



A G E N D A

MEETING - Public Safety Sub-Committee
Manager's conference room

Tuesday, October 13, 2020
11:00 AM



Meeting Format

This meeting will be conducted via remote video and teleconference pursuant to 1 MRSA §403-A. Members of the public may join the meeting by phone by dialing 1 (929) 205-6099 using Meeting ID 811 9769 6635 and Password 621635, or via computer at

<https://us02web.zoom.us/j/81197696635?pwd=MnVGSy94WllvZTBibHQxRVlCanU0Zz09> .

Members of the public may also submit comments by using the form on the City's Website under Email City Departments/City Council.

This is a work session of the "Sanford City Council" and not a business meeting of the City Council. The meeting is open to the public but is not a public hearing. The Chairperson shall conduct the work session with the Committee Members and may elect to call upon the public in attendance for either questions or to obtain input and information. All work products will be developed by consensus and forwarded as advisory to the full Council for any matter warranting legislative action by the City Council at a business meeting so posted and assembled.

Administration

20-107-01 COVID-19 Monitoring and Update

20-148-01 Ordered, to authorize Code Enforcement Officer Jamie Cole to serve civil process on Joseph T. Dunican and Ashley Carruthers, the owners of 277 Blanchard Road, Springvale, Maine, pursuant to MRS Title 38, §441.

Airport

Public Works

Finance

Police Department

Fire Department

Parks & Recreation

Planning Department

Memo



Number:

To: Public Safety Sub-Committee

From: Lorisa Ricketts, Administration

Date: 2020-10-13 11:00:00

Subject: COVID-19 Monitoring and Update

RECOMMENDATION

Discuss ongoing COVID-19 situation in Sanford with any available updated information on current outbreaks and response.

Latest Maine COVID-19 Updates and Information available here:

<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml>

Background Information:

ATTACHMENTS

- [CDC Updates 10-8-2020.pdf](#)

CDC Updates 10-8-2020

Thursday, October 8, 2020 1:22 PM

5,639 Cases Inc. of 35 for day
5,048 confirmed Inc. of 37 for day
591 Probable dec. 2 cases for the day
142 Deaths - Inc. 0
459 Hospitalizations
28 Hosp. in last 30 days
4,900 Recoveries Case Rate 42.1/10,000 Inc. of 20 recoveries for the day
York County - Community Spread Detected - 1,258 total cases
0.5 Hosp /100,000 people
National is 9/100,000

27% of new case in last 24 hours were in Cumberland County
25% out of York
16% out of Kennebec

Outbreaks:
Closed Heart Transportation

BEK Inc. in Brunswick - 4 cases
Kids Count Child Care in Augusta - 4 cases
Lorenza Group Rockland - 6 cases (sp)
Property Management at State - 5 cases - does not provide direct customer service to people in Maine
Did transmission occur at workplace or somewhere else and only identified within the workplace

Community Regional Charter School in Cornfield - 9 staff 4 Students 13 total
Woodland Baileyville Mill - 19 cases
ND Paper - 24 cases - third round of testing this week
Pinnacle Health Care - now at 22 cases - 15 Residents - 7 Staff members

Potential Exposures -

A Hockey Game - a referee tested positive - refed 8 games over two days
Biddeford Ice Arena - Oct 3 8AM and 10AM
Biddeford Ice Arena - October 4 for four games
North Yarmouth - October 4th 6:30-10:15PM
Laconia, NH - 1 game refed

If on the ice during one of these games - you are a close contact and should quarantine for 14 days and get tested at State site for testing
Phone ahead for testing before going to Doc

Testing
7 day positivity for PCR 0.54%
National is 5%

1 Day 0.45% 8,682 results reported that day
477/100,000 testing in Miane

Out-of-Staters of 11,180 PCR tests run - 286 Positives
Maine Testing Lab processed the 100,000th sample for the past seven months
Typical Testing year is 40,000 samples for all medical testing

Rates of other infectious diseases have not gone away - still testing for Rabbits and other things
Testing water samples
Testing for Lyme's Disease

Matt Dunlap -

Worked with CDC on protocols
In Person Voting will occur on November 3rd - allow for additional time due to the complexities
State provides PPE for Elections
Sanitization - Single use pens
Voters are encouraged to wear a face covering but will not be turned away otherwise
Encouraged to use Absentee Ballots
2016 - 42,000 ballots used
To Date 200,000 issued
Use in Town Office voting, Drop Box, Mail
Absentee Tracking Service is now available online Secretary of State Website

