protection Districts Map, consists of the New Dam Well, the Eagle Drive 1 Well, the Eagle Drive 2 Well, and the Branch Brook Aquifer.

(b) District 2, as delineated on the Official Public Water Supply Protection Districts Map, consists of the Old Mill Road Well, the Route 109 at Sam Allen Road Well, Bernier Road Well, and the Country Club No. 2 Well.

(c) District 3, as delineated on the Official Public Water Supply Protection Districts Map, consists of the Cobb 1 Well, the Cobb 2 Well, and the Main Well Field.

(4) Each area is further defined by two (2) distinct zones delineated by the hydraulic travel time to a wellhead. These zones designate different levels of wellhead protection:

(a) Zone A, as delineated on the Official Public Water Supply Protection Districts Map, consists of the area in which it would take a leachable material introduced into the groundwater two-hundred (200) days or less to reach a public water supply. The travel time boundary of this zone is based on the length of time viruses present in the wastewater can survive in the soil. Zone A is therefore an area regulated for sanitary purposes.

(b) Zone B, as delineated on the Official Public Water Supply Protection Districts Map, consists of the areas from which it would take a leachable material two-hundred (200) to two-thousand-five-hundred (2,500) days of travel time to reach a public water supply. This zone is regulated to reduce the risk of contamination of the groundwater supply from land

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use activities that pose a major threat.

(c) Hydraulic travel times are the most commonly used instruments for defining an area of groundwater protection. Zones A and B have been mapped accordingly around existing and proposed public water supply well fields and aquifers to protect the health and safety of the public as well as maintain the integrity of the groundwater resource.

(5) If any portion of a lot is located in Zone A and/or B, all of the land located in Zone A shall be governed by the regulations for Zone A, and all of the land located in Zone B shall be governed by the regulations for Zone B. **[Amended 9-20-2022 by Order No. 22-440-01]**

(6) The delineation of all districts and Zones A and B may be revised only by amendment to the Public Water Supply Protection Districts Map in accordance with the provisions of § 280-4-2.

(7) If there are questions as to the location of the district or zone boundaries, the location shall be determined in accordance with provisions of § 280-9-3.

C. General performance standards. All use of land, buildings, and structures in the City shall comply with the following standards:

(1) Sites at which hazardous materials are stored, used or generated shall be designed to prevent spills and discharges to the surface of the ground, groundwater, lakes, streams, rivers or wetlands.

(2) Areas and facilities for loading and unloading hazardous materials and polluting materials shall be designed and constructed to prevent discharge or runoff to groundwater.

(3) Facilities shall be designed so that all stored, spilled or leaked hazardous materials are contained on site.

(4) Secondary containment for aboveground areas where hazardous materials are stored or used shall be provided.

(5) Existing and new storage tanks shall meet all state and federal requirements.

(6) Outdoor storage of hazardous materials shall use product-tight containers which are protected from weather, leakage, accidental damage, and vandalism.

(7) Discharge of fluids from any motor vehicle shall not be permitted into or onto the ground.

(8) General purpose floor drains shall be approved by the Local Plumbing Inspector prior to installation. The Local Plumbing Inspector may consult with the Water District and/or Sewerage District prior to approving floor drains.

D. Additional performance standards in Public Water Supply Protection Districts. All uses of land, buildings, and structures in a designated Public Water Supply Protection District shall comply with the following standards in addition to those set forth in § 280-15-1C:

(1) The volume and quality of groundwater recharge shall be maintained at predevelopment levels.

(2) Stormwater management and containment facilities shall not increase the level of contaminants entering the groundwater.

(3) In areas which are not served by public sewer, no more than one (1) dwelling unit may be connected to a subsurface waste disposal system.

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E. Prohibited uses.

(1) The following uses shall be prohibited within Zones A and B of Public Water Supply Protection Districts 1, 2 and 3:

(a) The disposal of solid waste, sludge, and ash.

(b) The discharge of commercial or industrial wastewater or wash water to an on-site sewage disposal system.

(c) Sand and gravel excavation within five (5) feet of the seasonal high-water table.

(d) The land application of sludge and the spray application of industrial wastewater or sewage.

(2) The following uses shall be prohibited within Zones A and B of District 2:

(a) The commercial use, storage, or manufacture of hazardous materials or wastes.

(b) The commercial use, storage, or manufacture of petroleum products.

(c) The bulk storage of leachable materials, including concrete, asphalt, tar, coal, and salt.

(d) The commercial storage and application of pesticides.

(3) The following uses shall be prohibited within Zone A of Districts 1, 2 and 3:

(a) On-site sewage disposal systems for any new use. Replacement septic systems for existing uses are permitted subject to review by the Water District. Notwithstanding this provision, the Local Plumbing Inspector may issue a permit for a septic system for a new single-family residential use if all of the following conditions are met:

[1] The lot existed at the time of adoption of this provision;

[2] The lot is located entirely within Zone A;

[3] There is no reasonable alternative for sewage disposal;

[4] The Water District has reviewed the proposed location of the system; and

[5] The location of the system maximizes the protection of the public water supply.

(b) Manure spreading between November 1 and April 1 and at any other time when the ground is frozen.

F. Water supply protection permit required. Any use of the land, construction or alteration of a building or structure, change in the occupancy of a building, or modification of existing industrial processing or storage facilities which increases the volume or changes the type of hazardous materials present on a site shall be permitted within the Public Water Supply Protection Districts only after the issuance of a water supply protection permit in accordance with § 280-15-1G.

G. Water supply protection permit procedures. The Code Enforcement Officer is authorized to review applications for and issue water supply protection permits for any activities covered by this section that do not trigger site plan review under this chapter. Prior to issuing a permit, the Code Enforcement Officer shall notify the abutters of the property and their right to review and provide written comments on the application. The Code Enforcement Officer shall not issue the permit until at least

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five (5) business days after the mailing of notices to the abutters. For activities requiring a water supply protection permit and/or site plan review, the water supply protection permit shall be considered as part of the site plan review process described in Article XVI.

H. Compliance with the requirements of § 275-42.

I. Review criteria. When reviewing an application, the Code Enforcement Officer, Site Plan Review Committee, or Planning Board shall approve the application only if it finds that the applicant has adhered to all performance standards contained in §§ 280-15-1C and 280-15-1D.

J. Notification requirement. Within sixty (60) days of the adoption of this section, the Planning Director shall notify the owners of all lots within a Public Water Supply Protection District of the adoption of these provisions and the importance of compliance with the requirements and shall provide them with a copy of the performance standards and other requirements. **[Amended 9-20-2022 by Order No. 22-440-01]**

§ 280-15-2. Watershed performance standards.

In addition to the other requirements of this chapter, any use of land or development activity within the Mousam River watershed or the Great Works River watershed that is subject to site plan review shall conform to the following standards:

A. The area of the site stripped of existing vegetation at any given time shall be minimized. Stripping of the site shall be phased where practical so that areas are revegetated and permanently stabilized before additional areas are stripped of existing vegetation.

B. Not more than thirty-five percent (35%) of the total vegetated area of a lot may be covered by impervious surfaces, including buildings, structures, and paved or gravel surfaces, unless the owner of the lot demonstrates that such development will be carried out in accordance with the Best Management Practices as set forth in "Stormwater Management for Maine: Best Management Practices," published by the Maine Department of Environmental Protection, as may be amended from time to time. **[Amended 9-20-2022 by Order No. 22-440-01]**

C. Any area of disturbed ground resulting from construction or similar activities shall be either temporarily or permanently stabilized by use of riprap, seed, mulch, or other ground cover within one (1) week from the time it was actively worked.

D. Vegetated buffer strips at least twenty-five (25) feet wide shall be maintained adjacent to waterways, drainage ditches, and swales. Waterways, ditches, and swales shall be revegetated prior to September 15.

E. Stormwater collection systems shall be designed to use overland flow into vegetated buffer strips whenever possible. When enclosed storm drainage systems are used, provisions for managing nutrient export shall be incorporated consistent with Best Management Practices.

F. Silt fencing and hay bale barriers in accordance with the York County Soil and Water Conservation District's erosion and sedimentation control standards shall be used during all phases of construction.

G. The Planning Board may require that projects classified as major developments under this chapter conduct an analysis of nutrient export levels and incorporate nutrient loading control devices such as sedimentation/retention ponds, infiltration systems, wet ponds, swales, or flow strips if necessary to reduce the level of nutrient export to acceptable levels. This analysis shall be carried out in accordance with "Phosphorous Control in Lake Watersheds: A Technical Guide for Evaluating New

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Developments," published by the Maine Department of Environmental Protection, as may be amended from time to time. If the phosphorous method requires removal of more than seventy-five percent (75%) of the increase in phosphorous load to meet the phosphorous export limit, the Planning Board may increase the limit to a level obtainable through on-site use of Best Management Practices as identified in the Stormwater Best Management Practices Manual.

H. If the project is classified as a major site plan and is in the watershed of a great pond, phosphorus impacts will be managed in compliance with the relevant requirements of §§ 275-47 and 275-60.

§ 280-15-3. Industrial performance standards.

All uses involving the manufacturing or processing of materials or products shall conform to the following standards:

A. Storage of derelict vehicles or equipment. No derelict vehicles or equipment shall be stored on the site unless they are enclosed within a secure area and screened from view from public streets and adjacent properties.

B. Vibration. Equipment and other activities shall not produce vibration measured at the lot line which is perceptible without instruments. In no case shall vibration at the lot line exceed three-one-thousandths (0.003) of one (1) inch.

C. Odors and air quality. No offensive, harmful, or noxious odors shall be emitted that create a public nuisance or hazard beyond the lot line of the lot, an adjoining unit, building, or property, documented by multiple complaints. All facilities shall have a properly designed and maintained ventilation and air filtration system which takes into consideration the square footage and number of elements in the industrial process. Smoke, debris, dust, fluids, and other substances shall be managed in compliance with Maine Department of Environmental Protection Regulations Chapter 110 Ambient Air Quality Standards. Filters shall be checked every six (6) months and shall be replaced as needed or based on the manufacturer's recommended schedule, whichever is more recent. **[Amended 9-20-2022 by Order No. 22-440-01]**

D. Electromagnetic interference. No electromagnetic interference shall be permitted that does not conform to state and federal standards.

E. Lights. No lights used in the industrial process or on the site of the industrial process shall produce pollution, glare, or brightness that would create a public nuisance or hazard. All lights shall be shielded and oriented such that they shall not extend beyond the property lines. All power sources, electrical fixtures, and electrical conveyances shall be installed, connected, and maintained in conformance with the City's building, electrical, fire, and other health, safety and technical codes, including but not limited to Chapters 90: Building and Building Regulation and 128: Fire Prevention.

F. Noise. Noise from an exhaust fan or other aspects of the operation shall not exceed the maximum permissible noise level established by the City in Chapter 178: Noise.

G. Carbon dioxide and/or other gases. If carbon dioxide and/or other gases are used in the industrial process, carbon dioxide alarms and/or alarms for other gases shall be provided and maintained in good operating condition.

H. Security. The facility shall be secured so as to render it inaccessible to any unauthorized persons during all hours. Security measures shall be reviewed and approved to manage nuisance activity, unauthorized entry into a facility, and/or thefts. The Planning Board may require that a Knox-Box® of

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an approved type listed in accordance with UL 1037 shall be installed in an accessible location to provide access in the event of an emergency.

§ 280-15-4. Residential cluster development standards.

A. Purpose. The purpose of these provisions is to allow for contemporary concepts of housing development where variations of design may be allowed. The Planning Board may approve residential cluster developments as an alternative to conventional subdivisions. The Planning Board may approve subdivisions as residential cluster developments in which the size of individual lots is less than that normally required by this chapter, provided that a sufficient area of the total lot being developed is reserved as permanent open space. **[Amended 9-20-2022 by Order No. 22-440-01]**

B. Basic requirements for cluster developments.

(1) Cluster development shall meet all requirements for subdivision approval and shall be in conformance with a site plan for its overall development.

(2) Each lot or building shall be an element of an overall plan for site development. When the development consists of the creation of lots, the plan shall establish a building envelope for each lot that identifies the area within which the buildings will be located. When the development involves the construction of buildings on a single lot, the plan shall show the location of each building. **[Amended 9-20-2022 by Order No. 22-440-01]**

(3) The total residential density may be no greater in a cluster development than is normally permitted in the zone in which the development is proposed.

(4) Residential cluster developments in accordance with this section are allowed in all residential zones.

(5) Only those residential uses allowed in a zone are allowed in a residential cluster development. In addition, in the Rural Residential and Rural Mixed Use Zones newer mobile homes, as defined in this chapter, may be allowed on a slab-type foundation provided that the individual mobile home sites or lots are rented and not sold.

(6) A cluster development may have no fewer than five (5) dwelling units.

C. Dimensional requirements.

(1) Individual lot sizes may be less than that required in the zone in which the cluster development is located, provided that the amount of land by which the lot is reduced is reserved as open space. Within the Rural Residential and Rural Mixed Use Zones, individual lots may be as small as twenty-thousand (20,000) square feet, provided that the soils are adequate to support a lot of that size. In other zones, the area of individual lots may be reduced by up to fifty percent (50%).

(2) Other lot dimensional requirements may be reduced as follows:

(a) Lot frontage: fifty percent (50%) of that required in the zone.

(b) Side lot line setback: fifty percent (50%) of that required in the zone.

(c) Front lot line setback: ten (10) feet.

(d) Rear lot line setback: ten (10) feet.

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(e) Lot depth: fifty percent (50%) of that required in the zone.

D. Open space.

(1) At least forty percent (40%) of the total area of the cluster development must be in open space, and not more than twenty percent (20%) of the required open space area may be wetland and/or slopes greater than fifteen percent (15%).

(2) The open space shall be dedicated to the recreational amenity and environmental enhancement of the development, shall protect natural resources, and shall be recorded as such. For the purpose of these provisions, open space means an area that is:

(a) Not encumbered in any way by a principal structure;

(b) Not devoted to use as a roadway, road right-of-way, parking lot, or sidewalk;

(c) Left in its natural or undisturbed state, if wooded, except for cutting of trails for walking or jogging, or, if not wooded at the time of development, is landscaped for ball fields, play fields, picnic areas, or similar activities;

(d) Capable of being used and enjoyed for the purpose of informal and unstructured recreation and relaxation; and

(e) Legally and practicably accessible to all residents of lots in the cluster development out of which the open space is taken.

(3) The common open space shall be controlled by one (1) or more of the following methods:

(a) Common ownership by the owners of units within the project;

(b) Common ownership by the owners of the units within the project with a conservation easement granted to the City, subject to acceptance by the City Council or recognized conservation organization;

(c) Dedication to the City as public open space subject to acceptance by the City Council;

(d) Transfer, with permanent restrictions, to a land trust or other recognized conservation organization; and/or

(e) Ownership by a private party for agricultural or other natural resource use, provided that permanent restrictions are in place to provide for its continued use for this purpose.

(4) Any subdivision proposed under this section shall specify the ownership, use, management, and person responsible for maintenance of all common areas and facilities. The Planning Board shall approve the arrangements for the ownership, control, and maintenance of the common open space as part of the approval of a final subdivision plan. No changes in the use or management of the common open space shall be made without Planning Board approval.

(5) Any common open space or facility not retained by a private owner shall be maintained by a homeowners' association unless and until it is transferred in its entirety to the City or a recognized conservation organization, and until the transfer actually is completed. The formation and incorporation by the developer of a homeowners' association shall be accomplished prior to final subdivision approval. Covenants for mandatory membership in the association shall be approved by the Planning Board and included in the deed for each lot or

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unit. The association's documents shall specify that:

(a) The association shall have the responsibility of maintaining the common open space and other private facilities dedicated to the use in common by the development's residents.

(b) The association shall levy annual charges against all property owners to defray the expenses, if any, connected with maintenance of the common open spaces and facilities.

(c) The developer shall maintain control of common open spaces and facilities and be responsible for their maintenance until at least fifty-one percent (51%) of the development's lots or units have been completed and sold, with evidence of such completion and sales submitted to and approved by the Planning Board.

E. Design standards. In addition to other standards of this chapter and of Chapter 275: Subdivision of Land, the following design standards shall apply to cluster developments:

(1) Priorities for layout of lots and open space. The Planning Board shall find that individual building lots/sites are laid out and open space preserved to achieve the following objectives, as applicable. Where the Planning Board finds that objectives conflict, the objectives shall be achieved in the order listed:

(a) Where on-site wastewater disposal is to be used, it will be located on suitable soils for subsurface wastewater disposal;

(b) The layout preserves, as part of the required open space, environmentally sensitive areas, such as wetlands, steep slopes, floodplains, wildlife habitat rated by the Maine Department of Inland Fisheries and Wildlife as high value, and unique natural features;

(c) The design maximizes, as part of the required open space, the amount of contiguous, usable area for agriculture or woodlot production;

(d) The layout preserves cultural features of the rural landscape, such as stone walls, tree lines, and important or unique structures;

(e) The layout maximizes, as part of the required open space, the amount of undisturbed, contiguous wildlife habitat, including habitat that may not be rated as high by the Maine Department of Inland Fisheries and Wildlife;

(f) Where the development abuts a body of water, the design includes, as part of the required open space, a minimum of twenty-five percent (25%) of the shoreline;

(g) The layout encourages buildings to be located within woodlands or along the edges of open fields adjacent to woodlands;

(h) The layout provides for buildings in locations least likely to block or interrupt scenic vistas, as seen from the public roadway;

(i) The design maximizes open space that is usable for outdoor recreation;

(j) Each house lot has direct access to the open space, which means that the owner of one (1) house lot does not have to cross another's house lot to reach the open space;

(k) The layout minimizes the length of roadways, public utility lines, and other infrastructure within the proposed development;

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(l) The design provides planting, landscaping, fencing, and screening to buffer the development from, and integrate it with, the character of any surrounding development.

(2) Vehicular access, street layout and construction.

(a) All vehicular access to buildings and lots shall be from a street within the development and not from an existing public road.

(b) All streets, roads, access drives, and parking areas shall be designed to harmonize with the topographic and natural features of the site. The road network shall provide for vehicular and pedestrian safety, all-season emergency access, snow storage, delivery and collection services, and potential connections to abutting land.

(c) Streets shall be designed and constructed in conformance with Chapter 275: Subdivision of Land.

(3) Buffering. A cluster development shall be buffered from a street or road, other than the street or road serving individual lots in the development, or from any abutting single-family dwelling lot, by a distance equal to two (2) times the normal minimum setbacks required for the zone. This buffer shall be established and maintained with a screen to provide an effective visual barrier from the ground to a height of at least ten (10) feet. This screen may be composed of a landscaped earth berm, planted evergreen bushes and trees, or existing evergreen bushes and trees, or a combination of such features.

(4) Utilities. Utilities shall be installed underground wherever possible. Transformer boxes, pumping stations, and meters shall be located so as not to be unsightly or hazardous to the public.

§ 280-15-5. Manufactured housing.

A. Modular homes. Modular homes shall be allowed in any zone in which a residential structure is allowed and subject to the requirements of that zone.

B. Newer mobile homes. Newer mobile homes shall be treated as single-family homes allowable in the Rural Residential, Rural Mixed Use, and Residential Development Zones but may not be located on a lot of land which fronts on Route 109, 202, 99, 11A, 224 or 4. **[Amended 9-20-2022 by Order No. 22-440-01]**

C. Nonconforming homes. All other mobile homes and trailers, and modular homes which fail to meet the definition of modular home as defined in this chapter, which were lawfully located in the City as a residential unit prior to November 20, 1984, and all other mobile homes which are lawfully located within the City subsequent to that date pursuant to § 280-15-5D, shall be considered nonconforming structures and may continue and may be maintained, repaired, improved, enlarged, or replaced with a like home the same size or larger. Such a nonconforming structure may be moved to another lot in the Rural Residential, Rural Mixed Use, or Residential Development Zones but may not be relocated to a lot of land which fronts on Route 109, 202, 99, 11A, 224 or 4. **[Amended 9-20-2022 by Order No. 22-440-01]**

D. Additional older homes prohibited. No person, firm, corporation, or other legal entity may locate a factory-built home that is included within the term all other mobile homes as defined in this chapter on a lot of land in the City if such factory-built home was not lawfully located in the City as a residential unit prior to November 20, 1984; provided, however, that: **[Amended 5-7-2019 by Order**

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No. 19-258-01; 9-20-2022 by Order No. 22-440-01]

(1) Any manufactured home or factory-built home that is included within the term all other mobile homes, regardless of its date of manufacture, that is legally sited within the City as of August 4, 1988, may be relocated to another lot of land within the City where newer mobile homes are allowed under § 280-15-5B so long as it complies with all design criteria applicable to newer mobile homes, including but not limited to a pitched, shingled roof, exterior siding which is residential in appearance and located on a permanent foundation; provided, however, that the Board of Appeals may, upon written request by the owner of said home, grant a waiver from said design standards upon the owner's showing of economic circumstances that would cause compliance with said design standards to have the practical effect of preventing said home's relocation within the City; and

(2) No manufactured home shall be prohibited solely on the basis of its date of manufacture or failure to comply with the National Manufactured Housing Construction and Safety Standards Act of 1974.

E. Homes in mobile home parks. A mobile home being located on a lot approved prior to the effective date of this amendment in an existing mobile home park licensed by the Maine Department of Business Regulation shall not be required to be located on a permanent foundation.

F. Mobile home parks.

(1) Mobile home parks shall be allowed in the Rural Mixed Use Zone. The use and dimensional requirements of the Rural Mixed Use Zone shall govern, except to the extent otherwise provided by this subsection or state law.

(2) Existing mobile home parks not located within the Rural Mixed Use Zone shall be allowed to expand on contiguous property to one-hundred-thirty percent (130%) of the number of lots which existed in said mobile home park on September 7, 1989, subject to all of the provisions set forth in this section.

(3) Lots in mobile home parks shall comply with the following:

(a) The minimum lot width for any mobile home park lot shall be fifty (50) feet.

(b) A mobile home shall not be located less than ten (10) feet from any boundary lines of an individual lot.

(c) Any mobile home park lot which is located wholly or partly within a shoreland district shall meet the minimum lot area and shore frontage requirements of that district.

(4) No mobile home park lot shall be located with road frontage on any existing public way. Frontage and access to individual mobile home park lots shall be solely from interior roadways constructed within the mobile home park.

(5) Privately owned roads within a mobile home park shall:

(a) Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;

(b) Have a minimum right-of-way width of twenty-three (23) feet;

(c) Have a minimum paved width of twenty (20) feet; and

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(d) Conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

(6) Any person proposing to develop or expand a mobile home park shall prove to the Code Enforcement Officer and the Planning Board that the development will not pollute a public water supply or an aquifer or violate any provision of state law relating to land development, subdivision or use.

(7) Requirement for buffer strips.

(a) None of the provisions of this subsection shall apply unless the per-acre density of the mobile home park is at least two (2) times greater than the density of residential development on immediately adjacent lots of land. **[Amended 9-20-2022 by Order No. 22-440-01]**

(b) In addition to the setback requirements set forth in § 280-15-5F(3)(b), a buffer strip of at least forty (40) feet in width shall be required along the boundary of any mobile home park where the abutting property is zoned for residential use.

(c) Within the first twenty-five (25) feet of the buffer strip, as measured from the exterior boundaries of the mobile home park, the buffer shall be established and maintained with a screen to provide an effective visual barrier from the ground to a height of at least ten (10) feet. This screen shall be composed of a landscaped earth berm, planted evergreen bushes and trees, or existing evergreen bushes and trees, or a combination of such features.