WAGM - 7 active cases in Aroostook - most active to date
Cases are not related as of yet
Increased number and spread of CV19 everywhere - more testing, but more transmissions
Widespread dispersion all around the State
Evidence of Greater Community Transmission - examining for other modes

Amy Brown - Safety around elections - Is there a hotline to Sec. of State - 624 7736

Flu vs CV19 transmission - Flu Reports are only at the very beginning, normal so far - will likely increase later in season - Covid transmits more easily than the Flu virus - Proximity, Duration, Concentration are major factors for transmission

News Center - is there a lack of Flu vaccines due to increased demand - There are periodic limit stock outs of higher dose vaccines - but not aware of any systematic shortages or disruptions
 Holiday Plans for family visits - there is a risk regardless of size if there is infection amongst the participants
 Trump tested positive - When is someone no longer shedding or infectious - US CDC determinations Recovered can resume without risk of transmission Must be symptom free for a series of days absent medications, for a period of days
 Regeneron - use? Not all data is yet in - Early data should be called by the US DA

Maine Beacon - Voter intimidation, are you aware of any planned disruptions? Not at this time
Online Voter Registration - Is Maine working to put in place soon - thinks will be addressed in the next election

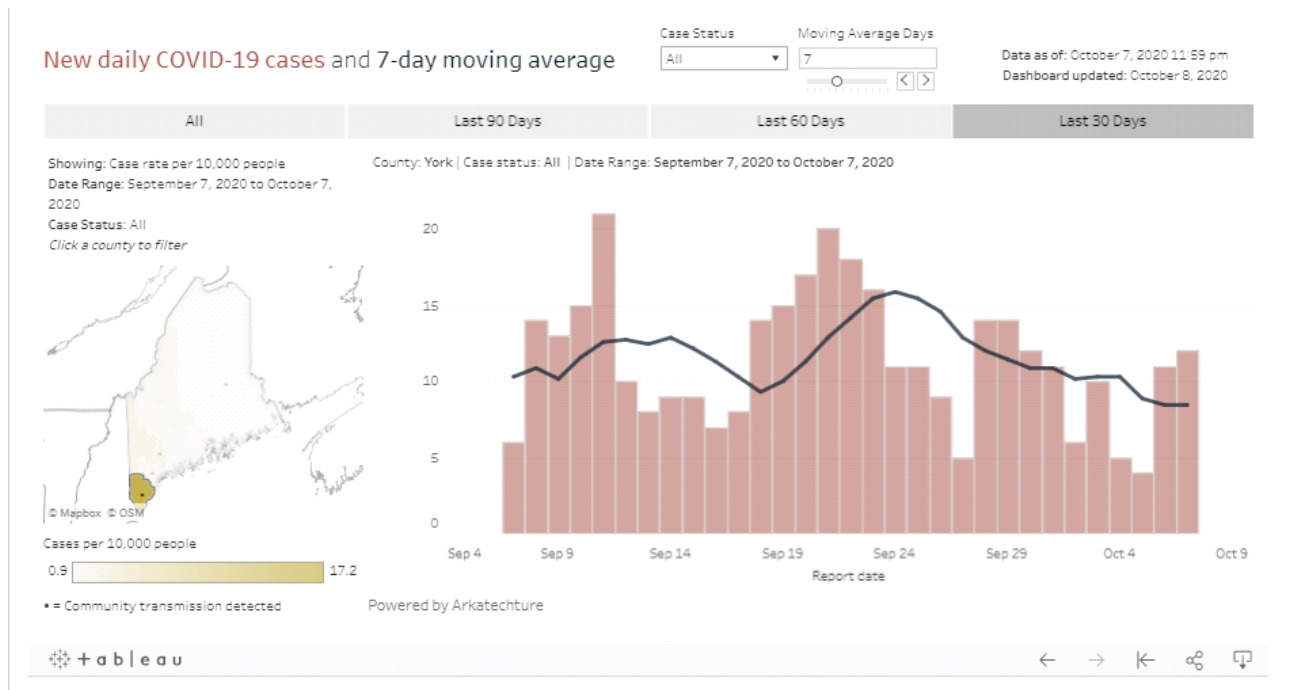
Patti White Maine Public - Charter School outbreak - mostly Staff - How Transmitted? Key focus of the investigation (9 Staff) persons - was face covering being used in School? Other outbreaks - were using face coverings - but when employees remove with each other during breaks/break rooms - transmission then occurs.
 Indications that Staff followed protocols - took off masks to answer questions? Small lapses can transmit - close proximity in workplace settings are being reviewed due to close proximity and prolonged contact