(d) No structures, streets, or utilities may be placed in the buffer strip, except that utilities may cross a buffer strip to provide services to the mobile home park.

(8) No individual lot within a mobile home park may be separately conveyed unless it meets all of the dimensional requirements of the zoning district, including sufficient frontage on an accepted public way.

(9) Only newer mobile homes, as defined in this chapter, shall be permitted in mobile home parks.

(10) This section shall be effective as of January 1, 1990.

§ 280-15-6. Mineral extraction standards.

A. General. The following provisions shall apply to filling, grading, lagooning, dredging, excavation, processing and storage of soil, earth, loam, sand, gravel, rock and other mineral deposits. Filling, grading, lagooning, dredging, and other earthmoving activity which would result in erosion, sedimentation, or impairment of water quality or fish and aquatic life is prohibited.

B. Mineral extraction not requiring site plan review.

(1) The following mineral extraction activities shall be allowed without site plan approval:

(a) The removal or filling of material incidental to construction, alteration or repair of a building or in the grading and landscaping incidental thereto; and

(b) The removal, filling, or transfer of material incidental to construction, alteration or repair of a public or private way or essential services.

(2) All other commercial mineral extraction, processing and storage shall require site plan approval

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in accordance with Article XVI.

C. Standards. An application for site plan approval for mineral extraction shall be approved if the following standards are met:

(1) Excavations below the high-water table shall not be permitted unless a suitable plan for such is approved.

(2) Diversions, silting basins, terraces and other methods to trap sediment shall be used.

(3) Lagooning shall be conducted in such a manner as to avoid creation of fish trap conditions.

(4) The extent and type of fill shall be appropriate to the use intended. The applicant shall specify the type and amount of fill to be used.

(5) Fill shall not restrict a floodway, channel or natural drainageway.

(6) The sides of cuts, fill, channels, or artificial watercourses shall be constructed and stabilized to prevent slumping and erosion.

(7) No below-grade excavation, except for drainageways, shall be allowed within one-hundred (100) feet of any public road.

(8) No below-grade excavation, except for drainageways, shall be allowed within fifty (50) feet of any lot line, except that excavations within five (5) feet of a property line may be permitted on condition that a written report from a licensed soil scientist is provided to the Planning Board stating the suitability of the soils to hold a slope of two (2) to one (1).

(9) The sides of cuts, fill or channels along public roads or lot lines shall not exceed a slope of two (2) feet horizontal for every one (1) foot vertical.

(10) Adjacent lot lines of one (1) or more owners shall be exempt from §§ 280-15-6C(8) and 280-15-6C(9) if they agree in writing.

(11) Permanent ground cover shall be required within one-hundred (100) feet of all property lines, including all boundary slopes. Said ground cover shall comply with soil and conservation standards and recommendations.

(12) Upon expiration of any permit or termination of operations, the applicant agrees to implement a suitable plan for reclamation of said site as approved at the time of approval.

D. Optional conditions of approval. The Planning Board may impose other reasonable conditions to safeguard the neighborhood and the municipality which may include those relating to:

(1) Methods of removal or processing;

(2) Hours of operation;

(3) Type and location of temporary structures;

(4) Routes for transporting material;

(5) Area and depth of excavations;

(6) Provision of temporary or permanent drainage;

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(7) Disposition of brush and slash; and

(8) Cleaning, repair and/or resurfacing of streets used in removal activity which have been adversely affected by said activity.

E. Surety and terms of approval. No approval shall be granted without a bond or other security to insure compliance with such conditions as the Planning Board may impose. No approval shall be issued for a period to exceed five (5) years, although such approval may be renewed for additional periods in the same manner.

F. Existing operations. Any commercial operation involving the excavation, processing or storage of soil, earth, loam, sand, gravel, rock or other mineral deposits in lawful operation at the time this chapter becomes effective may operate for a period of two (2) years from the effective date, July 1, 1977. Discontinuance of any existing operation for a period of more than one (1) year shall require application for a new approval. Continuation of any existing operation beyond July 1, 1979, shall require site plan approval from the Planning Board.

§ 280-15-7. Archaeological and historic resources.

A. Archaeological resources. The following provisions are intended to prevent the disturbance of sites with identified archaeological significance until their importance is documented.

(1) No municipal approval shall be issued within any identified archaeological resource potential areas until the Maine Historic Preservation Commission (MHPC) has been notified of the nature of the proposed activity in writing by the owner of the property, a copy of the notice provided to the Code Enforcement Officer, and the MHPC provided with the opportunity to conduct a reconnaissance level archaeological survey. The survey requirement will be deemed satisfied if the MHPC has not carried out a survey or responded to the owner in writing within six (6) months.

(2) The archaeological resource potential areas as identified in the Comprehensive Plan are limited to abandoned mill sites along the Mousam River.

B. Historic resources. The following provisions are intended to preserve the architectural character of historic buildings in designated areas of the City.

(1) Designated areas. The provisions of this subsection shall apply only within the following areas:

(a) The triangle, which is the area from Central Park down Main Street to the Goodall Library along Elm Street, up School Street to its intersection with Washington Street. This area is located in the City center and is generally residential in nature. It includes the Goodall Mansion, one (1) of the City's most significant historic structures, in addition to several other older residences.

(b) The area starting at the City Hall and continuing along the westerly side of Main Street to the Lebanon Street/Main Street intersection and down both sides of Lebanon Street to the Edison School. The district contains a variety of commercial and residential buildings constructed from 1880, including but not limited to Shaw's Hardware Store and Congregational Church, through the early 1900s.

(c) The area on Main Street in Springvale from the demolished railroad overpass up to the Nichols House on the east side of the street and all of the structures on the west side of the street, ending at the Tripp House across from Holdsworth Park. This area contains

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numerous older residences.

C. Modification of existing historic buildings. The owner of an historic building within the designated areas is encouraged to carry out any modifications in a manner that preserves the architectural and historic character of the structure. The owner is also encouraged to consult with the Historical Committee or Planning Department about the building and proposed modifications.

§ 280-15-8. Adult business establishment standards.

Any business that meets the definition of an adult business establishment regardless of its use category shall conform to the following additional requirements:

A. Location.

(1) An adult business establishment shall not be sited within one-thousand (1,000) feet of the lot lines of any of the following:

(a) A public or private elementary or secondary school.

(b) A public park or public or private recreational facility or site.

(c) A lot on which another adult business establishment is sited.

(2) The distance cited in this subsection shall be measured in a straight line between the lot line of the proposed site for the adult business establishment and the lot line of the site of the use listed in this subsection at their closest points.

B. Prohibited activities.

(1) Dancers, performers, employees, owners or officers of an adult business establishment shall not fondle or caress any patron or client, and patrons and clients shall not fondle or caress dancers, performers, employees, owners or officers of the adult business establishment;

(2) Patrons or clients shall not directly pay or give any gratuity or object of value to any dancer, performer, employee, owner or officer of the adult business establishment, and dancers, performers, employees, owners or officers shall not solicit any pay, gratuity or object of value from any patron or client; and

(3) Dancers, performers, employees, owners or officers of an adult business establishment shall not:

(a) Perform, offer to perform or agree to perform sexual intercourse with each other or any patron or client; or

(b) Commit, offer to commit or agree to commit any sexual act with each other or any patron or client; or

(c) Make, offer to make or agree to make sexual contact with each other or any patron or client.

C. Nudity restricted. Dancers, performers, employees, owners or officers of an adult business establishment shall not expose their genitals to clients, whether or not there is any compensation for this activity.

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§ 280-15-9. Transmitter and alternative communication tower standards.

The location and installation of new transmitter towers and alternative communication towers, including the replacement of existing towers, shall conform to the following standards:

A. Design and color. The Planning Board, at its discretion, may require that a proposed tower be camouflaged or designed to blend with its surroundings, except where dictated by federal or state requirements. This may include, but is not limited to, having a galvanized finish, being painted gray or in a sky tone above the top of surrounding trees and earth tone below treetop level, or being designed to resemble a tree species similar to those in the area.

B. Landscaped buffer for transmitter tower sites.

(1) Unless existing vegetation provides a buffer strip at least the width of the minimum setback for the zoning district, all property lines along roadways or visible to existing abutting or nearby buildings shall be landscaped as follows:

(a) Six (6) to eight (8)-foot-high evergreen shrubs shall be planted in an alternating pattern, averaging five (5) feet on center, within fifteen (15) feet of the property boundary.

(b) At least one (1) row of deciduous trees, not less than two-and one-half (2 1/2) to three (3) inches caliper diameter at breast height (DBH) and spaced an average of twenty (20) feet apart and within twenty-five (25) feet of the property boundary.

(2) In lieu of the foregoing planting requirements, the Planning Board may determine that the existing vegetation may be supplemented to achieve an equivalent means of minimizing the visual impact.

C. Requirements of other entities. Proposals for towers submitted after the effective date of this amendment shall meet all applicable requirements of federal and state regulations before local approval is given. The Planning Board may waive this requirement if the applicant demonstrates that application has been made for any relevant federal and state approvals or, if no approvals are required, that the project conforms to all federal and state standards or that there are no such standards that apply. If the Planning Board approves an application prior to the applicant receiving all federal and/or state approvals, the Planning Board shall condition its approval on the receipt of those other approvals.

D. Structural requirements.

(1) Towers shall be designed and installed in accordance with the standards of the Electronic Industries Association Structural Standards for Steel Antenna Towers and Antenna Supporting Structures.

(2) The applicant's engineer shall provide documentation showing that the proposed tower meets or exceeds the current standards of the American National Standards Institute, ANSI/EIA/TIA-222- "E," for York County relative to wind and one-half (1/2)-inch ice loads.

(3) For towers placed on buildings or other structures, the applicant shall also provide written certification that the building itself is structurally capable of safely supporting the tower and its accompanying equipment.

E. Abandonment.

(1) It shall be the responsibility of the owner of a tower to notify the Code Enforcement Officer of

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the date of abandonment or cessation of use of the tower within one (1) month from the date of such abandonment or cessation. If the owner shall fail to give the notice required by this subsection, the Code Enforcement Officer shall make a determination of such date, which determination shall be conclusive as to such date.

(2) In the case of an abandoned tower, it shall be removed by the owner of the tower within one (1) year of its abandonment or cessation of use. Abandoned structures associated with abandoned towers shall also be removed. If the owner of the abandoned tower fails to remove the tower, the owner of the property on which the tower is located shall be responsible for its removal.

F. Collocation.

(1) Tower applicants shall send written notice by prepaid first class United States mail to all other telecommunication tower owners and licensed telecommunication providers in the proposed coverage area stating their siting needs and/or collocation capabilities in an effort to encourage tower collocation. An application for a new tower shall provide evidence that existing or previously approved towers cannot accommodate the telecommunications equipment, including but not limited to antennas and cables, planned for the proposed tower. Such evidence would be:

(a) Planned equipment would exceed the structural capacity of existing and approved towers, considering the existing and planned use of those towers, and existing and approved towers cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost, as defined below;

(b) Planned equipment will cause radio wave frequency interference with other existing or planned equipment for that tower, and the interference cannot be prevented at a reasonable cost, as defined below;

(c) Existing or approved towers do not have space on which planned equipment can be placed so it can function effectively and at least in parity with other similar equipment in place or approved; or

(d) Other reasons that make it impracticable to place the equipment planned by the applicant on existing and approved towers.

(2) Shared use shall be conditioned on the applicant's agreement to pay a reasonable fee and costs of adapting existing facilities to the proposed use.

(a) Such costs shall be pertinent to the southern Maine market area.

(b) These may include but not be limited to reasonable costs for reinforcing the tower or structure, for preventing radio wave frequency interference, and other changes reasonably required to accommodate shared use.

(c) The fee and costs for shared use are unreasonable, among other reasons, if they exceed the cost of the proposed tower.

(3) If the Planning Board determines that telecommunications equipment proposed by the applicant cannot be accommodated on an existing or approved tower, each tower so found is presumed unable to accommodate similar equipment that may be proposed in the future.

(4) A proposal to construct a new tower taller than one-hundred (100) feet shall include evidence

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that it can structurally support a minimum of three (3) antenna arrays.

(5) The Planning Board may require evidence of structural support to accommodate additional arrays for non-monopole towers.

G. Interest of telecommunication entity. A proposal to construct a tower shall include evidence that a telecommunication or other entity proposes to locate on or use the tower.

H. Lighting. A tower shall be lighted only if it is required by a federal or state agency or if the Planning Board finds that lighting of the tower is needed due to its location with respect to the Airport, its height or other safety considerations with respect to airport operations.

I. Security. The base of the tower shall be made nonaccessible to unauthorized persons by the installation of a fence designed to deter such access.

J. Nonconformance. Towers existing before the effective date of this chapter which do not comply with these performance standards or with the use or dimensional requirements of the zoning district in which they are located may continue to be used. The addition, removal, or relocation of telecommunication antennas on such towers shall not constitute the expansion or enlargement of the nonconforming use and does not require review by the Planning Board, provided the total height of the tower, including attached devices, is not increased.

K. Inspection.

(1) Inspection of communication towers by a licensed structural engineer shall be required to ensure structural integrity. Such inspections shall be required as follows:

(a) All towers: upon completion of construction.

(b) Monopole towers: at least once every ten (10) years.

(c) Self-support towers: at least once every five (5) years.

(d) Guyed towers: at least once every three (3) years.

(2) The inspection report shall be provided to the Public Works Director and Code Enforcement Officer within thirty (30) days of its receipt by the tower owner. Based upon results of the inspection, the City may require the repair or removal of the communication tower.

L. Floodplain management. Compliance with the requirements of § 275-43.

M. Identification of freshwater wetlands. Compliance with the requirements of § 275-44.

N. Stormwater management. Compliance with the requirements of §§ 275-45 and § 275-53.

O. Traffic conditions. If the project is classified as a major site plan, compliance with the requirements of § 275-51.

P. Wildlife habitat, rare natural areas or public access to shoreline. If the project is classified as a major site plan, compliance with the requirements of § 275-52.

§ 280-15-10. Marijuana standards.[39] [Amended 12-20-2016 by Order No. 16-158.07; 2-20-2018 by

39. Editor's Note: The title of this section was changed from "Medical marijuana standards" to "Marijuana standards" 5-5-2020 by Order No. 19-874-01.

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Order No. 17-188-01; 2-20-2018 by Order No. 18-115-01; 4-3-2018 by Order No. 18-193-01; 5-15-2018 by Order No. 18-244-01; 3-5-2019, confirmed 7-9-2019 by Order No. 18-553-01; 5-5-2020 by Order No. 19-874-01; 1-19-2021 by Order No. 20-226-01; 4-19-2022 by Order No. 22-151-01; 9-20-2022 by Order No. 22-440-01; 11-26-2024 by Order No. 24-467-01]

All uses involving the cultivation, processing, storage, manufacturing, and/or distribution of marijuana and outdoor cultivation of hemp shall conform to the following standards:

A. Home cultivation standards.

(1) Single family detached dwellings. Marijuana, may be grown or cultivated inside and/or outside of the any single family detached, home, outbuilding, and/or garage if cultivation is conducted in conformance with § 280-15-10B.

(2) Other residential dwellings. In other residential dwellings marijuana may be grown, cultivated, processed, and/or stored inside a dwelling unit if cultivation is conducted in conformance with § 280-15-10B.

(3) Gases. The use of gas products, including but not limited to carbon dioxide, sulfur dioxide, and butane, and ozone generators is prohibited.

(4) Hemp shall be grown outdoors.

B. Marijuana general standards.

(1) Residency. Home cultivation, medical marijuana home production, and medical marijuana home occupation shall only be conducted by a resident for whom the dwelling unit is his/her primary residence in conformance with the Maine Medical Use of Marijuana Act[40], Marijuana Legalization Act, and state administrative rules, as appropriate.

(2) Ownership. A home cultivator or medical marijuana caregiver who does not own the property where marijuana is proposed to be cultivated, processed, stored, or distributed shall obtain written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the City, upon request.

(3) Enclosed, locked facility. Any home cultivation, medical marijuana home production, or medical marijuana home occupation shall be conducted in an enclosed, locked facility, which is accessible only by the individual who is authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana Act,[41] Marijuana Legalization Act,[42] and state administrative rule, as appropriate. No outdoor cultivation is allowed for a marijuana production facility.

(4) Limited area dedicated to cultivation. Cultivation shall only be conducted in a contiguous area of not more than one-quarter (1/4) of the total square footage of a dwelling unit or one-hundred-twenty (120) square feet, whichever is less. No marijuana shall be grown, cultivated, processed, and/or stored within a common area or limited common area of the property.

(5) Screening of outdoor cultivation on a residential property. No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Plants shall be entirely screened from

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40. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

41. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

42. Editor's Note: See 28–B M.R.S.A. § 101 et seq.

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common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six (6) feet or taller in height, density, and depth sufficient to accomplish complete screening of plants from ordinary view. Should plants grow higher than the screening such that they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within ten (10) days of notification of a violation by the Code Enforcement Department.

(6) Commercial sale of marijuana grown, cultivated, processed, and/or stored on a residential property, except for members of the household and family members who are qualifying patients that do not reside in the household or as otherwise allowed under the Maine Medical Use of Marijuana Act,[43] Marijuana Legalization Act,[44] or state administrative rules, as appropriate, and the sale of marijuana paraphernalia is prohibited.

(7) Compliance with health and safety codes. A primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the City's building, electrical, fire, and other health safety and technical codes, including but not limited to Chapters 90: Building and Building Regulation and 128: Fire Prevention.

(8) Chemicals, cultivation that uses storage, and/or distribution of marijuana shall do so in conformance with the Maine Medical Use Marijuana Act,[45] Marijuana Legalization Act,[46] or state administrative rules.

(9) Ventilation and odor management. Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.

(10) Waste disposal. All marijuana waste and/or residue from the growth, cultivation, processing, and/or storage of marijuana shall be disposed of in conformance with the Maine Medical Use of Marijuana Act,[47] Marijuana Legalization Act,[48] or state administrative rules, as appropriate, as well as Chapter 220: Solid Waste. Waste and/or residue shall not be placed in exterior refuse containers without first being made unusable and unrecognizable through grinding and incorporating it with non-consumable, solid wastes such as paper, plastic, cardboard, food, grease, Bokashi or other compost activators, and/or soil, such that the resulting mixture is at least fifty (50) percent non-marijuana waste. Composting, fermenting, and/or incineration on-site is allowed if undertaken in accordance with state and local regulations.

C. Licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and marijuana retail store standards. In addition to the requirements of § 280-15-10B a licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall meet the following additional standards:

(1) No licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall be allowed within five-hundred (500) feet, of any

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43. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

44. Editor's Note: See 28–B M.R.S.A. § 101 et seq.

45. Editor's Note: See the Medical Marijuana Act, 15 M.R.S.A. § 5821-A.

46. Editor's Note: See 28–B M.R.S.A. § 101 et seq.

47. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

48. Editor's Note: See 28–B M.R.S.A. § 101 et seq.

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existing public or private school, child-care provider, park, playground, and/or church, with the distance between the properties calculated by direct measurement in a straight line between the nearest property line of the land used for public or private school, child-care, park, playground and/or church to the nearest portion of the structure in which the licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store is located. Applicants for public or private schools, child care providers, parks, playgrounds, and/or churches, which are proposed within five-hundred (500) feet of an existing licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall be required to sign a form, which may be obtained from the Code Enforcement Department, which indicates that they are aware that an existing licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store is located within five-hundred (500) feet of their proposed site.

(2) The owner of a licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and marijuana retail store shall obtain an annual license from the City Council to operate the property and facility in conformance with Chapters 149: Licensing and 161: Marijuana. The number of licensed marijuana properties shall be capped at eight (8) lots as defined in this chapter. All marijuana production facilities, marijuana manufacturing facilities, and marijuana retail stores shall be located on one (1) or more of the eight (8) licensed marijuana properties in conformance with this chapter. Additional buildings may be permitted on licensed marijuana properties for marijuana production, marijuana manufacturing, marijuana retail store, and/or other uses allowed in the zoning district, based on the boundaries of the lots existing as of October 2, 2018, if the owner demonstrates that the proposed expansion meets all applicable requirements of the City's zoning, site plan, and building electrical fire and other health, safety and technical codes, including but not limited to this chapter and Chapters 90: Building Construction and 128: Fire Prevention and the Maine Medical Use of Marijuana Act[49], Marijuana Legalization Act, and state administrative rules, as appropriate.

(3) A structure where marijuana is grown, cultivated, manufactured. processed, and/or sold shall be constructed of building materials approved by the Code Enforcement Department and Fire Chief, or their designees. If the structure is six-thousand (6,000) square feet or larger, and/or includes any extraction processes, it shall include an internal sprinkler and/or fire suppressant system approved by the Fire Chief.

(4) An owner of a licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and marijuana retail store shall prepare an Operations Manual and Safety Plan. The Operations Manual and Safety Plan shall be maintained at the property and/or business and made available for inspections upon request.

(a) The Operations Manual and Safety Plan for a licensed marijuana property shall describe, at a minimum, policies and procedures for building security and provision and maintenance of ventilation and odor controls for the property, structures, and common areas that meets the requirements of § 280-15-10C(5).

(b) The Operations Manual and Safety Plan for a marijuana production facility. marijuana manufacturing facility, and/or marijuana retail store shall describe, at a minimum, policies and procedures for employee safety, product and building security, hours of operation, provision and maintenance of ventilation and odor controls that meets the requirements of § 280-15-10C(5), storage and use of hazardous materials, including but not limited to,

49. **Editor's Note: See 22 M.R.S.A. § 2421 et seq.**

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chemicals and gases, waste management, contamination protocols, and methods of distribution to qualifying patients.

(5) Odor control plan.

(a) An owner of a licensed marijuana property and operator of a marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall prepare an Odor Control Plan specifying the engineering and administrative controls the facility will use to prevent odors from being detected off site, unless a mechanical engineer, or other qualified professional, registered in the State of Maine, certifies the adequacy of the proposed ventilation and odor control system to prevent odors from being detected beyond the boundaries of the property.

(b) All licensed marijuana properties, marijuana production facilities, marijuana manufacturing facilities and/or marijuana retail store shall be equipped with and maintain sufficient ventilation and odor controls to ensure that air leaving the building through an exhaust vent shall prevent odors from leaving the property. Doors and windows in odor producing areas shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the facility. The Odor Control Plan shall specify building management activities intended to isolate odor producing activities for one (1) or more marijuana production, marijuana manufacturing businesses, and/or marijuana retail store from other areas of the structures and discharge of emissions from structures.

(c) The City may use contracted staff and peer review escrow fees to review an Odor Control Plan under § 280-3-4B.

(d) The Odor Control Plan shall be prepared, using industry-specific best control technologies and best management practices, for each odor source in the licensed marijuana property, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store and shall include, at a minimum:

[1] A floor plan, with locations of odor producing activities specified. Relevant information shall include, but is not limited to, the location of doors, windows, ventilation systems, odor control systems, and odor sources.

[2] The location of specific odor producing activities.

[3] Maintenance and replacement schedule for key system components, provided by the manufacturer or supplier of the technology.

[4] Staff training procedures including organizational responsibilities and the roles/titles of staff members who shall be trained about odor control.

[5] Recordkeeping systems and forms describing what records will be maintained by the facility operator.

[6] Description of daily standard operating procedures to verify that the odor control systems are operational.

[7] Evidence that ventilation and odor controls are operational, sufficient to effectively mitigate odors for all sources and consistent with accepted and available industry-specific best control technologies designed to effectively mitigate odors.

(e) In addition, a marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall describe:

[1] The processes that will take place at the facility and the sources of the odors associated with, but not limited to, vegetative flowering, processing, and storage.

[2] For each odor source, specify the administrative processes and technologies the facility will use, including:

[a] Description of the proposed actions or technologies for each odor producing activity, including the number of products proposed to be used and product names, provided by the manufacturer or supplier of the technology;

[b] Description of the formulas, provided by the manufacturer or supplier of the technology, to size the proposed odor control technologies for the specific space and odor sources to be controlled within the facility.

[c] Maintenance and replacement schedule for key system components, provided by the manufacturer or supplier of the technology.

(6) No medical marijuana qualifying patients shall obtain medical marijuana directly from a licensed marijuana property, marijuana production facility, or marijuana manufacturing facility, except as otherwise allowed under the Maine Medical Use of Marijuana Act[50], Marijuana Legalization Act, and state administrative rules, as appropriate. A licensed medical marijuana production facility may include an office space, for the purposes of consulting with and distributing medical marijuana to qualifying patients if the facility meets all public safety, public access, parking, and other requirements of City codes as well as the standards in § 280-15-10C(6)(a) through 280-15-10C(6)(i). The office space may qualify as a caregiver retail store but shall not qualify as a medical marijuana dispensary for retail sales or for retail sale of adult use marijuana as defined in the Maine Medical Use of Marijuana Act[51], Marijuana Legalization Act, and State administrative rules, as appropriate. Such office space shall not qualify as, be operated as, or be used in conjunction with a medical marijuana dispensary, registered dispensary, adult use marijuana store, or any retail marijuana establishment licensed or authorized for retail marijuana sales under state law. This limitation is not intended to prohibit production operations in one (1) unit with potential retail sales of marijuana paraphernalia in another separate unit, as long as retail sales of paraphernalia is allowed in the zone in which the property is located and the two (2) facilities operate as separate legal entities.

(a) Retail sales of marijuana shall be allowed in conformance with this chapter and Chapter 161, Marijuana.

(b) The office shall be no larger than four-hundred (400) square feet.

(c) At any point in time, the number of patients shall not exceed occupancy limits, required parking, curb cuts, or other zoning standards, and all elements and conditions of site plan approval.

(d) No exterior or interior displays that identify the office as a location where medical marijuana is distributed shall be allowed. All signage shall be in conformance with the Maine Medical Use of Marijuana Act or state administrative rules, as appropriate.

(e) Each caregiver's office shall be a separate, enclosed, locked facility, accessible only by the caregiver or his or her authorized employee and medical marijuana patients, vendors or

50. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

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51. Editor's Note: See 22 M.R.S.A. § 2421 et seq.

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service providers.

(f) The office shall include office furniture only. All medical marijuana products shall be stored in a locked piece of furniture including, but not limited to, an armoire, closet, or other opaque fixture such that products shall not be in an open display or directly visible to patients. The caregiver may display and/or provide literature about his or her medical marijuana services.

(g) Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.

(h) (Reserved)

(i) A licensed marijuana property, marijuana facility, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall comply with the industrial performance standards in this chapter.

(j) A licensed marijuana property, marijuana facility, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store shall not dispose of marijuana waste and/or residue from the growth, cultivation, processing, storage, and sale of marijuana in an unsecured waste receptacle not in its possession and control.

(k) Notwithstanding anything to the contrary in 1 M.R.S. § 302, and amendments of this chapter on October 2, 2018, this chapter applies to any application relating to the establishment or operation of a licensed marijuana property, marijuana facilities, marijuana production facility, marijuana manufacturing facility, and/or marijuana retail store whether or not such application had become a "pending proceeding" as defined in 1 M.R.S.A. § 302 prior to the enactment of this chapter.

§ 280-15-11. Design standards. [Amended 10-2-2018 by Order No. 18-426-01; 12-3-2019 by Order No. 19-540-01; 12-3-2019 by Order No. 19-578-01; 11-24-2020 by Order No. 20-149-01; 11-23-2021 by Order No. 21-494-01; 5-3-2022 by Order No. 21-494-01; 9-20-2022 by Order No. 22-440-01; 3-19-2024 by Order No. 24-81-01]

A. Applicability. Any exterior modification on a lot that is located in a Design District Overlay Zone shall require review by the Design Review Committee and recommendation to the designated reviewing committee or staff as identified in Article XVI, Site Plan Review, except as authorized under § 280-15-11A. The Planning Director, or their designee, is authorized to review, approve, deny, or elevate for review by the Design Review Committee the following proposed modifications within a Design District Overlay Zone:

(1) Modifications to a single family dwelling, two (2) family dwelling, three (3) unit multifamily dwelling, and/or demolition of an existing structure.

(2) Minor modifications to the color, font, logo, size, shape, number, or location of existing or previously approved signage.

(3) Minor modifications to design features, including but not limited to awnings, if there is only one (1) option to meet building or zoning codes.

(4) Modifications that are not visible from a public way or street level of a public property or that are proposed to be screened from view from a public way or street level of a public property by one (1) or more techniques including, but not limited to, fences, berms, or landscaping.

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B. Intent. This subsection provides design standards which, if followed, will be considered evidence of meeting the appropriate performance standards of Article XVI, Site Plan Review and Chapter 275: Subdivision of Land. Proposed site plans, subdivisions and exterior improvements and/or changes not in compliance with the design standards of this subsection may be considered, but the applicant shall have the burden of proof to provide clear and convincing evidence that demonstrates it is not possible to comply with the standards, the proposed design shall meet the intent of the standards to the greatest extent practicable, and all other zoning, subdivision, and building standard codes, and statutory criteria shall be met.

C. Design Districts defined. In the Sanford Downtown Design District Overlay Zone and the Springvale Village Design District Overlay Zone, design standards apply to new development, redevelopment, and change of use. These areas are on well-traveled routes most often seen by the public, where it is crucial to ensure that nonresidential development is in keeping with the character of the District Overlay Zones. The map displaying these Design Districts is available for review in the Planning and Development Office or online at the City's official GIS zoning map.

D. Sanford downtown design district overlay zone.

(1) Purpose. The focus of Sanford Downtown has shifted over time, toward an increased emphasis on serving a wider range of commercial activities and an increasing residential population. Sanford Downtown is evolving into a year-round destination. The success of much of Sanford's Downtown business district depends on the success of the visitor experience. That is why all aspects of development in Sanford Downtown shall be designed for both function and aesthetics. These design standards are intended to help the owner, developer, architect, and other consultants understand the basic design goals set for development in the Sanford Downtown Design District Overlay Zone and provide the City with a yardstick against which new projects can be measured. Applicants are invited to submit creative and imaginative projects which build on these standards and contribute to the overall form and character of Sanford's Downtown.

(2) Objectives. Sanford Downtown Design District Overlay Zone offers visitors a focal point for services aimed at both visitors, residents, and workers of the surrounding area. Sanford Downtown design standards are intended to promote the characteristic qualities of its historic setting. Note that these design standards do not negate or overrule the City's building codes. Applicants shall review the design standards and meet with the Planning Director at the outset of the design process to discuss the design objectives/issues for each property in Sanford's Downtown, if appropriate. The following objectives shall be considered in all new development:

(a) Insist on a high standard of urban design, architecture and landscape architecture for the downtown area, in order to make it attractive to visitors, residents, and workers.

(b) Respond to the existing and future needs and interests of a broad range of visitors, residents, and workers through the four (4) seasons.

(c) Preserve, where possible, and supplement the existing natural landscape. Abundant landscaping and floral displays are particularly important in the summer and fall months.

(d) Use design elements that are cohesive with the City's natural setting and desired architectural character yet still express individuality.

(e) Create an atmosphere in the Sanford Downtown Design District Overlay Zone that is open and friendly, which caters to pedestrians by providing open space amenities, including but not limited to outdoor seating areas, activity areas, and site features.

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(f) Accommodate New England climatic conditions.

(g) Encourage building design and orientations that maximize views and sunlight.

(h) Make preserving the historic character of the Sanford Downtown Design District Overlay Zone a priority.

(i) Encourage building design and site planning that ensures logical and functional patterns for the three (3) levels of traffic: pedestrian, automobile, and service and delivery.

(j) Insist on building design that reflects the community's desire for human scale, in terms of building placement, height, proportion, site features, roof shapes and building materials. The design standards are not intended as a blueprint for design approval; rather they outline the important elements and features which shall be considered in designing or modifying the building, site, or subdivision.

(3) Site planning.

(a) General standards.

[1] Building siting, building placement, and setbacks.

[a] Preservation of natural features and vegetation is encouraged. Retain existing stands of trees and terrain where possible.

[b] Building siting shall consider adjacent development.

[2] Orientation to the street. In nearly all circumstances, the building and primary entrance shall be oriented parallel to and close to the street to encourage the creation and/or maintenance of an interesting streetscape and pedestrian activity.

[3] Front yard setbacks.

[a] The front setback of new buildings shall be consistent with neighboring buildings along the street and in the neighborhood; a new building shall not appear out of place because it is placed much closer to or further from the street than other buildings.

[b] If the appropriate front setback is uncertain, the general standard is to keep buildings close to the road, as is typical of traditional village and downtown development.

(b) Additional site planning standards. The following site plan elements shall be evaluated for appropriateness.

[1] Topography.

[2] Geology/soils conditions.

[3] Hydrology, drainage, and floodplain considerations.

[4] Vegetation.

[5] Solar orientation and microclimatic considerations.

[6] Access and circulation: pedestrian and vehicular.

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[7] Seasonal differences.

[8] Snow management (see § 280-15-11D).

(4) Site design.

(a) Ground-level interest. Variety at ground level contributes interest and vitality. Consideration of walkway and landscape detail, scale, and entries is especially important.

(b) Street furnishings standards.

[1] Street furnishings shall be placed in areas that do not impede pedestrian movement or building maintenance. Public seating and trash receptacles are encouraged.

[2] Bike racks shall be highly visible and accommodate locking mechanisms to reduce the risk of theft.

(c) Landscaping and other materials standards.

[1] Landscaping shall use indigenous or similar hardy plants. Native shade trees shall be the preferred planting along Main Street and major side streets, supplemented with ornamental trees, shrubs, perennials, and annuals to accent pedestrian spaces, building, and site design and to provide visual interest and seasonal color.

[2] Design review may require up to ten percent (10%) of gross site area in landscaped open space in mixed use or commercial zones, up to twenty percent (20%) for residential uses.

[3] Coordinate landscape treatment with adjacent areas, including the designs of arcades, steps, railings, streetlights, and plantings to achieve continuity on Main Street.

[4] All landscape elements adjacent to areas which require snow clearing by machinery shall be designed to resist damage by incorporating durable materials and rounded edges and eliminating unnecessary protrusions.

[5] Site features, such as water, public art, flags, banners, and graphics are strongly encouraged, provided they conform to the requirements of this chapter and life safety codes.

[6] Planters consistent with the building design are encouraged. All post-construction disturbed areas shall be revegetated per landscape standards.

[7] Trees and plantings shall be protected from snow clearing operations.

[8] Plant material located in snow dump areas shall be sufficiently durable to survive the effects of snow storage.

[9] Summer floral displays shall be strongly encouraged.

[10] Grass shall be a uniform turf of species hardy to the City.

(d) Irrigation standards.

[1] All irrigation systems shall provide for on-site drainage.

[2] Underground, automatic watering systems shall be encouraged.

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(5) Servicing standards. Truck access, deliveries, utilities, storage and garbage concealment shall be considered in the design.

(a) Provide adequate space for garbage storage and recycling. Garbage and recycling storage areas shall be enclosed and hidden from public view and/or screened by fences and plants compatible with the architecture of structures on and in the vicinity of the site. Containers shall be made of durable materials and shall be easily accessible to garbage trucks. Adequate ventilation shall be provided.

(b) Service bays and loading docks shall be unobtrusive.

(c) Locate service bays within the building or parking structure. If exterior service bays are necessary, locations visible to front entries or commercial businesses shall be avoided. Provide permanent visual screening where exterior service bays are located.

(6) Access, parking, and loading standards.

(a) The number of parking spaces shall conform with, but not exceed, the requirements of this chapter.

(b) Sanford Downtown Design District Overlay Zone driveway standards. Design driveways to a maximum of eight percent (8%) and ideally less than six percent (6%) slope. The slope on driveway approaches to City streets may be increased above eight percent (8%) with the use of heat-tracing or a roof covering.

(c) Provide adequate areas for snow storage and drainage. These may be combined with islands of planting, sufficiently durable to survive the effects of snow storage, to break up large areas of paving.

(d) On-site parking areas located to the rear of buildings shall be strongly encouraged.

(e) Screen surface parking areas by a combination of walls, fences, landscaping, and berms at least four (4) feet in height.

(f) Where possible, provide separate pedestrian circulation routes within parking areas.

(g) Where possible, provide separate parking areas for buses and recreational vehicles.

(h) On-site parking shall be designed to allow vehicles forward entry and exit from the site, except as otherwise authorized under this chapter.

(7) Lighting standards.

(a) Illumination levels shall be of sufficient intensity to provide security but not overpower the nightscape. Illumination shall be low level, low glare, shielded, directed downward, and contained on the property. Warm shades of LED lights are encouraged.

(b) Provide exterior lighting to highlight landscaped areas, feature walls, and provide visual interest. In the Mill Yard, this includes projected images on the face of up to two (2) wall of an existing, former mill structure. The intensity and distribution of light shall be taken into account in applying these standards, particularly as it affects neighboring residential properties and the ambience of the neighborhood or district. Care shall be taken to prevent light spillage into windows of residential units in and near the property.

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(c) Provide security lighting where appropriate.

(d) No flashing, blinking, or colored lighting, except for Christmas lighting, shall be permitted. Incandescent or other warm-colored lighting is preferred.

(8) Outdoor activity standards. Outdoor activity areas are vital if the Sanford Downtown Design District Overlay Zone is to project a vibrant atmosphere.

(a) Outdoor activity areas should be created.

[1] Consider providing outdoor activity areas to accommodate a range of ages and activity levels.

[2] Seating areas and restaurants overlooking pedestrian, landscaped, and/or natural areas and other prominent viewpoints shall be encouraged.

[3] Outdoor seating areas are encouraged where appropriate and shall conform to the pedestrian right-of-way requirements in § 280-15-11D(11)(d).

(9) Solar access standards.

(a) Design shall preserve sunlight on neighboring outdoor or indoor spaces for uses intended for outdoor use/activities, particularly late afternoon.

(b) The building design and placement should create sheltered sunny pockets in public spaces and on neighboring properties to encourage use in winter months.

(10) Signage standards.

(a) Signage shall conform with requirements of this chapter, except as specifically allowed in this section, including § 280-15-D(10)(n).

(b) Proposed signs shall be of pedestrian scale and orientation and shall be compatible with the general historic period and architectural character of the districts including, but not limited to, general design, arrangement, texture, material, scale, mass, color, and relationship of fore and background. For the purposes of this section, historic period and architectural character includes, but is not limited to, signs which are set into a panel above the ground floor windows. The size and placement of proposed signs shall maintain the proportionate relationship between the signs and building facades and limit the maximum height of the sign equal to the line of the eaves or the bottom of the second story window sill, whichever is lower. An existing panel that is not centered may be adjusted if the building is resided; however, it may not be increased in size and shall maintain the original dimensions.

(c) The removal or alteration of any historic period or architecturally significant signs should be held to a minimum. In the event that replacement of a historic period or architecturally significant sign is necessary, the new sign should attempt to match the sign being replaced in composition, design, color, texture, and other visual qualities and distinctive stylistic features or examples of skilled craftsmanship shall be treated with sensitivity.

(d) Contemporary design for new signs shall not be discouraged if such design is compatible with the size, scale, color, material, and character of the district, structures, or the environment. New signs shall be appropriate to the historic period, style, type, size, and scale of the building and district for which it is proposed and with other signs in the

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district.

(e) Installation shall not damage or require removal of historic period materials and shall be done in a manner such that signs can be removed without harm to the masonry or architectural detailing.

(f) No more than fifteen percent (15%) of windows shall be covered with temporary window signs.

(g) Graphics painted, etched, or otherwise attached to the outside or exterior of a window shall not cover more than thirty percent (30%) of the window; except that coverage may be allowed up to sixty-five percent (65%) if the graphic is not opaque and provides an attractive screen for views of the interior of the property. If text is no more than twenty (20) square feet or twenty percent (20%) of a graphic attached to a window, whichever is less, and the text is less prominent than the artistry of the graphic, the text shall not be counted toward the measurement of cumulative sign area.

(h) A maximum of twenty-five percent (25%) of total window area of any single storefront may be covered by a combination of permanent and temporary window signs.

(i) One (1) building sign per tenant, not to exceed two (2) square feet per one (1) linear foot of the building frontage of the suite occupied by the tenant that faces a public street or parking lot. The cumulative sign area of proposed building signs shall not exceed two (2) square feet per one (1) linear foot of building frontage that faces a public street or parking lot.

(j) Comprehensive signage plans shall be required as part of the permit application on all new structures or renovated centers. An existing center may replace existing signs with those of the same dimensions, but cannot expand them to reflect amendment adopted as of December 3, 2019 without a comprehensive signage plan.

(k) Signage shall be low-key and coordinated with the architectural features and finishes of each building.

(l) Front-lighting of signs is encouraged, although some limited backlighting is permitted.

(m) Exterior neon shall be subject to close scrutiny for its relationship to building design and strict maintenance requirements.

(n) In the Mill Yard, signs may be projected onto up to two (2) facades of an existing former mill structure up to a cumulative sign area of three-hundred (300) square feet.

(11) Architecture standards.

(a) Building mass, scale and height standards.

[1] New buildings or additions to existing buildings shall not be visibly out of scale with neighboring buildings or otherwise out of scale with Sanford Downtown Design District Overlay Zone.

[2] Building heights shall be compatible with adjacent structures.

[3] The size or bulk of the building shall conform to those nearby; larger buildings shall be broken down architecturally to match the scale, rhythm, and proportion of

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adjacent structures.

[4] The following features, among others, shall be considered as potential elements to help break down building scale: projecting bays, projecting or recessed balconies, and gables and dormers, judiciously utilized to provide interest, individuality, and appropriate scale to new structures; distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs and cornice treatments; porches, covered walkways, trellises or architectural awnings that provide varying degrees of shade and sun at ground level.

(b) Architectural style/character standards.

[1] Building designs and treatments that express corporate, franchise, or trademark identity shall not take precedence over these design standards; such development shall conform to the historic, site design, and architectural considerations in these standards. Corporate or franchise developments shall be compatible with the visual character of the Sanford Downtown Design District Overlay Zone.

[2] Variation in design. Although there is some variation in architectural styles in the Sanford Downtown Design District Overlay Zone, new development shall be compatible with the general area.

(c) Building design standards.

[1] Facade design shall display consideration of building.

[2] The scale of a building shall be visually compatible with its site and neighborhood.

(d) Walkways, entries, and overhangs standards.

[1] Width of covered walkways shall span the sidewalk, if applicable, or be a minimum of six (6) feet wide and nine (9) feet high.

[2] The weight of snow on top of and shed from covered walkways shall be planned for.

[3] All building access shall be designed to provide convenient and safe access for disabled persons, the elderly, baby carriages, and others. Sidewalks and walkways shall be free of barriers.

[4] All walkways shall be designed to maintain visual continuity of eave lines, materials at base, soffits, fasciae, and grade at entry locations. New walkways shall be fully coordinated with adjoining walkways.

[5] Shop facades shall be designed as individual entities, to strengthen their character and interest to pedestrians. Continuous linear shop fronts are discouraged.

[6] Outdoor display areas shall be identified as part of applications. Such areas shall not interfere with pedestrian circulation.

[7] Upper-floor design. Decks, balconies, and porches are strongly encouraged as they provide sunny, usable, outdoor space and add life and interest to the street.

(e) Architectural details.

[1] Craftsmanship, ornamentation, and architectural details shall be strongly encouraged.

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Architectural details shall include the design features of elements including but not limited to doors, windows, dormers, porches balconies, and decorative details such as cornices, columns, pediments, railings, and similar features. Large or small, these details play a key role in defining the style and character of a building and deserve particular attention and respect.

[2] Detailing that relates to and reflects the character of the area shall be encouraged. Vernacular architectural features help tie together the character of the Sanford Downtown Design District Overlay Zone.

[3] Roof design standards. Roof design is important for snow management and is a major contributor to design character. Roofscapes are important design elements that are viewed by pedestrians. Sloped roofs shed accumulated snow in avalanche fashion and can be dangerous to pedestrians below. The design of roofs and pedestrian areas below them is referred to as snow management and is discussed in this subsection.

[a] The angle of a sloped roof should be typical of traditional New England architecture, approximating twelve to twelve (12:12) pitch.

[b] Roof form shall be modulated and broken up with the use of dormers or other architectural features. The ridgeline shall not be continuous but shall be varied in height or broken with chimneys, cupolas, towers, or other features.

[c] Roofs of connected buildings shall be fully coordinated with adjoining eaves, peaks, gables, and slopes. Consider the color of neighboring roofs to create a complementary roof palette: avoid selecting strongly contrasting colors.

[d] Roof materials. Consider the effects of climate and snow management in selecting roofing materials.

[e] Roof-mounted equipment shall be concealed. Satellite dishes, communications antennae and mechanical equipment shall be planned as part of the roof so they are concealed from all pedestrian viewpoints and overlooking development.

[f] Where appropriate in Sanford's Downtown, a flat roof may be permissible if the building is multistory and of traditional downtown architecture and use, including but not limited to a retail/pedestrian-oriented first floor, office/ residential upper floors, differentiated upper facade, articulated parapet and decorative cornice. Existing buildings of this style shall be maintained for architectural and/or historic integrity.

[4] Street facade standards.

[a] The front facade of both residential and nonresidential buildings, particularly the main entrance, shall be oriented to Main Street, or another primary street frontage if it does not front on Main Street. If an existing main entrance is not located along the primary frontage, the front facade shall be appropriately designed to contribute to the pedestrian-friendly character.

[b] For buildings that are sited on a corner lot which fronts on more than one (1) street, the front facade shall be oriented toward the primary street frontage, while a secondary entrance or other appropriate facade treatment is strongly encouraged for the side street.

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[5] Entrance standards.

[a] Principal building entrances shall be accented, and easily visible from the street, to contribute to the pedestrian-friendly character. This may be achieved through the design of the doorway and doorway architectural treatments, by recessing the entry, by adding a porch or pediment for the front door providing shelter or by other means to enhance the entrance.

[b] Service entrances and loading facilities should be located at the rear or side of structures and screened from public view. Where buildings face more than one (1) public street, service and loading circulation shall be located along secondary streets where appropriate. Where no off-street options are available, loading and service entrances located along public streets shall occupy the minimum space necessary and be compatible with the other uses of the street, including pedestrian activities and retail development.

[6] Proportion and spacing of openings, including but not limited to windows and doors.

[a] Blank exterior walls without doors, windows, or other architectural features to break up a building's mass shall be avoided. Street facades in particular shall not be blank but have an appropriate rhythm of windows and doors.

[b] Windows and doors shall be appropriately scaled, vertically oriented, and placed in a regularly spaced pattern. Symmetry of openings on the street facade is traditional, though not essential.

[c] False windows are discouraged; however, where the interior layout or function of a building does not accommodate windows, the judicious use of false windows may be acceptable. The use of other architectural or natural elements including but not limited to, murals or plantings, which offer vertical contrast, may be an acceptable alternative; however, the quality, subject, and maintenance of murals should be carefully considered.

E. Springvale village design district overlay zone.

(1) Purpose. The purpose of these design standards is to provide a tool to preserve the village character of Springvale and respect its sense of history for generations to come. These standards are intended to ensure that new, expanded, and rehabilitated development is designed and built in a manner compatible with the character of Springvale Village in terms of scale, aesthetic, and visual effect. They are meant to lead to the construction and layout of buildings and site improvements that are appropriate to their surroundings and to the Springvale Village, by helping property owners, developers, contractors and other professionals understand the community values which their designs shall satisfy to be acceptable to the City.

(2) Objectives. The focus of these design standards is to maintain and improve, where appropriate, the visual and aesthetic character of the Springvale Village Design District Overlay Zone, as related to site layout and improvement, architecture, and design of properties. Design review does not encompass all elements of zoning, subdivision, or building code review. The City's zoning, subdivision, and building code review processes cover other performance standards including but not limited to traffic, utilities, and environmental impacts, pertaining to nonresidential development.

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(3) General standards.

(a) Character. These design standards are a tool to help ensure future development and alterations to existing development are in keeping with the character of the Springvale Village Design District Overlay Zone. Development shall maintain or improve the visual and aesthetic character of the Springvale Village Design District Overlay Zone.

(b) Context. A building's or site's context is important to gauging appropriate design. A building or site shall conform to the Springvale Village Design District Overlay Zone design standards and shall not appear out of place compared to abutting properties, buildings or the surrounding neighborhood. This is an important standard to consider, even though it may be difficult to quantify.

(c) Existing structures.

[1] These standards also apply to the renovation or construction of existing buildings and/or sites within the Springvale Village Design District Overlay District.

[2] For existing structures:

[a] Historic or original architectural elements, including but not limited to doors, windows, dormers, porches, balconies, and decorative features such as cornices, columns, pediments, and railings, shall be retained to the extent possible. Alterations shall be carried out in a way that does not damage or hide these elements. New architectural elements shall match the old in design, color, texture, and, where possible, material; and

[b] Architectural elements that falsify or confuse the history of a building shall be avoided. Replacement of original elements shall be substantiated by documentary and physical evidence. Building owners should find early photographs of their building to best identify its true historic style. These photographs can provide visual evidence of existing or preexisting architectural elements. Property owners are encouraged to consult with the Historical Society or Planning Department about the building and proposed modifications.

(d) Additions.

[1] Historically, a house was expanded incrementally as a family's space requirements grew. Over several generations, additions were added in a manner that was consistent with what had come before but reflective of its own period. Additions shall be designed so that the character of the existing building is not radically changed, obscured, damaged, destroyed, or rendered subordinate to the addition.

[2] Additions shall:

[a] Be differentiated from the existing building with techniques, including but not limited to set backs or offsets from the existing wall plane;

[b] Not obstruct the visual integrity of the original structure;

[c] Be in harmony with the original in size, scale, style and materials; and

[d] Be located where least visible from public view.

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(4) Site planning.

(a) General standards.

[1] Building siting, building placement, and setbacks.

[a] Preservation of natural features and vegetation is encouraged. Retain existing stands of trees and terrain where possible.

[b] Building siting shall consider adjacent development.

[2] Orientation to the street. In nearly all circumstances, the building and primary entrance shall be oriented parallel to and close to the street to encourage the creation and/or maintenance of an interesting streetscape and pedestrian activity.

[3] Front yard setbacks.

[a] The front setback of new buildings shall be consistent with neighboring buildings along the street and in the neighborhood; a new building shall not appear out of place because it is placed much closer to or further from the street than other buildings.

[b] If the appropriate front setback is uncertain, the general standard is to keep buildings close to the road, as is typical of traditional village and downtown development.

(5) Servicing standards. Truck access, deliveries, utilities, storage and garbage concealment shall be considered in the design.

(a) Provide adequate space for garbage storage and recycling. Garbage and recycling storage areas shall be enclosed and hidden from public view and/or screened by fences and plants compatible with the architecture of structures on and in the vicinity of the site. Containers shall be made of durable materials and shall be easily accessible to garbage trucks. Adequate ventilation shall be provided.

(b) Service bay design shall be durable. Consider wear and tear on these areas. In order to allow winter garbage pickup, design service bay areas to prevent ice and snow buildup.

(c) If applicable, projects shall include an area for utility services, including but not limited to meters and propane tanks. The area shall be fully screened from the view of the public and adjacent property owners. Incorporate fire hose connections and utility meters in the building design to avoid damage during snow plowing. Confirm transformer location at an early stage of design process in order to minimize visual impact, especially with reference to adjacent properties.

(d) Sufficient truck storage shall be maintained on site to allow efficient delivery service without conflicts while that service is being performed.

(e) Delivery trucks shall be able to operate without blocking public rights-of-way. Pedestrians shall be able to access the development from existing pedestrian walkways with little or no traffic conflict.

(6) Access, parking, and loading standards.

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(a) The number of parking spaces shall conform with, but not exceed, the requirements of this chapter.

(b) On a building lot, parking shall be an accessory use to the principal structure, not a dominating feature of the site. Therefore, off-street parking lots shall be sited behind or to the side of buildings. Parking, whether formal or informal, in the front yard of a residential or nonresidential building is not appropriate and is visually detracting.

(c) Off-street parking that is located to the rear of buildings shall be identified with appropriate signage. The provisions of exterior lighting and landscaping, in accordance with this chapter, shall be encouraged.

(7) Site features and landscaped pedestrian walkways standards.

(a) Walkways shall provide a safe, handicap-accessible pedestrian connection between the building, parking, and the street. Connections to adjacent sites or developments shall be provided where appropriate.

(b) Asphalt surfaces shall predominant for sidewalks in the Springvale Village Design District Overlay Zone, but brick, pavers, stamped concrete, stone, and other materials shall be considered to add character or to prevent cracks or shifting bricks/blocks from becoming eyesores or safety hazards.

(8) Fence standards.

(a) Traditional materials, including but not limited to wood, cast- or wrought iron, or stone, shall be recommended. Metal or vinyl fencing that looks like traditional wood or iron fencing may be an acceptable alternative. Chain-link fencing is not appropriate and detracts from the character of the Springvale Village Design District Overlay Zone.

(b) When a fence is proposed in front of a building, it shall be open and low, not exceeding forty-two (42) inches in height, so as not to block views. Fences shall be compatible with the building and neighborhood in style and proportion and shall enhance the streetscape.

(c) More-solid, taller fences are appropriate to provide privacy or safety but should be located where they have minimal visual impact appropriate to the structure and surrounding area. Five (5) to six (6) feet shall be the recommended maximum height.

(d) Wherever fences are located, care shall be taken to modulate the length so as not to create a visual or pedestrian barrier. Landscaping shall be considered in combination with fencing to relieve the visual monotony of a long fence.

(9) Screening and landscaping standards.

(a) The setback area between a building and the street shall be appropriately landscaped so as to contribute positively to the character and image of the Springvale Village Design District Overlay Zone. Lawn, planting beds, and/or plant containers shall be strongly encouraged. Native shade trees shall be the preferred planting along Main Street and major side streets, supplemented with ornamental trees, shrubs, perennials, and annuals to accent pedestrian spaces, building, and site design and to provide visual interest and seasonal color.

(b) Paved or gravel surfaces, even if not for parking, are not appropriate for the front yard/

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setback area.

(c) In addition to fences, stone walls and hedges shall be appropriate site amenities. Examples of walls or hedges found in Springvale Village Design District Overlay Zone provide visual guidance for appropriate design.

(d) Landscaping and fencing shall not block a vehicle's sight distance for a driveway or other service/access drive and shall allow for pedestrian access from the street to the building and access to off-street parking.

(e) Dumpsters and other trash bins shall be sited to the rear of the primary building, unless this area is environmentally sensitive. Regardless of the location, dumpsters and other trash bins shall be adequately screened with fencing and/or landscaping, if not enclosed in a shed. Other unsightly site features, including utility equipment, shall be screened to the extent possible, without compromising necessary access for maintenance.

(10) Lighting standards.

(a) Illumination levels shall be of sufficient intensity to provide security but not overpower the nightscape. Illumination shall be low level, low glare, shielded, directed downward, and contained on the property. Warm shades of LED lights are encouraged.

(b) These lighting standards shall apply to architectural and exterior light fixtures on a building, porch, deck, pathway, driveway, or on a post.

(c) The intensity and distribution of light shall be taken into account in applying these standards, particularly as it affects neighboring properties and the ambience of the neighborhood or district.

(d) Lamps and light bulbs, in general, shall be fully shielded inside the fixture so that the lamp/bulb itself is not visible from adjacent buildings, or by pedestrians and/or, motorists. A carriage-lamp-style light shall have glass translucent enough to reduce glare.

(e) Up-lighting and facade lighting standards.

[1] Up-lighting, to highlight facades, signs, fountains, waterfalls, and landscaping, shall be minimized to reduce glare and light pollution. Lighting of building facades and significant natural features shall be done judiciously, perhaps limited to special buildings or features that have architectural or cultural significance or character.

[2] For signage, lighting from the ground shall be adequately shielded such as with landscaping.

[3] Landscape lighting, such as wash lighting of trees, is not appropriate within the Springvale Village Design District Overlay Zone.

(11) Signage standards.

(a) Signage shall conform with requirements of this chapter, except as specifically allowed in this section, including § 280-15-11D(10)(n).

(b) Proposed signs shall be of pedestrian scale and orientation and shall be compatible with the general historic period and architectural character of the districts including, but not limited to, general design, arrangement, texture, material, scale, mass, color, and

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relationship of fore and background. For the purposes of this section, historic period and architectural character includes, but is not limited to, signs which are set into a panel above the ground floor windows. The size and placement of proposed signs shall maintain the proportionate relationship between the signs and building facades and limit the maximum height of the sign equal to the line of the eaves or the bottom of the second story window sill, whichever is lower. An existing panel that is not centered may be adjusted if the building is resided; however, it may not be increased in size and shall maintain the original dimensions.

(c) The removal or alteration of any historic period or architecturally significant signs should be held to a minimum. In the event that replacement of a historic period or architecturally significant sign is necessary, the new sign should attempt to match the sign being replaced in composition, design, color, texture, and other visual qualities and distinctive stylistic features or examples of skilled craftsmanship shall be treated with sensitivity.

(d) Contemporary design for new signs shall not be discouraged if such design is compatible with the size, scale, color, material, and character of the district, structures, or the environment. New signs shall be appropriate to the historic period, style, type, size, and scale of the building and district for which it is proposed and with other signs in the district.

(e) Installation shall not damage or require removal of historic period materials and shall be done in a manner such that signs can be removed without harm to the masonry or architectural detailing.

(f) No more than fifteen percent (15%) of windows shall be covered with temporary window signs.

(g) Graphics painted, etched, or otherwise attached to the outside or exterior of a window shall not cover more than thirty percent (30%) of the window; except that coverage may be allowed up to sixty-five percent (65%) if the graphic is not opaque and provides an attractive screen for views of the interior of the property. If text is no more than twenty (20) square feet or twenty percent (20%) of a graphic attached to a window, whichever is less, and the text is less prominent than the artistry of the graphic, the text shall not be counted toward the measurement of cumulative sign area.

(h) A maximum of twenty-five percent (25%) of total window area of any single storefront may be covered by a combination of permanent and temporary window signs.

(i) Sign material, style and color shall complement the building facade.

(j) Font style shall be encouraged to be consistent with the historic period/traditional lettering style; fonts and lettering that are overly ornate or otherwise unreadable shall be strongly discouraged.

(k) The following sign styles or features are not allowed in the Springvale Village Design District Overlay Zone:

[1] Internally illuminated or translucent plastic signs, flashing elements, or elements that move or change its brightness.

[2] Use of fluorescent or neon colors.

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[3] Signs attached to or projecting from the roof.

[4] Signs that mask the architectural details of a building or whose design dominates the building facade.

(l) The following sign styles or features are appropriate for the Springvale Village Design District Overlay Zone:

[1] Wooden signs, or a sign material that has the look of traditional wood signage, including, but not limited to, vinyl as well as traditional wrought-iron signposts or brackets may be appropriate.

[2] Hanging signs, such as from a post or projecting from the building.

[3] Freestanding signs with two (2) posts.

[4] Wall signs on building facades, placed just above the storefront and appropriately proportioned to the front facade.

(12) Architecture standards.

(a) Building mass, scale and height standards.

[1] New buildings or additions to existing buildings shall not be visibly out of scale with neighboring buildings or otherwise out of scale with Springvale Village Design District Overlay Zone.

[2] Building heights shall be compatible with adjacent structures.

[3] The size or bulk of the building shall conform with those nearby; larger buildings shall be broken down architecturally to match the scale, rhythm and proportion of adjacent structures.

[4] The following features, among others, shall be considered as potential elements to help break down building scale: projecting bays, projecting or recessed balconies, and gables and dormers, judiciously utilized to provide interest, individuality, and appropriate scale to new structures; distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs and cornice treatments; porches, covered walkways, trellises or architectural awnings that provide varying degrees of shade and sun at ground level.

[5] Additional building mass, scale, and height standards. Two (2) to three (3)-story buildings are more traditional in, and shall be encouraged in, the Springvale Village.

(b) Architectural style/character standards.

[1] Building designs and treatments that express corporate, franchise, or trademark identity shall not take precedence over these design standards; such development shall conform to the historic, site design, and architectural considerations in these standards. Corporate or franchise developments shall be compatible with the visual character of the Springvale Village Design District Overlay Zone.

[2] Variation in design. Although there is some variation in architectural styles in the Springvale Village Design District Overlay Zone, new development should be done

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in a traditional New England Village architectural style. See examples in the Planning Department.

(c) Architectural details.

[1] Craftsmanship, ornamentation, and architectural details shall be strongly encouraged. Architectural details shall include the design features of elements including but not limited to doors, windows, dormers, porches balconies, and decorative details such as cornices, columns, pediments, railings, and similar features. Large or small, these details play a key role in defining the style and character of a building and deserve particular attention and respect.

[2] Detailing that relates to and reflects the character of the area shall be encouraged. Vernacular architectural features help tie together the character of the Sanford Downtown and Springvale Village Design District Overlay Zones.

[3] Roof design standards. Roof design is important for snow management and is a major contributor to design character. Roofscapes are important design elements that are viewed by pedestrians. Sloped roofs shed accumulated snow in avalanche fashion and can be dangerous to pedestrians below. The design of roofs and pedestrian areas below them is referred to as snow management and is discussed in this subsection.

[a] The angle of a sloped roof should be typical of traditional New England architecture, approximating twelve to twelve (12:12) pitch. A sloped roof with a flattened pitch is generally not appropriate for the Springvale Village Design District Overlay Zone.

[b] Sloped gable or hip roofs are most appropriate for the Springvale Village Design District Overlay Zone. Gambrel, shed, mansard, false mansard, or flat roofs are not allowed.

[c] Dormers are an effective way to break up the mass of a sloped roof and add architectural interest and are a typical feature of New England architecture. Dormers shall be of an appropriate proportion and size relative to the building.

[4] Street facade standards.

[a] The front facade of both residential and nonresidential buildings, particularly the main entrance, shall be oriented to Main Street, or another primary street frontage if it does not front on Main Street. If an existing main entrance is not located along the primary frontage, the front facade shall be appropriately designed to contribute to the pedestrian-friendly character.

[b] For buildings that are sited on a corner lot which fronts on more than one (1) street, the front facade shall be oriented toward the primary street frontage, while a secondary entrance or other appropriate facade treatment is strongly encouraged for the side street.

[5] Entrance standards.

[a] Principal building entrances shall be accented, and easily visible from the street, to contribute to the pedestrian-friendly character. This may be achieved through the design of the doorway and doorway architectural treatments, by recessing

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the entry, by adding a porch or pediment for the front door providing shelter or by other means to enhance the entrance.

[b] Service entrances and loading facilities should be located at the rear or side of structures and screened from public view. Where buildings face more than one (1) public street, service and loading circulation shall be located along secondary streets where appropriate. Where no off-street options are available, loading and service entrances located along public streets shall occupy the minimum space necessary and be compatible with the other uses of the street, including pedestrian activities and retail development.

[6] Proportion and spacing of openings, including but not limited to windows and doors.

[a] Blank exterior walls without doors, windows, or other architectural features to break up a building's mass shall be avoided. Street facades in particular shall not be blank but have an appropriate rhythm of windows and doors.

[b] Windows and doors shall be appropriately scaled, vertically oriented, and placed in a regularly spaced pattern. Symmetry of openings on the street facade is traditional, though not essential.

[c] False windows are discouraged; however, where the interior layout or function of a building does not accommodate windows, the judicious use of false windows may be acceptable. The use of other architectural or natural elements including but not limited to, murals or plantings, which offer vertical contrast, may be an acceptable alternative; however, the quality, subject, and maintenance of murals should be carefully considered.

[7] Windows and window treatments standards.

[a] Avoid modern window styles that are not compatible with traditional New England architecture.

[b] Square or vertical windows, with large window openings are preferred.

[c] The style of window shall be consistent throughout the building or addition. Visual unity and harmony are usually achieved when the same window style and scale is used consistently on all visible facades.

[d] Shutters shall reflect their original use. That is, their size shall be such that they will cover the entire window if closed; arched windows shall have arched shutters. Shutters shall be hung so as to appear operable, and shutter dimensions shall be based on window dimensions. The slats shall point up when shutters are open, and down when closed over the window.

[e] Awnings shall not detract from the form of the building or obscure its details. Traditional canvas awnings shall be encouraged; plastic or metal awnings shall be discouraged.

[8] Porch standards.

[a] Size, proportions, style, detailing, decorations, and features such as columns and railings are important elements of a porch design. Whether on a residential

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or nonresidential building, the design shall be consistent with the architecture and scale of the rest of the building. Other porches found in the Springvale Village Design District Overlay Zone should provide visual guidance for appropriate architectural design and features.

[b] Decks and patios shall be located at the rear or side of a building and, if visible from a public way, shall be compatible visually with the design of the structure. Appropriate vegetative screening shall be provided.

[9] Exterior building materials.

[a] Traditional exterior building materials, including wood clapboard, native stone, or brick, are most appropriate and strongly encouraged.

[b] Concrete block and metal siding are not allowed; the use of concrete should be restricted to foundations. Stucco is not traditional for the Springvale Village Design District Overlay Zone and is not allowed.

[c] Synthetic or imitation materials, including but not limited to vinyl siding, may be acceptable if they replicate traditional materials. As other new materials are developed that are indistinguishable from natural or traditional products, they may be considered favorably.

[10] Paint and exterior color standards.

[a] Traditional New England building colors shall be strongly encouraged. Bright or electric colors shall not suitable for siding or trim. Softer or muted colors, light or dark, tend to be more traditional. Matching colors with neighboring buildings is not necessarily encouraged, but choosing a color palate that does not clash with adjacent buildings.

[b] A well-selected color palate can greatly enhance a building's character, in addition to architectural details. Appropriate accent colors shall be chosen for the trim, doors, and other architectural elements.

[11] Accessory structure standards.

[a] Accessory structures, including but not limited to a garage or shed, shall be set back from the street further than the front facade of the principal structure so that the principal structure is more prominent.

[b] Adding trim, windows and other architectural details to accessory structures shall be strongly encouraged to bring them into scale and visual harmony with the principal structure. For example, a garage might feature the same siding, color scheme and trim, even window style, as the principal structure.

[12] Gas station canopy and drive-through standards.

[a] New or replaced canopies over gas pumps shall be visually sensitive to the neighborhood in color and design. Use of bright colors shall be discouraged. Canopy design shall be encouraged to be architecturally compatible with the principal structure, if appropriate, and the preferred Springvale Village Design District Overlay Zone architectural character described in these standards.

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[b] Canopies and drive-throughs shall be aligned to the building and sited to conform to all other setback and traffic circulation requirements.

§ 280-15-12. Solar energy system. [Added 3-7-2017 by Order No. 17-31.07; amended 4-7-2020 by Order No. 19-772-01]

A. Purpose. The purpose of these provisions is to regulate a solar energy system, allow the City to be informed of the placement of a solar energy system, preserve and protect public health and safety, allow for orderly development of land, and protect property values.

B. Standards.

(1) A residential solar system (RSS) shall:

(a) Comply with the setback and height requirements of the zoning district in which the system is to be installed.

(b) Comply with the provisions of all applicable requirements of the City's building, electrical, fire, and other health safety and technical codes, including but not limited to Chapters 90: Building and Building Regulation and 128: Fire Prevention.

(c) Be installed so as not to cause any wire or wireless communication signal disturbance.

(d) Be sited to prevent glare onto abutting properties, structures, and roadways.

(e) Be removed if it has not produced power for a period of twelve (12) consecutive months.

(2) Standards. A commercial solar system (CSS) and utility solar system (USS) shall:

(a) Comply with the requirements of Article XVI: Site Plan Review.

(b) Comply with the setback and height requirements of the zoning district in which the system is to be installed; however, the Planning Board may require additional setbacks and buffers from existing abutting residential uses to minimize impacts from the project.

(c) Comply with the provisions of all applicable requirements of the City's building, electrical, fire, and other health safety and technical codes, including but not limited to Chapters 90: Building and Building Regulation and 128: Fire Prevention.

(d) Comply with the industrial performance standards specified in § 280-15-3.

(e) Ground-mounted system.

[1] Secure all ground-mounted electrical and control equipment to prevent unauthorized access. The system shall be enclosed within a minimum seven (7) foot tall fence with locking gate and Knox-Box® to provide emergency access. The type of fence shall be appropriate for security, screening, and/or other purposes and shall be similar to and/or compatible with the style of fences used within one-thousand (1,000) feet of the property boundary.

[2] A ground-mounted system in the Rural Residential Zone (RR) shall comply with the standards specified in § 280-15-12B(2)(l).

[3] A ground-mounted system in the Residential Development Overlay Zone shall

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comply with the standards specified in § 280-15-12B(2)(m). **[Added 5-3-2022 by Order No. 21-494-01]**

(f) Install all electrical wire and utility connections, except for transformers and controls, underground to the greatest practical extent. The Planning Board shall consider prohibitive costs and site limitations if asked to waive this standard.

(g) Limit exterior lighting to that required for safety and operational purposes.

(h) All signs shall meet the specifications of § 280-14-13.

(i) Be appropriate to the surroundings and minimize environmental and visual impacts on adjoining properties, including:

[1] Screening ground-mounted installations from view by abutting residential properties, using vegetation, topography, and/or fencing.

[2] Using a manufactured finish appropriate to and compatible with the surroundings, with reflective characteristics that minimize negative visual impacts to the greatest practical extent.

(j) Shall plant native, non-invasive groundcover, which is low-maintenance, drought resistant, and non-fertilizer dependent, under and between rows of solar panels to prevent soil erosion. **[Added 5-3-2022 by Order No. 21-494-01[52]]**

(k) Be removed if it has not produced power for a period of twelve (12) consecutive months. In the event of a natural disaster, act of violence, or other event which results in the absence of electrical generation for twelve (12) months, by the end of the twelfth (12th) month of nonoperation the applicant shall demonstrate to the City that the project shall be substantially operational and producing electricity within twenty-four (24) months of the event. If such demonstration is not made to the City's satisfaction, the decommissioning shall be initiated eighteen (18) months after the event.

(l) A performance guarantee in compliance with Article XVII shall be provided prior to initiating construction. The performance guarantee shall provide adequate funds to cover the total cost of decommissioning. Every five (5) years after the start of construction, updated proof of the cost of decommissioning shall be submitted to the City Engineer. If the amount of the current performance guarantee is inadequate to cover the total cost of decommissioning, the applicant shall provide a new performance guarantee to the Planning Department in an amount which is adequate to cover the total cost of decommissioning.

(m) A USS in the Rural Residential Zone (RR) shall require conditional use approval by the Planning Board in accordance with Articles XIII and XVI and the following standards:

[1] Shall not be sited on active farmland.

[2] Shall minimize impacts on active farmland including, but not limited to, fencing, use of waterways, obstructions created by placement of structures and/or overhead collection lines, division of larger fields into smaller or irregularly shaped fields, need for extensive areas of cut and fill, among other factors that create a burden or

52. Editor's Note: This order also redesignated former Subsection B(2)(j) through (l) as Subsection B(2)(k) through (m), respectively.

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unreasonable impact on active farming activities.

[3] Shall encourage siting on unproductive land and previously disturbed land to the greatest extent possible. All topsoil disturbed during construction shall be stockpiled and returned to the site.

[4] Shall locate access roads and overhead collection lines along the edge of agricultural fields in areas next to field boundaries and hedgerows and in nonagricultural portions of the site. The width of access roads shall be no larger than that required to meet the fire code. Access roads that are proposed to be constructed through agricultural fields shall be level with the adjacent field surfaces, where possible.

[5] Shall demonstrate how the site shall be restored to its original state, including surface grade, soil, and vegetation, as part of removal of infrastructure and decommissioning.[53]

(n) A USS in the Residential Development Overlay Zone (RDO) shall require conditional use approval by the Planning Board in accordance with Articles XIII and XVI and the following standards:

[1] Shall not be sited on properties where public sewer and water services can be extended and a compact pattern of residential development can feasibly be developed in conformance with the purpose of the RDO Zone.

[2] Shall minimize impacts on nearby existing residential development and/or residential zones, including, but not limited to siting, fences, buffers, and/or screens.

[3] Shall locate access roads and overhead collection lines to minimize impacts on nearby existing residential development and/or residential zones.

[4] Shall demonstrate that stormwater, erosion control, and landscape plans maintain water quality and minimize export of sediment, phosphorus, and other contaminants from the site in support of the City's efforts to restore Goodall Brook by protecting the headwaters of Goodall Brook and vulnerable water bodies in its watershed.

§ 280-15-13. Accessory dwelling units (ADUs). [Added 12-3-2019 by Order No. 19-168-01; amended 1-16-2024 by Order No. 23-516-01]

A. Purpose. The purpose of these provisions are to regulate the construction of accessory dwelling units (ADUs), to assist in meeting the stated Housing Goals of the Maine Department of Economic and Community Development, and to provide the residents of Sanford alternative housing options.

B. Applicability.

(1) ADUs shall be allowed in any zone which allows residential uses.

(2) Unless specified in § 280-15-13, the ADU shall conform to the standards of the zone in which it is located.

(3) Unless specified in § 280-15-13, all regulations pertaining to overlay zones affecting the subject

53. Editor's Note: Former Subsection B(2)(m)[5], which required the planting of certain kinds of plants between rows of solar panels, was repealed 5-3-2022 by Order No. 21-494-01. For current provisions, see Subsection B(2)(j) of this section. Order No. 21-494-01 also renumbered former Subsection B(2)(m)[6] as Subsection B(2)(m)[5].

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parcel shall also apply to the ADU.

(4) The creation of an ADU within a preexisting nonconforming structure is permitted provided that it does not increase the nonconformity of the structure and meets all other standards of this chapter.

(5) All ADUs shall conform to Chapter 265: Floodplain Management, Chapter 270: Shoreland Zoning, and Chapter 275: Subdivision of Land.

(6) The Code Enforcement Officer, with concurrence of the Planning Director, shall find that an ADU conforms to the standards of § 280-15-13. The Code Enforcement Officer may elevate the review of ADU application based on the size or complexity of the project, in conformance with § 280-16-5.

C. Standards.

(1) Growth zone. Within the Growth Zone of the City's Comprehensive Plan on record at the time of application, there shall be allowed up to two (2) ADUs on a parcel. For all other parcels, there shall be allowed one (1) ADU per parcel.

(2) Configuration. An ADU may be created in any of the following ways:

(a) Using space within the interior of an existing dwelling;

(b) Building an addition onto an existing dwelling such that the addition is made part of the principal structure or is attached to the principal structure by a breezeway not exceeding twenty feet (20) in length; or

(c) Building a new detached structure or renovating an existing free standing structure.

(3) Principal dwelling structure. An ADU must be constructed in reference to a principal dwelling structure located on the same lot or parcel. A principal dwelling structure may be any of the following:

(a) A single-family dwelling;

(b) A two-family dwelling; or

(c) A multifamily dwelling having less than five (5) individual dwelling units.

(4) Size. In no case shall an ADU occupy more than forty percent (40%) of the living area of the principal dwelling structure or one thousand (1,000) square feet, whichever is greater, or have more than three (3) bedrooms.

(5) Density. An ADU shall not be counted as a unit when calculating units per acre.

(6) Parking. There are no off-street parking requirements for an ADU. If parking spaces are designated, they shall be provided in conformance with § 280-14-12.

(7) Ownership. The principal dwelling structure and the accessory dwelling unit(s) shall be in the same ownership. An ADU shall not be sold separately from the principal dwelling structure.

(8) Owner occupancy. The owner of the property shall occupy either the principal dwelling structure or the ADU. An applicant shall submit a written statement indicating which unit will be owner occupied to the Code Enforcement Officer. Continued occupancy of an ADU upon

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sale or transfer of the property shall be conditioned on the new owner agreeing to the owner occupancy requirement.

(9) Buffering. If an addition or new construction is proposed, the orientation of an ADU shall, to the maximum extent practical, maintain the privacy of residents in abutting properties as determined by the physical characteristics surrounding the ADU, including but not limited to landscaping, screening, fencing, and window and door placement. The Code Enforcement Officer may require additional landscaping or buffering to preserve privacy of abutting residential properties. If the applicant disagrees with the Code Enforcement Officer's requirement for additional landscaping or buffering, he or she may request that the proposal be reviewed by the Planning Board.

§ 280-15-14. Affordable Housing Density Bonus. [Added 3-5-2024 by Order No. 24-16-01]

A. Purpose. The purpose of the Affordable Housing Density Bonus is to provide options for housing developments that qualify as affordable using metrics set by the U.S. Department of Housing and Urban Development (HUD). The provisions in this chapter support alternate residential development options which are not restricted to any one zoning district.

B. Applicability.

(1) Affordable Housing is defined by 30-A M.R.S. § 4364 as:

(a) For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household’s monthly income on housing costs; and

(b) For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household’s monthly income on housing costs.

(2) The Affordable Housing Density Bonus is available in any zone which allows multifamily residential development.

(3) The Affordable Housing Density Bonus may only be used if the development is located within the Growth Zone of the City’s Comprehensive Plan on record at the time of application, or served by public water and sewer services.

(4) Unless specified in § 280-15-14, the development shall conform to the standards of the zone in which it is located.

(5) Unless specified in § 280-15-14, the development shall conform to the standards of all overlay zones in which it is located.

(6) Unless specified in § 280-15-14, Affordable Housing Developments shall conform to Chapter 265, Floodplain Management, Chapter 270, Shoreland Zoning, and Chapter 275, Subdivision of Land.

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(7) The Code Enforcement Officer, with concurrence of the Planning Director, shall find that an Affordable Housing Development conforms to the standards of § 280-15-14. The Code Enforcement Officer may elevate the review of the application based on the size or complexity of the project, in conformance with § 280-16-5.

C. Standards.

(1) Density. The total residential density may be no greater in an Affordable Housing Development than 2.5 times the base density normally permitted in the zone in which the development is proposed.

(2) Parking requirements. Parking provided for the Affordable Housing Development shall be in conformance with § 280-14-12, Off-street parking, but in no instance shall the number of required parking spaces exceed two parking spaces for every three dwelling units.

(3) Existing density bonus. The Planning Board may elect to approve an Affordable Housing Development which meets any or all of the standards of the stated density bonus of the underlying zone if the development meets all other development standards of that zone.

(4) Affordability. The Affordable Housing Development shall comply with the income restrictions and standards as defined by the U.S. Department of Housing and Urban Development. The total breakdown of units must be identified in a table on the site plan and designate if units are to be rentals or home-ownership units.

§ 280-15-15. Campgrounds [Added 11-12-2024 by Order No. 24-401-01]

A. Purpose. The purpose of the campgrounds ordinance is to allow for the safe and enjoyable use of nature and rural characteristics of Sanford by those choosing to stay in a campground, while promoting the general welfare of area residents.

B. Applicability.

(1) Campgrounds shall be allowed in zones as identified in the Table of Land Uses.[54]

(2) Campgrounds shall conform to Chapter 265: Floodplain Management and Chapter 270: Shoreland Zoning.

(3) No person shall use a tenure of any length of time at a campground to establish residency in the City of Sanford.

C. Standards.

(1) Minimum lot size. The minimum lot size for any campground is five (5) acres.

(2) Minimum setbacks. The minimum setback of any campground site, structure, or parking area within a campground shall be:

(a) In conformance with the underlying zone where the campground abuts a nonresidential use.

(b) Seventy-five (75) feet from the property line of a residential use, except that the campground office and/or store shall adhere to the setbacks of the underlying zone.

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54. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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(3) Buffering. A vegetated buffer a minimum of eight (8) feet high and fifty (50) feet wide shall be required for campgrounds, except that:

(a) Other buffering and/or fencing options may be allowed as determined by the Planning Board due to topography, wetlands, wildlife habitat, or other site constraints;

(b) A note may be added to the site plan referencing the book and page number of a signed agreement between the owners of the abutting property and the campground for a reduced buffer as recorded with the York County Registry of Deeds; and,

(c) Access paths and roadways may traverse the vegetated buffer if the vegetated buffer is relocated or enhanced to provide adequate coverage, as determined by the Planning Board.

(4) Off-street parking. A minimum of two hundred (200) square feet per campground site shall be allotted for off-street parking.

(5) Signage. Campground sites shall be physically labeled or numbered with signage or other markers that correspond to the approved site plan. This signage shall not count towards the total allowable signage of a commercial use.

(6) Seasonality. A campground shall be allowed to operate only between the dates of April 15 and November 1 of any given calendar year.

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ARTICLE XVI
Site Plan Review

§ 280-16-1. Planning Director.

This article shall be administered by the Planning Director, except that the Code Enforcement Officer shall be responsible for enforcement.

§ 280-16-2. Purpose.

The purpose of this article is to establish procedures and standards to enable the City to review applications for the development of nonresidential and multifamily residential uses.

§ 280-16-3. Site plan approval required. [Amended 3-7-2017 by Order No. 17-31.07; 8-20-2019 by Order No. 19-397-01]

A. Site plan approval shall be required for any of the following:

(1) The construction of any new building or structure or the expansion of an existing building or structure for any use identified in this chapter as permitted, permitted with site plan review, or conditional.

(2) The establishment of a use identified as permitted with site plan review or conditional that does not involve a building or structure.

(3) The construction or expansion of a ground-mounted commercial solar system or utility solar system. **[Amended 4-7-2020 by Order No. 19-772-01]**

(4) Existing buildings:

(a) The change in use of an existing building from a use that is permitted with site plan review or conditional to another use that is permitted with site plan review or conditional, but only if one (1) or both of the following are met:

[1] The new use requires fifteen percent (15%) or more off-street parking in accordance with this chapter than the previous use; or

[2] Changes in site development are proposed, including but not limited to into and through the site, layout and location of parking, or provisions for stormwater drainage, lighting, or buffering of adjacent uses.

(b) A change in occupancy of an existing building or use that replaces a use that is permitted with site plan review or conditional with another use that is permitted with site plan review or conditional that does not increase the parking requirement more than fifteen percent (15%) or result in changes to site development shall not require site plan review.

(5) The construction or expansion of parking areas to serve a use that is permitted with site plan review or conditional involving an area of more than two-thousand (2,000) square feet in any three (3)-year period.

(6) The creation of a private way.

B. This section does not apply to the construction or modification of single-family or two-family homes, the placement of manufactured housing on individual lots, agriculture, forest management and timber

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harvesting activities, or any permitted use identified in this chapter.

C. No land, building, or structure shall be used or occupied and no building permit, sign permit, plumbing permit, or certificate of occupancy shall be issued for a development within the scope of this chapter unless and until a final plan of the development has been approved in accordance with the procedures set forth below.

§ 280-16-4. Classification of projects.

Projects subject to site plan review shall be divided into two (2) classes: major developments and minor developments.

A. Major development. A major development shall be any project which requires site plan approval and which meets any one (1) of the following criteria. In addition, the Site Plan Review Committee may, by formal vote, reclassify a minor development to a major development if it finds, because of the scale or complexity of the proposal, that it has implications similar to projects defined as major developments, except that the establishment of a child care center or nursery school for thirteen (13) or more children and/or an adult day services center for thirteen (13) or more clients shall be classified as a major development. **[Amended 8-21-2018 by Order No. 18-348-01]**

(1) Involves the construction of more than thirty-thousand (30,000) square feet of gross floor area. **[Amended 8-20-2019 by Order No. 19-397-01]**

(2) Involves the creation of ten (10) or more dwelling units.

(3) Is designated as a conditional use in this chapter.

(4) Involves the establishment or the construction or expansion of a building or structure for any of the following categories of uses as set forth in the Table of Land Uses.[55] An expansion of a building or structure for any of these uses involving the creation of two-thousand (2,000) square feet or more of gross floor area shall be classified as a major development. Projects involving an expansion of less than two-thousand (2,000) square feet shall be classified as a minor development.

(a) The keeping of pigs, chickens, and fowl for commercial purposes, except in the Rural Residential or Rural Mixed Use Zones.

(b) Mineral extraction.

(c) The reuse of existing agricultural buildings for nonagricultural purposes.

(d) Mobile home park. **[Amended 8-20-2019 by Order No. 19-397-01]**

(e) Expansion of existing mobile home park. **[Amended 8-20-2019 by Order No. 19-397-01]**

(f) Convalescent, rest, or nursing home. **[Amended 8-20-2019 by Order No. 19-397-01]**

(g) Boarding or congregate care facility. **[Amended 8-20-2019 by Order No. 19-397-01]**

(h) Child-care centers or nursery school for thirteen (13) or more children and/or adult day services center for thirteen (13) or more clients.

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55. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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(i) Private school and college. **[Amended 8-20-2019 by Order No. 19-397-01]**

(j) Nonprofit club and lodge. **[Amended 8-20-2019 by Order No. 19-397-01]**

(k) Fully enclosed place, of recreation. **[Amended 8-20-2019 by Order No. 19-397-01]**

(l) Campground. **[Amended 8-20-2019 by Order No. 19-397-01]**

(m) Drinking place. **[Amended 8-20-2019 by Order No. 19-397-01]**

(n) Drive-through eating place. **[Amended 8-20-2019 by Order No. 19-397-01]**

(o) Unenclosed storage of unregistered cars, junk cars, or junked car parts.

(p) Petroleum product storage.

(q) Church. **[Amended 8-20-2019 by Order No. 19-397-01]**

(r) Nonprofit medical marijuana dispensary.

(5) An amendment of a previously approved site plan for a major development involving the construction of five-thousand (5,000) square feet or more of gross floor area. **[Amended 8-20-2019 by Order No. 19-397-01]**

(6) Involves the construction or expansion of more than thirty-thousand (30,000) square feet of a ground-mounted commercial solar system in the Rural Residential (RR) or Residential Development Overlay (RDO) Zones or a utility solar system. **[Added 3-7-2017 by Order No. 17-31.07; amended 8-20-2019 by Order No. 19-397-01; 4-7-2020 by Order No. 19-772-01; 11-23-2021 by Order No. 21-494-01]**

B. Minor development. Any project which requires site plan approval and is not classified as a major development shall be a minor development. **[Amended 3-7-2017 by Order No. 17-31.07; 5-7-2019 by Order No. 19-258-01]**

(1) Minor development. Any project which requires site plan approval and is not classified as a major development shall be a minor development in one of the following five (5) categories:

(2) Uses permitted with site plan review in the Table of Land Uses.[56] **[Amended 8-20-2019 by Order No. 19-397-01]**

(3) Private way.

(4) Staff review. **[Amended 8-20-2019 by Order No. 19-397-01]**

(a) Planning Director.

(b) Code Enforcement Officer.

C. Design standards. Any development on a lot that is located in the Sanford Downtown or Springvale Village Design District Overlay Zones shall require review by and a recommendation to the designated reviewing committee or staff. **[Amended 8-20-2019 by Order No. 19-397-01; 9-20-2022 by Order No. 22-440-01]**

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56. Editor's Note: The Table of Land Uses is included as an attachment to this chapter.

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§ 280-16-5. Review and approval authority.

A. Major developments. The Planning Board is authorized to review and act, after recommendation by the Site Plan Review Committee, on all site plans for major developments. In considering site plans under this article, the Planning Board may act to approve, disapprove or approve the project with such conditions as are authorized by this article. **[Amended 8-20-2019 by Order No. 19-397-01]**

B. Minor developments. The Site Plan Review Committee is authorized to review all site plans for minor developments, except as authorized under § 280-16-4B(3), and may approve, disapprove, or approve the project with such conditions authorized by this article. In addition, the Site Plan Review Committee may reclassify a minor development to a major development as set forth in this article and forward it to the Planning Board with recommendations for Planning Board action. **[Amended 8-20-2019 by Order No. 19-397-01]**

C. Site Plan Review Committee.

(1) Composition and quorum.

(a) The Site Plan Review Committee shall be comprised of the following eight (8) members. An employee of each member's respective organization may serve as an alternate in the event that a member is unable to attend a scheduled Site Plan Review Committee meeting. A quorum shall be defined as a minimum of five (5) members. **[Amended 8-20-2019 by Order No. 19-397-01; 4-21-2020 by Order No. 19-864-01]**

[1] The Fire Chief or designee;

[2] The Police Chief or designee;

[3] The City Engineer or the Public Works Director;

[4] The Planning Director;

[5] The Superintendent of the Water District;

[6] The Superintendent of the Sewerage District;

[7] A representative of the Planning Board;

[8] The Code Enforcement Officer.

(b) The Planning Director shall serve as Chair of the Site Plan Review Committee and shall be responsible for scheduling its meetings.

(2) Powers and duties. The Site Plan Review Committee shall:

(a) Review and approve applications for minor developments; and

(b) Advise the Planning Board on applications for major developments.

(3) Procedures. The Site Plan Review Committee may, after advance notice and hearing, adopt reasonable written regulations to govern the conduct of its meetings, provided that such regulations are not inconsistent with any applicable statute or ordinance.

(4) Appeals. Any action on a minor site plan may be appealed to the Planning Board by the applicant, any abutter to the project within two-hundred-fifty (250) feet of the subject lot, or any

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other party who participated in consideration of the application. The appeal shall be made in writing to the Planning Department within fifteen (15) days of final action on the minor site plan. **[Amended 8-20-2019 by Order No. 19-397-01; 9-20-2022 by Order No. 22-440-01]**

D. Design Review Committee.

(1) Creation, officers, and purpose.

(a) Creation. The Design Review Committee shall consist of a minimum of five (5) and a maximum of seven (7) members. Members shall serve alternating two (2) year terms. Up to three (3) members of the Planning Board shall serve on the Design Review Committee. The remaining members shall be nominated by the City Manager and approved by majority vote of the Planning Board. Design Review Committee members shall live or work in the City. In the nomination and appointment of members, the goal shall be to include members with a combination of educational, professional, and life experiences with design and development related issues. In the event of a vacancy the Chair shall notify the City Manager. **[Amended 10-2-2018 by Order No. 18-426-01]**

(b) Officers. One of the members of the Planning Board shall serve as Chair for the Design Review Committee and the Design Review Committee shall elect a Secretary. The Planning Director shall notify the Chair when there is a proposed development which requires review and comment by the Design Review Committee. The Design Review Committee shall schedule regular monthly meetings and maintain communications and report the status of all projects to the Planning Board in a timely manner. The Secretary shall maintain meeting minutes for all meetings with applicants. The Planning Director shall distribute meeting minutes as appropriate, and handle written communication on behalf of the Design Review Committee. **[Amended 8-20-2019 by Order No. 19-397-01]**

(c) Purpose. To help the owner, developer, architect, and other consultants understand the basic design goals that have been adopted for development of Sanford Downtown and Springvale Village Design District Overlay Zones and provide the Planning Board and Code Enforcement Officer with a yardstick against which proposed development can be measured. Applicants are invited to submit creative and imaginative projects which build on the Design Review Standards and contribute to the overall form and character of Sanford Downtown and Springvale Village Design District Overlay Zones. **[Amended 10-2-2018 by Order No. 18-426-01]**

(2) Powers and duties. **[Amended 10-2-2018 by Order No. 18-426-01; 8-20-2019 by Order No. 19-397-01]**

(a) Responsibilities. It shall be the responsibility of the Design Review Committee to encourage new development and renovation within the designated Sanford Downtown and Springvale Village Design District Overlay Zones to achieve the purpose, objectives, and standards of the Design Review Standards. The Design Review Committee shall advise the Code Enforcement Officer, Planning Director, Site Plan Review Committee, and the applicant and, in that capacity, may make recommendations concerning project design proposals as it deems appropriate.

(b) Review and recommendation to the Code Enforcement Officer, Planning Director, Site Plan Review Committee, and/or Planning Board. All applicants are encouraged to meet with the Planning Department and Design Review Committee early in the design process to avoid the need for substantial revision of an application for site plan review or building,

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sign, or other permits for exterior improvements modification. An applicant shall submit three hard copies of all required materials, plans, maps, drawings, and illustrations sufficient to convey the general intent and approach to conforming with the basic design standards and one (1) CD of digital PDF files of all the information submitted as hard for review to the Planning Department. The Planning Director shall schedule the application for review by the Design Review Committee. Following its review, the Planning Director shall prepare a written summary and recommendations and forward it to the applicant, Code Enforcement Officer, Site Plan Review Committee or Planning Board prior to review of the site plan application or building, sign, or other permit. The Design Review Committee may make general comments and suggestions to help meet the standards. The applicant may request additional meetings with the Design Review Committee as the proposed design is developed or revised.

E. Staff review. Staff is authorized to review, approve, disapprove, or approve with conditions the following minor site plans: **[Amended 8-20-2019 by Order No. 19-397-01]**

(1) The Code Enforcement Officer, with agreement of the Planning Director, for:

(a) The reconstruction of any conforming structures;

(b) The construction/reconstruction of preexisting nonconforming structures that are within the same footprint;

(c) Construction which does not increase the building footprint or impervious coverage by more than five-hundred (500) square feet; parking by more than fifteen percent (15%); or any conditions of a previous approval.

(2) The Planning Director, with agreement of the Code Enforcement Officer and City Engineer, for:

(a) Construction which increases the building footprint between five-hundred (500) and five-thousand (5,000) square feet and does not increase parking demand by more than twenty-five percent (25%), or any conditions of a previous approval.

(b) Any project when directed by the Planning Board.

§ 280-16-6. Scheduling, submission, fee, and review procedures. [Amended 10-18-2016 by Order No. 16-133.09; 12-20-2016 by Order No. 16-158.07; 3-7-2017 by Order No. 17-31.07; 2-20-2018 by Order No. 18-115-01; 2-20-2018 by Order No. 18-118-01; 5-7-2019 by Order No. 19-258-01; 8-20-2019 by Order No. 19-397-01; 12-3-2019 by Order No. 19-579-01; 4-7-2020 by Order No. 19-772-01; 5-5-2020 by Order No. 19-874-01; 11-23-2021 by Order No. 21-494-01; 4-19-2022 by Order No. 22-151-01; 4-19-2022 by Order No. 22-151-01; 5-3-2022 by Order No. 21-494-01; 9-20-2022 by Order No. 22-440-01; 4-1-2025 by Order No. 25-65-01]

A. Preapplication meeting.

(1) The applicant shall initiate the application process by either requesting a building permit from the Code Enforcement Officer and being instructed to obtain a site plan permit from the Planning Director or by directly scheduling a preapplication meeting with the Planning Director. The purpose of this meeting is to familiarize the applicant with the review procedures and submission requirements, review the approval criteria and standards, and familiarize the Planning Director with the nature of the project. No decisions relative to the plan may be made at this meeting. The Planning Director may ask representatives of other departments and

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agencies to participate in the meeting. In this meeting, the Planning Director will confirm the classification of the application.

(2) If the application is classified as a minor site plan, the Planning Director may determine that an on-site inspection is needed to familiarize the Site Plan Review Committee with the project site. The on-site inspection shall be scheduled by the Planning Director and shall be attended by the applicant and/or the applicant's representative and members of the Site Plan Review Committee.

B. Application preparation.

(1) Using the most current application form, which is available from the Planning Department, the applicant shall submit a formal application for review and approval to the Planning Department, consistent with the requirements of § 208-16-6G and the classification assigned under this article.

(2) Upon receipt of an application, the Planning Department shall provide the applicant with a dated receipt showing the nature of the application and the fees paid.

C. Review for completeness. Within seven (7) days of receipt of an application the Planning Director shall review and determine if it is complete. The Planning Director shall review any request for waivers from the submission requirements and shall act on these requests prior to determining the completeness of the application; provided, however, that if the Planning Board determines that such submission is necessary, the information shall be required to be submitted. If the application is lacking required information, the Planning Director shall notify the applicant in writing of this determination, and the action on any waivers and shall provide copies of the application to all official and ex officio members of the Site Plan Review Committee. If the application is incomplete, the Planning Director shall notify the applicant in writing of this determination, specify what additional materials or information is required to complete the application, and advise the applicant that the revised application package will be re-reviewed for completeness when it is resubmitted. Once the application has been found complete, the Planning Director shall provide copies of the application information to all members of the Site Plan Review Committee and schedule it for the next available committee meeting which will be at least two (2) weeks from the date the application is determined to be complete.

D. Notice to abutters and public hearing.

(1) Once an application is determined to be complete, the Planning Director shall provide notice and conduct a public hearing in conformance with § 280-4-1.

(2) No notification of abutters is required for a minor amendment of a previously reviewed and permitted site plan which is classified for staff review under this article.

E. Planning Board action.

(1) A public hearing shall be held by the Planning Board on a major site plan application prior to its taking action in conformance with § 280-4-1.

F. Waivers. The applicant may request a waiver of any submission requirement in its site plan application. The request shall be in writing at the time of submission of the application and shall specify why the waiver is being sought. The Planning Director shall review any requests for waivers and may grant requested waivers for the purpose of presenting the application to the designated reviewing committee. The designated reviewing committee may approve, deny, or approve the requested waivers with conditions.

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G. Submission requirements. The application for site plan review shall contain the following exhibits and information; except that applications for staff level review under § 280-16-4B(4) may provide a reduced list of exhibits and information in conformance with the Planning Board's bylaws. The applicant shall provide a date and description of changes on all revised plans and documents. A generic statement that revisions are "per staff comments" shall not be adequate.

(1) Application elements. The application shall consist of:

(a) Three (3) hard copies of all required written materials, plans, maps, and drawings and one (1) CD or thumb drive with digital PDF files of all the information submitted as hard copies. The application shall contain the information listed below. The written materials shall be contained in a single report. The plans, maps, and drawings shall be at an accurate scale sufficient to allow review of the items listed under approval criteria, but in no case shall it be more than fifty (50) feet to the inch for that portion of the land being proposed for development.

(b) A fully executed and signed copy of the application for site plan review.

(c) The required application and development review fees.

(d) A complete list of abutters within two-hundred-fifty (250) feet of property boundaries of the site, together with a set of mailing envelopes, stamped with first class postage, that are addressed to each abutter on the list and includes the Planning Department's return address. Two (2) sets of stamped and addressed mailing envelopes will be required for major developments.

(2) Required information.

(a) General information.

[1] Record owner's name, address, and phone number and applicant's name, address and phone number, if different.

[2] Zoning classifications of the property, including shoreland, floodplain, and overlay zones, if applicable, and the location of zoning boundaries if the property is located in two (2) or more zones or abuts a different zone.

[3] Location of all building setbacks, yards and buffers required by this chapter.

[4] Reduction of the City tax map showing the general location of the site.

[5] Boundaries of all contiguous property under the control of the owner or applicant, regardless of whether all or part is being developed at this time.

[6] Assessing tax map and lot number of the lot or lots.

[7] Copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.

[8] General description of the proposed activity or use.

(b) Existing conditions.

[1] Location and size of existing sewer and water mains, culverts and drains, on-site

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sewage disposal systems, wells, and power and telephone lines and poles on the property to be developed and of any that will serve the development from abutting streets or land.

[2] Location, names, and widths of existing streets and rights-of-way within or adjacent to the proposed development.

[3] Location, dimensions and ground floor elevations of all existing buildings on the site.

[4] Location and dimensions of existing driveways, streets, parking and loading areas and walkways on the site.

[5] Location of intersecting roads or driveways within two-hundred (200) feet of the site.

[6] Location of open drainage courses, floodplains, wetland boundaries, stands of trees, major trees, and other important natural features, with a description of features to be retained.

[7] Copy of Phase 1 and Phase 2 Environmental Assessments that have been prepared for the development site.

[8] Direction of existing surface water drainage across the site.

[9] Location, front view and dimensions of existing signs.

[10] Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.

[11] Location of the nearest fire hydrant, dry hydrant or other water supply for fire protection and description of any existing fire protection systems.

(c) Proposed development activity.

[1] Location and dimensions of provisions for water supply and wastewater disposal and evidence of their adequacy for the proposed use or expansion of use, including test pit data if on-site sewage disposal is proposed. If the project will be served by the Sewerage District and/or Water District, provide letters from the respective districts indicating approval of the provisions and the adequacy of systems to accommodate the proposed use.

[2] Direction of proposed surface water drainage across the site and provisions for drainage handling, including the size, location, and pertinent elevations of culverts.

[3] Provisions for handling solid wastes, including the location, dimensions, and materials of proposed enclosures, and proposed treatment of any on-site collection or storage facilities.

[4] Location, dimensions, and ground floor elevations of all proposed buildings or expansion on the site.

[5] Location and dimensions of proposed driveways, parking and loading areas, and walkways.

[6] Location, front view, materials, and dimensions of proposed signs, together with methods for securing the sign.

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[7] Location, type, and specifications for exterior lighting. The Planning Director may require submission of a photometrics plan to evaluate potential impacts of light spillage on adjoining residential properties.

[8] Landscaping plan showing the type, size, and location of shrubs, trees, and other plants to be installed at the site.

[9] Location and nature of all electrical, telephone, and other utilities, including fire protection systems, to be installed at the site.

[10] Draft language for any proposed easements on the property or adjacent properties, as appropriate.

[11] Evidence that the Federal Aviation Administration has been notified of the proposed development if the building or structure is taller than existing surrounding structures or the natural terrain and encroaches on the imaginary surface of the Airport as specified in Section 77.13 of Part 77 of the Federal Aviation Regulations.

(d) Supplemental information.

[1] If the Planning Director determines that the project has potentially significant adverse impact on traffic flow, safety or the environment, s/he shall recommend that the project be classified as a major development.

[2] The Planning Director may require the applicant to provide a boundary survey of the lot, tied to the Maine state coordinate system, if property lines are not clearly and easily determined on the ground.

[3] Supplemental information for major developments. If the application is for a major development, it shall also include the following information:

[a] The bearings and distances of all property lines tied, to the Maine state coordinate system, and the sources of this information. The Planning Director may waive the requirement for a formal boundary survey when sufficient information is available to establish, all property boundaries on the ground.

[b] The name, registration number and seal of the architect, landscape architect, engineer and/or similar professional, registered in the State of Maine, who prepared the plan.

[c] The location of all buildings within fifty (50) feet and the location of intersecting roads or driveways within two-hundred (200) feet of the site.

[d] The existing topography of the site shown with two (2) foot contour intervals. A greater contour interval may be used if it is determined that the plan is adequate to evaluate site conditions.

[e] A grading plan showing the proposed changes in the topography of the site at a two (2)-foot contour interval or such other interval as determined by the Planning Board. This plan may be combined with the site plan.

[f] A stormwater drainage and erosion control program showing:

[i] The existing and proposed method of handling stormwater runoff.

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[ii] The direction of flow of the runoff through the use of arrows.

[iii] The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.

[iv] Engineering calculations prepared and stamped by a professional engineer registered in the State of Maine showing the drainage requirements based upon a storm frequency established by the City Engineer if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces being proposed including but not limited to pavement and building area, and the pre- and post-development rates of runoff.

[v] Methods and locations of devices proposed to be used to control erosion and sedimentation during and after construction.

[g] Building plans showing, at a minimum, the first floor plan and front elevation of all proposed principal and accessory buildings and structures.

[h] Assessments of the impact of the project. A traffic impact analysis demonstrating the impact of the proposed project on the capacity, level of service, and safety of adjacent streets, if the project or expansion will provide parking for fifty (50) or more vehicles or generate more than one-hundred (100) trips during the a.m. or p.m. peak hour based upon the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers.

[4] Supplemental information for development in the Airport Development Zone shall be identified as necessary for adequate review and approval by the Planning Director, the Site Plan Review Committee, or the Planning Board and may include any of the following:

[a] An emergency management plan;

[b] A fire protection plan;

[c] A public safety plan, which shall include any requirements necessary to address Airport security and homeland security issues;

[d] A traffic control plan showing the location and dimensions of proposed driveways, parking areas, loading areas, and walkways; describing on-site vehicular activity and its impact on the surrounding traffic patterns; and showing access to and from the Airport, if proposed; and,

[e] A narrative report indicating how the proposed land use and development activity is consistent with the Airport Clear Zone and Airport Approach Protection Overlay Zone standards.

[5] Supplemental information for private ways.

[a] A plan showing the private way prepared by a land surveyor registered in the State of Maine. The plan shall be drawn in permanent ink or permanent transparency material and shall be sealed by the surveyor preparing the plan. The plan shall be labeled "A Plan of a Private Way" and shall provide an

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approval block for signatures of a legal majority of the Planning Board, the date of approval, and the words "Private Way, Approved by the City of Sanford Planning Board." The plan shall show information sufficient to establish on the ground the exact location, width, and length of the private way.

[b] Plan notes. The plan shall contain the following notes:

[i] A note which shall read "The City of Sanford shall not be responsible for the maintenance, repair, plowing, or similar services for the private way shown on this plan."

[ii] A note which shall read "The private way shown on this plan shall not be accepted as a public street by the City of Sanford unless the way complies with the standards for public streets, including but not limited to, width of right-of-way, existing at the time acceptance is requested."

[6] Supplemental information for transmitter towers and alternative communication towers. If the project involves an alternative communication tower, the application shall include the following supplemental information:

[a] A report from a professional engineer, registered in the State of Maine, that describes the tower and the technical reasons for the tower design and describes the capacity of the tower, including the number and types of antennas that it can accommodate and the basis for the calculations of capacity.

[b] Written approval or a statement that no approval is required from the Federal Aviation Administration and written approval from any other applicable federal or state agencies.

[c] A letter of intent that commits the tower owner and his or her successors in interest to:

[i] Respond in a timely, comprehensive manner to a request for information from a potential collocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response.

[ii] Negotiate in good faith for shared use by third parties that have received a Federal Communication Commission license or permit.

[iii] Allow shared use if an applicant agrees in writing to pay reasonable charges.

[iv] Make no more than a reasonable charge for shared use, based on generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference, all being pertinent to the southern Maine market area.

[v] Notify the City if use of the tower is discontinued.

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[vi] Remove the tower within one (1) year after its use is discontinued.

[d] Evidence that collocation on existing or approved towers is not possible. If the proposed tower cannot be accommodated on each existing or approved tower site, assess whether such tower site could be changed to accommodate the proposed tower, and generally describe the means and projected cost of shared use of the existing or approved tower site.

[e] Proof of financial capacity to build, maintain, and remove the proposed tower.

[7] Supplemental information for a water supply protection permit shall contain the following information:

[a] The location of Public Water Supply Protection District boundaries based upon the official map if they cross the lot.

[b] Location and size of interior and exterior areas and structures to be used for storage, use, loading/unloading, recycling, or disposal of hazardous materials.

[c] Location of all new or modified underground and aboveground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated stormwater or wash water, and all similar facilities.

[d] Location of new or modified exterior drains, dry wells, catch basins, retention/ detention areas, sumps and other facilities designed to collect, store, or transport stormwater; the point of discharge for all drains and pipes shall be specified on the site plan;

[e] Delineation of areas on the site which are known or suspected to be contaminated, together with a report of the status of cleanup.

[f] Location of new or modified subsurface waste disposal systems, sewage lift stations, force mains, and grease traps.

[g] Location and distance to existing and planned wells of the Water District.

[h] A description of the manner in which the applicant shall meet all applicable performance standards.

[i] In cases where the Code Enforcement Officer, Site Plan Review Committee, or Planning Board finds that the land use poses a serious threat to groundwater quality, an applicant shall be required to submit:

[i] A complete list of all pesticides, fuels and other potentially toxic or hazardous materials which are used, manufactured or stored on the premises in quantities greater than those associated with normal household use and a description of measures to provide for the control of leaks or spills.

[ii] A completed list of products proposed for application to the land, quantities to be applied, schedule of application, and a detailed description of the application program.

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[iii] A conservation plan, reviewed by the York County Soil and Water Conservation District, for animal husbandry operations.

[j] The Site Plan Review Committee or Planning Board may also require the following additional information if the Sanford or Kennebunk, Kennebunkport, and Wells Water District expresses concerns, in writing, about the impact of the proposed activities on a public water supply.

[i] A hydrogeological study of the proposed use's or activity's impact on groundwater.

[ii] Water quality data from on-site monitoring wells.

[iii] Any other information necessary to prove that the activity or use will not adversely impact the groundwater quality.

[8] Supplemental information for mineral extraction for commercial excavation, processing and storage of soil, loam, sand, gravel, rock and other mineral. The development plan shall be prepared by a land surveyor or professional engineer, registered in the State of Maine, except as otherwise specified, showing:

[a] The existing contours of the land within and extending beyond the boundaries of the site for two-hundred (200) feet at intervals not to exceed five (5) feet, referred to mean sea level.

[b] The contours as proposed following completion of the operation at intervals not to exceed five (5) feet, referred to mean sea level.

[c] The location of all proposed access roads and temporary structures.

[d] The proposed provisions for drainage and erosion control, including drainage calculations.

[e] Other information necessary to indicate the physical characteristics of the proposed operation.

[f] A closure plan showing how the site will be reclaimed in accordance with the performance standards of this chapter.

[g] Written evidence that the York County Soil and Water Conservation District has reviewed the plans and finds them in conformance with its standards.

[h] If fewer than five-hundred (500) cubic yards of material is involved, if all slopes affected have less than a ten-percent (10%) grade, and if the area under consideration is not subject to erosion or excessive stormwater runoff, a written plan prepared by an agent of a qualified professional may be submitted as the required plan.

[i] The Planning Board shall require the submission of a hydrogeologic study to determine the effects of the proposed activity on groundwater movement and quality and water supply wells within the general area if excavation within five (5) feet of the observed seasonal high-water table is proposed.

[j] Submission requirements for renewal of a five (5)-year site plan permit for

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commercial excavation, processing, and storage of soil, loam, sand, gravel, rock and other minerals. All submission requirements shall be described and located on site plans and in written analyses and assessments submitted as part of the application and shall include:

[i] Description of past excavation and reclamation activity on the site, including areas modified over the previous five (5)-year permit, and areas proposed to be excavated and reclaimed over the proposed new five (5)-year permit.

[ii] Current conditions plan, prepared by a land surveyor or other qualified professional, licensed in the State of Maine, which identifies excavated and reclaimed areas over the previous five (5) years, natural features and wetlands, including locations which may have changed since the previous submission, and one (1) or more benchmarks on the site which may be identified by the City Engineer. The Planning Board may allow, at a minimum, spot grade elevations at the top and bottom of embankments.

[iii] General description of and location where crushing, screening, and processing activity operated over the previous five (5)-year permit and where they are proposed for the new five (5)-year permit.

[iv] General description and location where imported materials and/or materials relocated from other portions of the site have been or are proposed to be used to rebuild slopes or reclaim areas.

[v] Certification by a qualified geologist, with specialization in hydrogeology, who is licensed in the State of Maine, that the previously submitted hydrogeologic analysis reflects current conditions and remains valid. The Planning Director may require an updated hydrogeologic analysis if the original analysis requires updating or an update was recommended in the original analysis, or if there are changes in conditions on site, within the aquifer, in municipal regulation, or in professional knowledge about extraction operations or hydrogeology. Furthermore, if the Planning Director determines that the elevation of the seasonal high water table, identified in the previously submitted analysis, has changed or is contradicted by evidence obtained during inspection and/or observation, additional hydrogeologic information including, but not limited to, test pit data, may be required to verify existing high and seasonal groundwater elevations.

[vi] Updated groundwater monitoring plan, prepared by a qualified geologist, with specialization in hydrogeology, who is licensed in the State of Maine, including all required components of the monitoring system.

[vii] General description, location, and/or dimensions of proposed stockpiled materials. The Planning Director may require a general description and location of proposed methods to minimize leaching or transport of materials into surface and/or groundwater for materials which are relocated from elsewhere on site or are imported from off site if there are changes in proposed operations, conditions on site, within the aquifer, in municipal regulation, and/or in professional knowledge about extraction

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operations or hydrogeology.

[viii] Updated Operations Manual, with changes from the previously approved Manual highlighted. If the Planning Board finds that the Updated Operations Manual is incomplete or inadequate, it may require a subsequent revision to be prepared by a qualified professional, licensed in the State of Maine.

[ix] Updated performance guarantee for reclamation. The amount shall be set by the Planning Board, based on the recommendation of the City Engineer, at a rate of $4,000/acre or another amount which reflects unique characteristics of the operation, for the area anticipated to be open to excavation and/or reclamation over the proposed new five (5)-year permit. In addition to these areas, the performance guarantee shall include stockpile areas and areas outside of active excavation which have not been reclaimed. The City recognizes that the organization which issues a performance guarantee may annually review and renew the guarantee; however, the City shall require the applicant to provide the City with an acceptable guarantee until the City Engineer finds that the reclaimed landscape meets required cover standards through at least one (1) full growing season. This obligation may require the guarantee to extend beyond the expiration of the five (5)-year permit.

[x] Notwithstanding anything to the contrary in 1 M.R.S.A. § 302, this amendment of § 280-16-6G(2)(d)[8][j] applies to any application relating to the establishment or operation of a mineral extraction operation, whether or not such application had become a pending proceeding as defined in 1 M.R.S.A. § 302 prior to the enactment of this amendment of the Ordinance.

[9] Supplemental information for a marijuana production facility, marijuana retail store, or other projects that:

[a] Have the potential for generating adverse odors, as determined by the Planning Director, shall indicate whether the proposed facility is designed with a closed or open ventilation system. If an open system is proposed, the application shall describe the pathway of outdoor air through the facility and include an Operations Plan and Odor Control Plan that conforms with §§ 280-15-10C(5) and 280-15-10C(6) unless the applicant provides a plan and report, prepared and sealed by a mechanical engineer, or other qualified professional, registered in the State of Maine, for a properly designed, installed, and maintained ventilation and air filtration system to prevent odors from being detected beyond the boundaries of the property. The City may use contracted staff and peer review escrow fees to review an Odor Control Plan under § 280-3-4B.

[b] Involves the use and/or storage of chemicals or gases shall include a floor plan showing the type and location of the storage of any chemicals or gases used in the facility and shall be subject to review and approval by the Fire Chief.

[10] Supplemental information for conditional uses. The Planning Board may waive any of the submission requirements in accordance with § 280-166.6F, upon written request of the applicant at its initial consideration of the application. In waiving any

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submission requirement, the Planning Board shall find that the waived information is not needed to allow it to determine conformance with the standards of approval due to the scale or nature of the proposed activity.

[a] A description of the exact nature of the proposed use, including but not limited to the type of use, square footage involved, hours of operation, types and amount of any pollutants to be generated, and types and amount of traffic expected to be generated.

[b] A scale drawing, including existing and proposed buildings, important natural features, driveways, parking areas, pedestrian ways, streets and other rights-of-way, and location of signs and outdoor lighting.

[c] The Planning Board may also request, at the initial consideration of the application, that additional information be provided to allow it to determine compliance with the standards of approval. The burden of providing the information upon which the Planning Board shall base its findings. The applicant may submit additional information, including narrative materials which demonstrate how the application complies with the standards of approval of §§ 280-13-5 and 280-16-7.

[11] Supplemental information for a solar energy system.

[a] A site location map which shows scenic resources, historic sites, and/or significant wildlife habitat, identified by state regulatory agencies, within one (1) mile of the proposed development.

[b] Description of proposed and associated facilities, including manufacturer and model and all nonproprietary manufacturer's specifications for solar panels, key components, controls, and other equipment, sound emission levels, normal and emergency operational shutdown procedures, number and individual ratings of panels in the array and/or modules, and aggregate generating capacity of the total system.

[c] Array/module design.

[d] Written evidence that all applicable state regulatory agencies with jurisdiction over the project have been notified of the pending application.

[e] Certification that the system shall comply with utility notification requirements, required by Maine law and accompanying regulations, unless the applicant indicates it will not be connected to the electricity grid.

[f] Site line, photographic and, if applicable, screening information to help evaluate environmental and visual impact of construction and operation of the system.

[g] A plan which describes how decommissioning will be undertaken, the work required, how solid waste shall be disposed of in compliance with state and local regulations, a cost estimate for decommissioning and a schedule of contributions to its decommissioning fund, and demonstration of the applicant's financial capacity to complete the decommissioning as proposed. The applicant shall also provide examples of other projects of similar size and describe the

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amount of surety which was required.

[h] If the project is located in the Rural Residential (RR) Zone:

[i] Identify location of prime or unique farmland soils and farmland soils of statewide significance, as mapped by the Natural Resources Conservation Service (NRCS) and/or York County Soil and Water Conservation District (YCSWCD).

[ii] Identify location and description of active farmland on the site.

[iii] Describe measures to conserve and manage natural resources, maintain and minimize impacts on active farming and forested lands, and control and prevent nonpoint source pollution.

[i] If the project is located in the Residential Development Overlay (RDO) Zone:

[i] Identify nearby existing residential development and residential zones.

[ii] Describe measures to plant native, non-invasive groundcover, which is low-maintenance, drought resistant, and non-fertilizer dependent, under and between rows of solar panels to prevent soil erosion.

[iii] Describe stormwater, erosion control, and landscape measures on plans and in a narrative to maintain water quality and minimize export of sediment, phosphorus, and other contaminants from the site to protect Goodall Brook and vulnerable water bodies in its watershed.

[12] Supplemental information for retail sales in the Industrial Business (IB) Zone.

[a] A traffic impact analysis that assesses development impacts on level of service and safety on the street network and improvements that may be warranted for mitigation of impacts. The traffic impact analysis shall be prepared by a Maine licensed professional engineer and conform with Maine Department of Transportation Rules and Regulations Pertaining to Traffic Movement Permits.

H. Fees.

(1) Any request for site plan review shall be accompanied by a filing fee established by the City Council and shall be administered in conformance with § 280-3-4.

(2) Review and construction compliance fees. An applicant shall deposit a review fee with the Planning Department at the time of the submission of an application. The Planning Department shall maintain a project account for each application showing the amounts of the deposits and the charges incurred for review of the application in compliance with § 280-3-4. The applicant shall also be required to post additional amounts to cover the cost of construction compliance review.

I. Review procedures.

(1) Once an application is determined to be complete and at least fourteen (14) days prior to a regularly scheduled meeting of the reviewing committee, the Planning Director shall schedule of the application for review.

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(2) The Planning Director shall schedule review by the Site Plan Review Committee and the Planning Board and provide appropriate notice of public hearing as required in this chapter and in conformance with § 280-4-1.

(3) Within sixty (60) days of any required public hearing, the Planning Board shall complete its review of and take action on the application. The Planning Board may extend this review period with the consent of the applicant.

(4) The reviewing committee shall determine whether the application complies with the standards and criteria of § 280-16-7. If the reviewing committee finds that the application conforms to these standards and criteria, committee members shall vote to approve the application. Approval by the reviewing committee shall require the vote of a majority of committee members. A binding vote shall include a minimum of three (3) members. The applicant may request a continuation of the reviewing committee's consideration of the application if only three (3) voting members. The applicant shall be notified in writing of the committee's action.

(5) The reviewing committee may impose conditions on the approval of a site plan. Any conditions imposed by the reviewing committee shall be related directly to the approval standards and criteria.

J. Inspections.

(1) General. The applicant shall be responsible for demonstrating that the construction of the project meets the standards of this chapter.

(2) Private ways. The private way shall be inspected under the direction of a professional engineer, registered in the State of Maine. Prior to the issuance of any certificates of occupancy for lots served by a private way, the engineer shall certify to the Code Enforcement Officer that the private way has been constructed in accordance with this section.

K. Signing, recording, and providing copies of recorded approved plans.

(1) General requirement. Upon approval by the reviewing committee, the applicant shall provide five (5) copies of the site plan which includes any required changes or conditions of approval prior to the issuance of a building permit.

(2) Private ways. The original plan shall be recorded in the York County Registry of Deeds within thirty (30) days of approval by the Planning Board and prior to the issuance of building permits for any lots served by the private way. If the plan is not recorded within this period, the approval of the Planning Board shall be null and void. Prior to the expiration of the thirty (30) day period, the Planning Board may extend this time limit upon written request by the applicant and a finding that such extension is consistent with current zoning requirements.

§ 280-16-7. Approval criteria and standards. [Amended 5-7-2019 by Order No. 19-258-01; 8-20-2019 by Order No. 19-397-01; 9-20-2022 by Order No. 22-440-01; 4-1-2025 by Order No. 25-65-01]

The following criteria shall be used by the Site Plan Review Committee and the Planning Board in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Site Plan Review Committee or the Planning Board determines that the applicant has failed to meet one (1) or more of these standards. In all instances, the burden of proof shall be on the applicant, and such burden of proof shall include the production of

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evidence sufficient to warrant a finding that all applicable criteria have been met.

A. Utilization of the site. The plan for the development shall reflect the natural capabilities of the site to support development. Buildings, lots, and support facilities shall be clustered in those portions of the site that have the most suitable conditions for development. Environmentally sensitive areas, such as wetlands, steep slopes, floodplains and unique natural features, shall be maintained and preserved to the maximum extent. Natural drainage areas shall be preserved to the maximum extent.

B. Access to the site. Vehicular access to the site shall be on roads which have adequate capacity to accommodate the additional traffic generated by the development. For developments which generate one-hundred (100) or more peak-hour trips based on the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers, intersections on major access routes to the site within one (1) mile of any entrance road which are functioning at a Level of Service of C or better prior to the development shall function at a minimum of Level of Service C after development. If any intersection is functioning at a Level of Service D or lower prior to the development, the project shall not reduce the current level of service. The Planning Board or Site Plan Review Committee may approve a development not meeting this requirement if the applicant demonstrates that:

(1) A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard; or

(2) The applicant shall assume financial responsibility for the improvements necessary to bring the level of service to this standard and shall assure the completion of the improvements with a financial guaranty acceptable to the City.

C. Access into the site. Vehicular access into the development shall provide for safe and convenient access.

(1) Any exit driveway or proposed street shall be designed so as to provide minimum sight distance to meet the Maine Department of Transportation standards.

(2) Points of access shall be located to avoid hazardous conflicts with existing turning movements and traffic flows.

(3) The grade of any proposed drive or street shall be not more than three percent (3%) for a minimum of two (2) car lengths or forty (40) feet from the intersection.

(4) The intersection of any access drive or proposed street shall function at a Level of Service C following development if the project will generate one-thousand (1,000) or more vehicle trips per twenty-four (24) hour period or at a level which shall allow safe access into and out of the project if fewer than one-thousand (1,000) trips are generated.

D. Internal vehicular circulation. The layout of the site shall provide for the safe movement of passenger, service and emergency vehicles through the site.

(1) Nonresidential projects shall provide a clear route for delivery vehicles with appropriate geometric design to allow turning and backing for a minimum of WB-50 vehicles.

(2) Clear routes of access shall be provided and maintained for emergency vehicles to and around all buildings and will be posted with appropriate signage marked fire lane - no parking.

(3) The layout and design of parking areas shall provide for safe and convenient circulation of vehicles throughout the lot and shall prohibit vehicles from backing out onto a street.

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(4) All roadways shall be designed to harmonize with the topographic and natural features of the site. The road network shall provide for vehicular and pedestrian safety, all-season emergency access, snow storage, and delivery and collection services.

E. Pedestrian circulation. The development plan shall provide for pedestrian circulation within the development. If the project is located in an area where sidewalks exist or are located within one-thousand (1,000) feet of the site, provisions shall be made for connection to the existing sidewalk system.

F. Stormwater management. Adequate provisions shall be made for the disposal of all stormwater collected from proposed streets, parking areas, roofs, and other surfaces through a stormwater drainage system and maintenance plan which shall not have adverse impacts on abutting or downstream properties.

(1) To the extent possible, the plan shall detain stormwater on the land at the site of development and do so through the use of the natural features of the site.

(2) For major developments, stormwater runoff systems shall detain or retain water falling from the site such that the rate of flow from the site does not exceed the predevelopment rate, unless the development site is adjacent and discharges to a surface water body and detention of water on the site will compound peak flows in the water body and aggravate flooding.

(3) The applicant shall demonstrate that downstream channel or system capacity is sufficient to carry the flow without adverse effects or shall be responsible for the improvements to provide the required increase in capacity.

(4) All natural drainageways shall be preserved at their natural gradients and shall not be filled or converted to a closed system except as approved by the Site Plan Review Committee or Planning Board and appropriate state agencies, if required.

(5) The design of stormwater drainage systems shall provide for the disposal of stormwater without damage to streets, adjacent properties, or downstream properties.

(6) The design of the storm drainage systems shall be fully cognizant of upstream runoff which shall pass over or through the site to be developed.

(7) The biological and chemical properties of the receiving waters shall not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, on-site vegetated waterways, reduction in use of deicing salts and fertilizers, rain gardens and other techniques to reduce phosphorus and protect water quality may be required, especially where the development stormwater discharges into a gravel aquifer area, water supply source, or watershed overlay district.

G. Erosion control.

(1) For all projects, building, site designs, and roadway layout shall fit and use existing topography and desirable natural surroundings to the fullest extent possible. Filling, excavation, and earthmoving activity shall be kept to a minimum. Parking lots on sloped areas shall be terraced to avoid undue cut and fill and the need for retaining walls. Natural vegetation shall be preserved and protected wherever possible.

(2) During construction of major developments, soil erosion and sedimentation of watercourses and water bodies shall be minimized by an active program meeting the requirements of the York

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County Soil and Water Conservation District's best management practices. Erosion control devices shall be installed prior to the start of construction or land disturbance. Erosion control devices shall be inspected prior to and after major storm events and shall be maintained until land surfaces are permanently stabilized. Special care with maintenance is required prior to and over the winter and spring melt seasons. Three (3) notification by the Code Enforcement Officer about failure to install or maintain erosion control devices shall result in the requirement that the property owner submit a performance guarantee to cover costs associated with erosion control and permanent stabilization of the site and may result in revocation of a building permit or delay in receipt of an occupancy permit, at the sole discretion of the Code Enforcement Officer.

H. Water supply.

(1) The development shall be provided with a system of water supply that provides each use with an adequate supply of drinking water.

(2) If the project will be served by the Water District, the applicant has secured, in writing, a statement from the Water District that the proposed water supply system conforms to its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to serve domestic water and fire protection needs.

I. Sewage disposal.

(1) A sanitary sewer system shall be installed at the expense of the developer if the project is located within a sewer service area as defined by the Sewerage District. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where service is not available, except in the Residential Development Zone (RD).

(a) Upstream sewage flows shall be accommodated by an adequately sized system through the proposed development for existing conditions and potential development in the upstream area or areas tributary to the proposed development.

(b) All components of sanitary sewerage facilities that connect to the Sewerage District's system shall be designed by a professional engineer, registered in the State of Maine, and shall be tested in full compliance with the design specifications and construction practices as established by the District. The construction of sewer lines shall include the construction of laterals to the property line of each lot where individual lots are created.

(c) All individual and community on-site systems shall be designed in full compliance with the Maine State Plumbing Code (May 1, 1995, edition), as amended. Upon the recommendation of the Local Plumbing Inspector, the Site Plan Review Committee or Planning Board may require the location of reserve areas for replacement systems.

(2) If the project will be served by the Sewerage District, the applicant shall secure, in writing, a statement from the Sewerage District that the proposed sewerage system conforms to its design specifications and construction practices and that the project will not result in an undue burden on the system.

J. Utilities. The development shall be provided with electrical and telephone service adequate to meet the anticipated use of the project.

K. Natural features. The landscape shall be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation

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insofar as practical during construction. Extensive grading and filling shall be avoided as far as possible.

L. Groundwater protection. The proposed site development and use shall not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

M. Exterior lighting. The proposed development shall provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours. All exterior lighting shall be designed and shielded to direct light downward and avoid spillage beyond the boundaries of the applicant's property.

N. Solid and hazardous waste disposal. The proposed development shall provide for adequate disposal of solid wastes and hazardous wastes.

(1) All solid waste shall be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

(2) All hazardous wastes shall be disposed of at a licensed hazardous waste disposal facility, and evidence of a contractual arrangement with the facility shall be submitted.

O. Landscaping. The development plan shall provide for landscaping to define street edges, improve community appearance, and provide shade for pedestrians, break up parking areas, soften the appearance of the development, and protect abutting properties from adverse impacts of the development. No invasive species shall be planted as part of an approved landscape plan and native species are strongly encouraged.

P. Shoreland relationship. The development shall not adversely affect the water quality or shoreline of any adjacent water body. The development shall demonstrate that the cutting or removal of vegetation along water bodies shall not increase water temperature or result in shoreline erosion or sedimentation of water bodies. The development plan shall provide for access to abutting navigable water bodies for the use of occupants of the development.

Q. Technical and financial capacity. The applicant has demonstrated that s/he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan. In determining the applicant's technical ability, the Board shall consider the applicant's previous experience, the experience and training of the applicant's consultants and contractors, the history of performance on past applications, nonpayment of outstanding invoices associated with permitting or violations of previous approvals involving the applicant, consultants, contractors, or other agents of the applicant. If necessary to satisfy this criteria, the Planning Board may require the applicant to retain qualified contractors and consultants to prepare plans and applications and to supervise, construct, and inspect required improvements in the proposed development.

R. Buffering. The development shall provide for the buffering of adjacent uses where there is a transition from one (1) type of use to another use and to screen service and storage areas. The buffer areas required by the designated reviewing committee or this chapter shall be provided and maintained.

S. Airport encroachment. Development and/or landscaping shall not encroach above the imaginary surface of the Airport as specified in Section 77.13 of Part 77 of the Federal Aviation Regulations unless such encroachment shall not have a detrimental impact on the instrument landing approach minimums currently in use or likely to be in use in the future.

T. Supplemental criteria and standards for private ways. The Planning Board shall approve the use of private ways which meet the standards of this chapter, including but not limited to those described

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below to provide access to and frontage for individual lots of land.

(1) Each lot having access from an approved private way shall be improved with no more than one (1) dwelling unit and related accessory buildings and uses, except for residential uses allowed in the Urban Zone as outlined in the Table of Land Uses, which may allow use of the private way to access other types of residential uses if the Planning Board finds that the proposed use is in conformance with § 280-16-7T(3)(h).

(2) If the private way provides access to two (2) or more lots, a maintenance agreement shall be prepared. This agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair, and plowing of the private way. This agreement shall be approved by the Planning Board and shall be recorded in the York County Registry of Deeds within thirty (30) days of approval by the Planning Board. Prior to the expiration of the thirty (30) day period, the Planning Board may extend this time limit upon written request by the applicant and a finding that such extension is consistent with current zoning requirements.

(3) Private ways shall have a minimum right-of-way width of thirty-three (33) feet and a paved apron twenty (20) feet in length commencing at the existing edge of pavement where it intersects with the private way. The paved apron shall be constructed to the following standards:

(a) Fifteen (15) inches of base gravel, Maine Department of Transportation (MDOT) Spec. 703.06 Type D.

(b) Three (3) inches of three-quarter (3/4)-inch crushed gravel.

(c) Minimum of two (2) inches of paved surface or greater as specified by the Public Works Director.

(d) Negative two percent (2%) grade from the existing edge of pavement to an appropriate drainageway but in no case less than five (5) feet from the travel surface of the public way it intersects.

(e) The construction of private ways shall meet the following minimum standards.

	Number of Lots Served	
	One (1) to three (3)	**Four (4) or more**
Minimum roadway width	Sixteen (16) feet	Same as local residential streets
Minimum subbase (heavy road gravel)	Fifteen (15) inches	
Wearing surface (fine gravel)	Two (2) inches	
Maximum length	None	
Maximum grade	Eight (8)%	
Minimum grade	One-half (0.5)%	
Turnaround at dead end	Hammerhead or T subject to approval by the Fire Department	

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	Number of Lots Served	
	One (1) to three (3)	**Four (4) or more**
Stormwater drainage	Approval of Director of Public Works	

(f) Notwithstanding other provisions of the Code to the contrary, no private way shall provide access to or serve in any way to provide compliance with the requirements of the Code for more than three (3) individual lots unless construction of the way complies with the local residential street standards as set forth in Chapter 275: Subdivision of Land, except that up to ten (10) residential units may be allowed in the Urban Zone if the Planning Board finds that the private way is in conformance with § 280-16-7T(3)(h).

(g) The land within the right-of-way of an approved private way shall not be used to meet the frontage or lot area requirements of any lot. The creation of a private way shall not reduce the frontage or lot area of an existing conforming lot below that required by the zone in which it is located nor reduce the frontage or lot area of an existing nonconforming lot.

(h) The Planning Board may allow up to ten (10) residential units on a private way in the Urban Zone if:

[1] It has granted site plan approval for the private way;

[2] The private way is paved;

[3] The width of the right-of-way is adequate to ensure that there is adequate area to accommodate necessary drainage and other improvements, address topographic conditions, ensure safe disposal of stormwater, provide adequate widths of travel lanes to serve anticipated traffic, restrict onstreet parking, require that residential units are sprinklered, siting and construction of fire hydrants, etc. If the Planning Board determines that the right of way needs to be expanded to address these conditions, it may require up to a maximum fifty (50) foot right of way; and

[4] All other standards shall be in conformance with requirements for private ways in this chapter and Chapter 275, Subdivision of Land, including, but not limited to, provisions for turnarounds, maintenance agreements, recording of the approved site plan and maintenance agreements at the York County Registry of Deeds.

§ 280-16-8. Amendments to approved plans. [Amended 8-20-2019 by Order No. 19-397-01]

Approvals under this article are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals, and supporting documents, except minor changes that do not affect approval standards, is subject to review and approval as provided herein. Minor changes that do not alter the essential nature of the proposal or affect approval criteria may be approved by the Planning Director by written endorsement of the changes on the approved plan. The procedure for obtaining review and approval of other amendments shall be determined by the Planning Director based on the classification of the amendment itself. The applicant shall provide a date and description of changes on all revised plans and documents. A generic statement that revisions are "per staff comments" shall not be adequate.

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§ 280-16-9. Appeal of Planning Board actions.

Appeal of any actions taken by the Planning Board with respect to this article shall be to the Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80B.

§ 280-16-10. Duration of site plan approval. [Amended 8-20-2019 by Order No. 19-397-01]

Construction or occupancy if no construction is involved, shall commence within one (1) year of the approval of the site plan and a certificate of occupancy issued within three (3) years of approval. If construction or occupancy is not commenced or a certificate of occupancy issued within these limits, the site plan approval shall be null and void. Prior to the expiration of site plan approval, the Planning Board or Site Plan Review Committee may extend these time limits upon written request of the applicant and a finding that such extension is consistent with current zoning requirements.

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ARTICLE XVII
Performance Guarantees

§ 280-17-1. Types of guarantees.

A. With submittal of the application for final development approval, the applicant shall provide one (1) of the following performance guarantees for an amount adequate to cover the total construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs:

(1) Either a certified check payable to the City or a savings account or certificate of deposit for the establishment of an escrow account in such form as permitted by law and approved as to form by the City Manager;

(2) An irrevocable letter of credit from a financial institution establishing funding for the construction of the development, from which the City may draw if construction is inadequate, approved by the City Manager; or

(3) Any other performance guarantee approved by the City Manager, provided that, in his or her opinion, such performance guarantees provide substantially similar financial protection for the City as in § 280-17-1A(1) or 280-17-1A(2).

B. The conditions and amount of the performance guarantee shall be determined by the Planning Board with the advice of the City Engineer or Public Works Director.

§ 280-17-2. Contents of guarantee.

The performance guarantee shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guarantee to the developer, and a date after which the applicant will be in default and the City shall have access to the funds to finish construction.

§ 280-17-3. Escrow account.

A cash contribution for the establishment of an escrow account shall be made by either a certified check made out to the City, the direct deposit, or a functional equivalent, into a savings account, or the purchase of a certificate of deposit in such form as permitted by law and approved as to form by the City Manager. For any account opened by the applicant, the consent of the City Manager shall be required for a withdrawal.

§ 280-17-4. Letter of credit.

An irrevocable letter of credit from a bank or other lending institution shall indicate that funds have been set aside for the construction of the development and may not be used for any other project or loan and may be released only upon written authorization of the City Manager.

§ 280-17-5. Duration of guarantee.

The performance guarantee shall remain in force for the entire period during which development occurs or, in the case of default, while the City pursues its remedies for default, until the guarantee is released by the City in accordance with § 280-17-6. If the time frame for constructing the improvements covered by the guarantee is extended, the performance guarantee shall also be extended.

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§ 280-17-6. Release of guarantee.

Prior to the release of any part of the performance guarantee, the Planning Director and City Engineer shall determine to their satisfaction that the proposed improvements meet or exceed the design and construction requirements for that portion of the development for which the release is requested.

§ 280-17-7. Default.

If, upon inspection, the City Engineer, or other engineer retained by the Director of Public Works, finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, s/he shall so report in writing to the Director of Public Works, Planning Director, City Manager, and the applicant. The City Manager shall take any steps necessary to preserve the City's rights.

§ 280-17-8. Improvements guaranteed.

Performance guarantees shall be tendered for all improvements required to meet the standards of these regulations and for construction including but not limited to streets, stormwater management facilities, public sewage collection or disposal facilities, public water systems, and erosion and sedimentation control measures.

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ARTICLE XVIII
Waivers

§ 280-18-1. Waiver of submission requirements authorized. [Amended 9-20-2022 by Order No. 22-440-01]

When the Planning Board makes written findings of fact that there are special circumstances relating to a particular lot proposed to be developed, it may waive portions of the submission requirements, unless this chapter specifically prohibits waivers. For a waiver to be granted, the applicant shall demonstrate that:

A. The performance standards of this chapter have been or will be met;

B. The public health, safety, and welfare are protected; and

C. The waivers do not have the effect of nullifying the intent and purpose of the Comprehensive Plan, this chapter, or these requirements.

§ 280-18-2. Waiver of standards authorized.

When the Planning Board makes written findings of fact that, due to special circumstances of a particular property, the provision of certain required improvements is not required to provide for the public health, safety or welfare or is inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed development, the Planning Board may waive the requirement for such improvements, subject to appropriate conditions, provided that:

A. The waivers do not have the effect of nullifying the intent and purpose of the Comprehensive Plan, this chapter, or these regulations; and

B. The performance standards of this chapter have been or will be met by the proposed development.

§ 280-18-3. Conditions.

Waivers may only be granted in accordance with this subsection. When granting waivers, the Planning Board shall set conditions, as appropriate, so that the purposes of these regulations are met.

§ 280-18-4. Waivers to be shown on final plan.

When the Planning Board grants a waiver to any of the improvements required by these regulations, the final plan, provided to the Planning Department, shall indicate the waivers granted and the date on which they were granted.

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Public Hearing Notice

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The City Council will hold a public hearings & receive written & oral comments at its Tuesday, June 2, 2026 meeting, starting at 6:00pm to amend Chapter 280: Zoning Ordinance to allow medical cannabis dispensary cultivation and manufacturing.

The hearings will be held in Council Chambers at City Hall, 919 Main Street, Sanford, and via remote video and teleconference. Testimony may be provided in person, via mail or email, or via Zoom. Meeting information, including how to connect via Zoom, is provided at www.sanfordmaine.org. Questions or written comments should be directed to the Planning Office at 324-9150 or planning@sanfordmaine.org.

Memo

Number: 26-172-01
To: City Council
From: Lorisa Ricketts, Executive Administrator
Date: 2026-06-02
Subject: Ordered, to move to enact a citizen-initiated ordinance instituting a 180-day moratorium on biosolids and sewage thermal processing facilities, pursuant to City Charter Section 1301, or to vote to submit the proposed ordinance for a Referendum Vote on November 3, 2026.

RECOMMENDATION

Either move to enact a citizen-initiated ordinance instituting a 180-day moratorium on biosolids and sewage thermal processing facilities, pursuant to City Charter Section 1301, or vote to submit the proposed ordinance for a Referendum Vote on November 3, 2026.

Background Information:

A Memo is attached that provides the history of the Citizen Petition, elements completed to date, pursuant to City Charter Section 1301 Petition for Enactment of Ordinances, and a summary of the contents of the Moratorium Ordinance.

City Clerk certified on May 15th, 2026 that the Petitioners obtained at least the required number of signatures. City then advertised a Public Hearing on the Petition Ordinance per Section 3101. Next, the City Council will review and consider the Petition Ordinance after Public Hearing and take action/s again pursuant to Section 1301. See memo for full description.

The Council can take three distinct set of actions (full description in Memo)
1. Adopt the Ordinance as Submitted (after a Second Read as early as June 16th, 2026)
2. Send the Moratorium Ordinance to Referendum at the next available elections 30 days after Hearing - November 3, 2026
3. Send the Moratorium Ordinance to Referendum and also direct Administration to Draft a Moratorium for consideration for implementation.

Again, the Memo contains more detail as to these actions and the content of the Petition Moratorium Ordinance, also attached.

The question that would appear on the ballot in November would be:

"Shall the City of Sanford adopt an ordinance establishing a 180-day moratorium on the siting, construction, and operation of biosolids and sewage sludge thermal processing facilities within the City, to allow time for independent study of potential environmental, health, traffic, and community impacts?"

Legal Review Status:
Complete

Administrative or Department Review:

Financial Impact or Review:
Undetermined

ATTACHMENT(S):
Memo on Petition Ordinance and Charter 1301 Process 5 28 2027.pdf
Clerks Certification of signatures to City Council.pdf
Proposed Citizen Initated Moratorium Ordinance - Biosolids.pdf

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MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Citizen Petition – Moratorium Ordinance on Biosolids Thermal Processing Facilities

To: City Council

Subject: : Citizen Petition – Proposed Moratorium Ordinance on Biosolids and Sewage Sludge Thermal Processing Facilities

Date: May 27, 2026

Background

A Citizen Petition has been submitted to the City pursuant to Article XIII, Section 1301 of the Sanford City Charter seeking enactment of an ordinance entitled:

"An Ordinance Establishing a Moratorium on Biosolids and Sewage Sludge Thermal Processing Facilities in the City of Sanford."

The Petition Committee submitted petition signatures to the City Clerk for review and certification on May 12, 2026.. The City Clerk certified, on May 15, 2026, to the City Council that the petition contains signatures of not less than five percent (5%) of Sanford registered voters (736) as required under Charter Section 1301. See attached Certification.

Pursuant to Charter requirements, the City Council is required to hold a public hearing within thirty (30) days of receipt of the City Clerk's certification. A public hearing on the proposed ordinance has been scheduled and advertised for the June 2, 2026 City Council Meeting.

The proposed ordinance attached to the petition has also undergone review by the City Attorney as required by Charter Section 1301 prior to the Petition circulation. The version included within the Council packet reflects the legally reviewed ordinance language.

Charter Section 1301 – Procedural Actions Completed

The following procedural requirements of Charter Section 1301 have been completed:

- An Enactment Committee initiated proceedings through the City Clerk;
- Petition forms containing the full text of the proposed ordinance reviewed by legal counsel were circulated;
- Petition signatures were collected within the Charter-prescribed circulation period;
- Petition forms included required voter identification and signature information;
- Circulator affidavits were submitted with the petition materials;

Citizen Petition – Moratorium Ordinance on Biosolids Thermal Processing Facilities

- The City Clerk reviewed and certified that the petition was signed by at least five percent (5%) of Sanford registered voters;
- The proposed ordinance was reviewed by the City Attorney for legality, form, clarity, and consistency with municipal ordinances;
- A public hearing has been scheduled within the timeframe required under Charter Section 1301.

Summary of Proposed Moratorium Ordinance

The proposed ordinance would establish a temporary moratorium on the siting, construction, permitting, licensing, and operation of biosolids and sewage sludge thermal processing facilities within the City of Sanford.

The ordinance contains legislative findings advanced by the Petition Committee and petition signatories regarding the proposed development of a large-scale biosolids thermal processing facility within Sanford, including asserted concerns relating to:

- Air emissions and public health impacts;
- PFAS and other chemical compounds;
- Traffic and roadway impacts;
- Environmental and groundwater concerns;
- Operational reliability of proposed technologies;
- Adequacy of existing municipal land use regulations;
- Pending state environmental permitting processes;
- Need for additional local study and regulatory development.

The ordinance cites municipal home rule authority and moratorium authority under 30-A M.R.S.A. § 4356.

Article V – Moratorium Imposed

Article V of the proposed ordinance would impose an immediate moratorium prohibiting:

- The siting, construction, installation, establishment, reconstruction, expansion, or operation of biosolids thermal processing facilities within Sanford;
- Issuance of municipal permits, approvals, licenses, variances, agreements, tax increment financing arrangements, or other authorizations related to such facilities;
- Acceptance or processing of new municipal applications relating to such facilities;

- Execution of development agreements or other binding commitments by the City related to such facilities.

The moratorium would apply City-wide regardless of zoning district and would also apply to pending municipal applications existing at the time of enactment. Any pending municipal applications would be stayed during the moratorium period, with applicable review timelines tolled during that period.

Article VII – Studies and Actions During Moratorium

Article VII identifies studies, evaluations, and regulatory actions proposed to occur during the moratorium period. These include:

- Review of the adequacy of Sanford's existing land use ordinances, zoning regulations, site plan review standards, and environmental protections;
- Independent assessment of potential air quality impacts, including emissions and public health evaluations;
- Assessment of traffic and transportation impacts from heavy truck activity;
- Evaluation of potential impacts to surface water and groundwater;
- Review of operational history and technological readiness of proposed thermal processing technologies;
- Assessment of impacts to property values, economic activity, and quality of life;
- Evaluation of municipal emergency response preparedness and capability;
- Monitoring and review of Maine Department of Environmental Protection and federal permitting processes;
- Public hearings and opportunities for public input;
- Drafting and consideration of new municipal ordinances, regulations, or standards relating to biosolids thermal processing facilities.

Council Actions Available Under Charter Section 1301

Following the required public hearing, Charter Section 1301 provides the following procedural options to the City Council:

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MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Citizen Petition – Moratorium Ordinance on Biosolids Thermal Processing Facilities

Option 1 – Adopt the Ordinance as Submitted

The Council may adopt the proposed ordinance in the form submitted through the citizen petition process. Under Charter Section 1301, the Council may not substantively amend the citizen-initiated ordinance prior to enactment.

If the Council chooses to move to adoption, legal counsel has indicated that the Public Hearing, as conducted on June 2, would qualify as the Act of Ordinance and that the June 2 meeting would Constitute a First Read. A Second Read could then be performed on June 16th and if Voted the Temporary Moratorium would become effective on that date, June 16, 2026.

Option 2 – Submit the Ordinance to Referendum

If the Council does not enact the ordinance as submitted, the Charter requires the proposed ordinance to be submitted to referendum vote at the next regular election occurring at least thirty (30) days after the public hearing.

The next regular election meeting this requirement is November 3, 2026.

Under Charter Section 1301, if approved by a majority of voters at referendum, the ordinance would take effect thirty (30) days following certification of the election results.

Option 3 – Referendum Plus Separate City-Sponsored Ordinance Development

The Council may also elect to submit the citizen petition ordinance to referendum while separately directing Administration and legal counsel to draft an alternative City-sponsored moratorium ordinance for future Council consideration and potential enactment.

Any such City-sponsored ordinance would constitute a separate municipal legislative action independent of the citizen petition ordinance and could include alternative provisions, findings, durations, regulatory approaches, or procedural frameworks as determined by the Council.

Fiscal and Administrative Considerations

Should the ordinance be adopted either by Council enactment or referendum approval, the City may incur administrative, legal, planning, engineering, environmental, and consulting costs associated with implementation of the moratorium and completion of the studies and regulatory reviews identified within Article VII of the ordinance.

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MEMO
From the Desk of
Steven R. Buck,
Sanford City Manager

Citizen Petition – Moratorium Ordinance on Biosolids Thermal Processing Facilities

Summary

This memorandum is provided for informational and procedural guidance purposes pursuant to Charter Section 1301. No administrative recommendation is provided regarding adoption or rejection of the proposed ordinance.

Sanford
CITY CLERK'S OFFICE

City Clerk's Office
919 Main Street
Sanford, ME 04073

Municipal Clerk certification of signatures submitted by the overrule committee on May 12, 2026.

I, the undersigned municipal clerk of the City of Sanford, hereby certify that twenty-four (24*) petitions turned in by the overrule committee containing a total of one thousand thirty-five (1035) signatures were certified and tabulated as follows:

Invalid signatures of persons not registered to vote in Sanford:	**139**
Invalid duplicate signatures:	**6**
Valid signatures of persons who are registered to vote in Sanford:	**751**

***6 petitions were not reviewed as there were enough valid signatures in the 18 reviewed**

Dated: May 15, 2026

Susan H Cote

Susan H. Cote, City Clerk

PROPOSED ORDINANCE

AN ORDINANCE ESTABLISHING A MORATORIUM ON BIOSOLIDS AND SEWAGE SLUDGE THERMAL PROCESSING FACILITIES IN THE CITY OF SANFORD, MAINE

PREAMBLE

WHEREAS, a large-scale biosolids thermal processing facility has been proposed for siting within the City of Sanford on an approximately 11-acre site in an industrial park on Cyro Road, designed to process up to 400 tons of sewage sludge per day, 24 hours per day, seven days per week; and

WHEREAS, the proposed facility would accept and thermally process biosolids originating from wastewater treatment plants in Maine, Massachusetts, New Hampshire, and potentially other states, generating additional heavy truck trips on local and regional roadways; and

WHEREAS, the volume of biosolids proposed to be processed at this facility would exceed the total annual volume of biosolids currently thermally processed in the entire State of Maine, representing an unprecedented concentration of waste processing activity; and

WHEREAS, the thermal processing of sewage sludge produces air emissions that may include particulate matter, volatile organic compounds, nitrogen oxides, sulfur dioxide, heavy metals, dioxins, furans, and per- and polyfluoroalkyl substances (hereinafter referred to as PFAS), all of which pose documented risks to human health; and

WHEREAS, there remains significant scientific uncertainty regarding the effectiveness of gasification and thermal oxidation technologies in fully destroying PFAS compounds, and the potential for these processes to generate novel PFAS transformation byproducts; and

WHEREAS, the proponent's only prior operational facility of this type, located in Linden, New Jersey, operated intermittently for approximately one year before being idled in late 2025, raising substantial questions about the technological readiness of this process; and

WHEREAS, the City of Sanford's existing land use ordinances, zoning regulations, and site plan review standards were not drafted to address the unique and significant risks posed by large-scale biosolids thermal processing facilities and are inadequate to prevent serious public harm; and

WHEREAS, the Maine Department of Environmental Protection is currently reviewing permit applications for the proposed facility, and those reviews have not been completed or made available for public evaluation; and

WHEREAS, the City needs at least 180 days to study the land use, environmental, health, traffic, and community implications of such facilities and to develop and implement appropriate regulations; and

WHEREAS, in the judgment of the voters, these facts establish that a Moratorium Ordinance in accordance with 30-A M.R.S.A. § 4356(1) is immediately necessary for the preservation of public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED by the voters of the City of Sanford, that the following Moratorium Ordinance be, and hereby is, enacted and, in furtherance thereof, the City does hereby declare a moratorium on the siting, construction, development, operation, or licensing of biosolids and sewage sludge thermal processing facilities within the City of Sanford.

ARTICLE I — AUTHORITY

This ordinance is enacted pursuant to the municipal home rule authority granted by the Maine Constitution, Article VIII, Part Second, Section 1; the home rule powers codified at 30-A M.R.S.A. § 3001; and the moratorium authority set forth in 30-A M.R.S.A. § 4356, which authorizes municipalities to adopt moratoria when the application of existing comprehensive plans, land use ordinances, regulations, or other applicable laws is inadequate to prevent serious public harm from residential, commercial, or industrial development, or to prevent a shortage or overburden of public facilities.

ARTICLE II — PURPOSE AND INTENT

The purpose of this ordinance is to establish a temporary moratorium on the siting, construction, permitting, licensing, and operation of biosolids and sewage sludge thermal processing facilities within the City of Sanford, in order to:

(a) Provide the City and its residents with adequate time to study and evaluate the potential impacts that a large-scale biosolids thermal processing facility would have on public health, safety, air quality, water quality, traffic, road infrastructure, noise, odor, property values, and overall quality of life within the community;

(b) Allow the City to assess whether its existing land use ordinances, zoning regulations, environmental protections, and site plan review standards are adequate to regulate such facilities and to protect residents from potential adverse effects;

(c) Ensure that all relevant state and federal environmental review processes—including but not limited to Maine Department of Environmental Protection (DEP) solid waste facility licensing, air emissions licensing, and any applicable federal review under the Clean Air Act, the Resource Conservation and Recovery Act (RCRA), and EPA regulations governing sewage sludge (40 C.F.R. Part 503)—are thoroughly completed and

the results made publicly available before the City takes any action to approve or permit such a facility;

(d) Provide the City with the opportunity to conduct or commission independent studies and to develop comprehensive local regulations that address the unique risks posed by such facilities, including but not limited to: per- and polyfluoroalkyl substances (PFAS) and other persistent organic pollutants; heavy metals; particulate matter; volatile organic compounds; dioxins and furans; truck traffic impacts on local roads, bridges, and intersections; noise and vibration; odor; stormwater and wastewater management; emergency response preparedness; and long-term environmental liability;

(e) Protect the democratic right of Sanford's residents to participate meaningfully in decisions that would fundamentally affect the character and environmental quality of their community.

ARTICLE III — FINDINGS

The people of the City of Sanford hereby find and declare as follows:

1. A large-scale biosolids thermal processing facility has been proposed within the City of Sanford on an approximately 11-acre site in an industrial park on Cyro Road, designed to process up to 400 tons of sewage sludge per day, 24 hours a day, seven days a week. This proposed facility would process biosolids originating from wastewater treatment plants in Maine, Massachusetts, New Hampshire, and potentially other states.

2. The proposed facility would generate an estimated 20 or more heavy truck trips per day transporting sewage sludge to the site over local and regional roadways, imposing significant additional wear on road surfaces, bridges, and intersections, and creating traffic safety concerns in residential areas and school zones.

3. The processing of sewage sludge through thermal treatment, gasification, or incineration produces air emissions that may include particulate matter (PM2.5 and PM10), volatile organic compounds (VOCs), nitrogen oxides (NOx), sulfur dioxide (SO2), carbon monoxide (CO), heavy metals (including mercury, lead, cadmium, and arsenic), polychlorinated biphenyls (PCBs), dioxins and furans, and per- and polyfluoroalkyl substances (PFAS). These substances pose documented risks to human health, including increased cancer risk, respiratory disease, cardiovascular disease, neurological harm, endocrine disruption, and developmental effects in children.

4. Per- and polyfluoroalkyl substances (PFAS), commonly known as "forever chemicals," are present in sewage sludge and biosolids. The thermal processing of PFAS-containing materials may result in incomplete destruction of PFAS compounds and the generation of PFAS transformation byproducts. There remains significant scientific uncertainty regarding the effectiveness of

gasification and thermal oxidation technologies in fully destroying PFAS, and the potential for these processes to create and release novel PFAS byproducts into the air, water, and ash residuals.

5. The proponent's only prior operational facility of this type, located in Linden, New Jersey, operated intermittently for approximately one year before being idled in late 2025, raising substantial questions about the operational reliability, technological readiness, and scalability of the proposed process for commercial deployment at the scale proposed for Sanford.

6. The volume of biosolids proposed to be processed at this facility—up to 400 tons per day—would exceed the total annual volume of biosolids currently thermally processed in the entire State of Maine, representing a concentration of waste processing activity unprecedented in the state.

7. The City of Sanford's existing land use ordinances, zoning regulations, and site plan review standards were not drafted with the regulation of large-scale biosolids thermal processing facilities in mind and are therefore inadequate to address the unique and significant risks posed by such a facility.

8. The Maine Department of Environmental Protection (DEP) is currently reviewing permit applications submitted in January 2026 for a solid waste facility license and an air emissions license for the proposed facility. These reviews have not been completed, and the results have not been made available to the public or the City for evaluation.

9. The residents of Sanford have a fundamental right to participate in land use decisions that would significantly affect their health, safety, and quality of life. Adequate time is needed for public review, independent study, and the development of appropriate local regulations before any such facility is approved.

10. This moratorium is necessary because existing laws, ordinances, and regulations are inadequate to prevent serious public harm that may result from the siting, construction, and operation of a biosolids thermal processing facility within the City, thereby satisfying the requirements of 30-A M.R.S.A. § 4356.

ARTICLE IV — DEFINITIONS

As used in this ordinance, the following terms shall have the meanings indicated:

"Biosolids" means the solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works, as defined in 40 C.F.R. § 503.9(a), including but not limited to scum and solids removed during primary, secondary, or advanced wastewater treatment processes. The term includes treated and untreated sludge, dewatered sludge, sludge cake, and any material derived from sewage sludge.

"Biosolids thermal processing facility" means any facility, installation, structure, or operation, or any combination thereof, that uses heat, combustion, gasification, pyrolysis, thermal oxidation,

thermal drying above 200°F, or any other thermochemical process to treat, reduce, convert, stabilize, or dispose of biosolids or sewage sludge, or to recover energy, fuel, or byproducts therefrom. The term includes but is not limited to incinerators, gasifiers, pyrolysis units, thermal oxidizers, fluidized bed reactors, and any ancillary storage, handling, preprocessing, or post-processing components.

"Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated organic chemicals containing at least 1 fully fluorinated carbon atom.

"Person" means any individual, firm, partnership, association, corporation, company, limited liability company, organization, trust, or other legal entity, or any agent or employee thereof.

"Sewage sludge" shall have the same meaning as "biosolids" and shall also include any industrial wastewater solids or septage that is combined with or processed alongside domestic sewage sludge.

ARTICLE V — MORATORIUM IMPOSED

Section 1. Prohibition. Effective upon enactment of this ordinance, there is hereby imposed a moratorium within the City of Sanford on the following activities:

(a) The siting, construction, reconstruction, installation, establishment, or expansion of any biosolids thermal processing facility;

(b) The issuance by any City department, board, commission, officer, or employee of any permit, license, approval, authorization, variance, or other entitlement for the siting, construction, operation, or expansion of any biosolids thermal processing facility, including but not limited to building permits, occupancy permits, site plan approvals, zoning approvals, conditional use permits, special exceptions, and any tax increment financing (TIF) agreements, credit enhancement agreements, or other public financial incentives related thereto;

(c) The acceptance or processing by any City department, board, or commission of any new applications for any of the foregoing permits, licenses, approvals, or entitlements;

(d) The operation or commencement of operations of any biosolids thermal processing facility;

(e) The execution by the City of any development agreement, contract, lease, or other binding commitment relating to the siting, construction, or operation of any biosolids thermal processing facility.

Section 2. Scope. This moratorium shall apply to all land within the municipal boundaries of the City of Sanford, regardless of zoning district, and shall apply to all persons, whether or not an

application for any permit or approval has been submitted, is pending, or has been granted as of the effective date of this ordinance.

Section 3. Pending applications. Any application for a permit, license, approval, or entitlement described in Section 1 of this Article that is pending as of the effective date of this ordinance shall be stayed and shall not be processed, reviewed, or acted upon during the moratorium period. The running of any time periods applicable to such applications, whether imposed by local ordinance, state statute, or regulation, shall be tolled during the moratorium period.

ARTICLE VI — DURATION AND EXTENSION

Section 1. Initial term. This moratorium shall be in effect for a period of one hundred eighty (180) days from the date of its enactment, in accordance with 30-A M.R.S.A. § 4356.

Section 2. Extension. This moratorium may be extended for one or more additional periods not to exceed 180 days each, as permitted by 30-A M.R.S.A. § 4356, upon a finding by the City Council that: (a) the conditions giving rise to the need for the moratorium continue to exist; and (b) reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium. Any extension shall be adopted by the City Council following public notice and hearing. The moratorium shall remain in effect during any extension period under the same terms and conditions as set forth herein unless amended.

Section 3. Early termination. The City Council may terminate this moratorium prior to its expiration upon making a finding, after public notice and hearing, that: (a) the City has adopted comprehensive land use regulations adequate to regulate biosolids thermal processing facilities and to protect public health, safety, and welfare; and (b) all applicable state and federal environmental reviews have been completed and results made publicly available. Termination prior to expiration shall require an affirmative vote of the City Council.

ARTICLE VII — STUDIES AND ACTIONS DURING MORATORIUM

During the moratorium period, the City shall undertake or commission the following studies and actions, at a minimum:

(a) A comprehensive review and assessment of the City's existing land use ordinances, zoning regulations, site plan review standards, and environmental protection provisions to determine their adequacy to regulate large-scale biosolids thermal processing facilities;

(b) An independent assessment of potential air quality impacts, including modeling of criteria pollutant, hazardous air pollutant, PFAS, and greenhouse gas emissions from the proposed type of facility, and an evaluation of potential health risks to nearby residents, workers, students, and other sensitive populations;

(c) An assessment of traffic, road infrastructure, and transportation impacts, including the effects of heavy truck traffic on local roads, bridges, intersections, and residential neighborhoods;

(d) An evaluation of potential impacts on surface water and groundwater quality, including risks of contamination from air deposition, stormwater runoff, ash residuals, and process wastewater;

(e) A review of the operational track record and technological readiness of the proposed thermal processing technology, including review of operational data from any existing facilities utilizing the same or substantially similar technology;

(f) An assessment of impacts on property values, economic activity, and quality of life for residents and businesses in the vicinity of the proposed site and along transportation routes;

(g) An evaluation of emergency response preparedness, including the City's capacity to respond to fires, chemical releases, explosions, or other incidents at such a facility;

(h) A review and monitoring of all state and federal environmental review processes, including the Maine DEP solid waste facility licensing and air emissions licensing processes, and any applicable federal reviews;

(i) Public hearings and opportunities for public input on the foregoing studies and any proposed regulatory amendments;

(j) The drafting and consideration of any new or amended ordinances, regulations, or standards deemed necessary to adequately regulate biosolids thermal processing facilities or to protect public health, safety, and welfare.

ARTICLE VIII — EXEMPTIONS

This moratorium shall not apply to the continued operation of the Sanford Sewerage District's existing wastewater treatment facility or any existing municipal operations that involve the handling or management of biosolids generated by the City's own wastewater treatment processes, provided that such operations do not include thermal processing as defined in Article IV of this ordinance.

ARTICLE IX — ENFORCEMENT AND PENALTIES

Section 1. Enforcement. This ordinance shall be enforced by the Code Enforcement Officer of the City of Sanford, or such other municipal official(s) as the City Council may designate.

Section 2. Violations. Any person who violates any provision of this ordinance shall be subject to a civil penalty of not less than $2,500 and not more than $25,000 for each violation. Each day that a violation continues shall constitute a separate offense.

Section 3. Injunctive relief. In addition to any other remedies available at law or in equity, the City of Sanford may seek injunctive relief in the Maine Superior Court (York County) to restrain any violation or threatened violation of this ordinance. Any violation of this ordinance is subject to enforcement action under 30-A M.R.S.A. § 4452.

Section 4. Cumulative remedies. The remedies set forth in this Article are cumulative and not exclusive, and shall be in addition to any other remedies available to the City under applicable law.

ARTICLE X — SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate the remaining portions hereof, and the remaining portions shall continue in full force and effect. It is hereby declared that this ordinance would have been adopted and each section, subsection, sentence, clause, phrase, and portion thereof would have been adopted regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.

ARTICLE XI — CONSISTENCY WITH EXISTING LAW

This ordinance is intended to complement and not to replace, conflict with, or supersede any applicable state or federal law or regulation. To the extent that any provision of this ordinance is inconsistent with state or federal law, state or federal law shall control, and such inconsistency shall not affect the validity of the remaining provisions of this ordinance.

ARTICLE XII — EFFECTIVE DATE

This ordinance shall take effect immediately upon its approval by a majority of the voters of the City of Sanford voting at referendum, as certified by the City Clerk.

* * * * *

INSTRUCTIONS TO VOTERS: If this ordinance is placed on the ballot, voters will be asked the following question:

"Shall the City of Sanford adopt an ordinance establishing a 180-day moratorium on the siting, construction, and operation of biosolids and sewage sludge thermal processing facilities within the City, to allow time for independent study of potential environmental, health, traffic, and community impacts?"

YES / NO