BDN - Halloween - Risk in Trick or Treaters or Homeowners passing out the candy - In general, concerns are more about adults than children - especially higher risk adults - Door to Door contact even under the 15 minute contact time - could experience cumulative dose through multiple contacts
 If numbers don't change now to Oct. 31 - what are your recommendations - There are still 23 days left before TorT - Too early to make predictions or plans
 Check with your family doctor about this activity.....

PPH - Hockey - was it youth games - potential exposures? - do not yet have the counts of potential exposures - potentially early estimate of 400 persons
 Community Sports Guidelines - indoor hockey still not allowed - would this be a violation? Focused on making contact - do not yet determine a violation afterwards.
 Is a violation of Community Sports guidelines a violation of Gov EO's? - Did not answer - talked about a Regional Approach - Nov 2nd target date for bars

WMTW - How many ballots have already been cast? - 35,000 ballots turned back in after less than a week - many are still in transit via the US Mail
 260,000 absentee ballot requests were made
 Drop Box use seems to be working well
 Anticipate 500,000 - 600,000
 Secretary does not believe you can constitutionally be turned away at the polls without a mask - BUT can be turned away at City Hall as you have time to use alternative means - Encouraged to Wear a mask as part of your civic obligation

WABI - Skowhegan has major outbreaks and schools have gone red - concerned about larger spread across ALL of Maine - What happened in York can or will happen elsewhere in Maine - especially in rural areas having not had before



Testing, Case and Syndromic Data : Updated 10-1-2020

| Molecular Test Results from Labs Reporting Electronically (Used for Percent Positivity Calculations) ^a | | | | | |
|--|---------------|----------|----------|-------------|------------|
| County | Indeterminate | Negative | Positive | Total Tests | % positive |
| Androscoggin | 2 | 11,902 | 104 | 12,008 | 0.9 |
| Aroostook | 1 | 2,379 | 3 | 2,383 | 0.1 |
| Cumberland | 3 | 21,746 | 63 | 21,812 | 0.3 |
| Franklin | 0 | 1,326 | 10 | 1,336 | 0.7 |
| Hancock | 2 | 2,526 | 2 | 2,530 | 0.1 |
| Kennebec | 5 | 15,460 | 24 | 15,489 | 0.2 |
| Knox | 1 | 1,492 | 8 | 1,501 | 0.5 |
| Lincoln | 0 | 1,420 | 6 | 1,426 | 0.4 |
| Oxford | 1 | 3,424 | 50 | 3,475 | 1.4 |
| Penobscot | 11 | 11,475 | 7 | 11,493 | 0.1 |
| Piscataquis | 1 | 521 | 2 | 524 | 0.4 |
| Sagadahoc | 0 | 1,799 | 3 | 1,802 | 0.2 |
| Somerset | 0 | 2,150 | 4 | 2,154 | 0.2 |
| Waldo | 0 | 1,307 | 1 | 1,308 | 0.1 |
| Washington | 0 | 676 | 1 | 677 | 0.1 |
| York | 6 | 9,544 | 164 | 9,714 | 1.7 |
| Total, Maine | 33 | 89,147 | 452 | 89,632 | 0.5 |

| COVID-19 Cases | | | | |
|----------------|-----------------|----------------|-------------|-----------------------------|
| County | Confirmed Cases | Probable Cases | Total Cases | Cases per 10,000 Population |
| Androscoggin | 77 | 20 | 97 | 8.96 |
| Aroostook | 2 | 0 | 2 | 0.3 |
| Cumberland | 60 | 15 | 75 | 2.54 |
| Franklin | 7 | 1 | 8 | 2.65 |
| Hancock | 1 | 0 | 1 | 0.18 |
| Kennebec | 18 | 2 | 20 | 1.64 |
| Knox | 8 | 0 | 8 | 2.01 |
| Lincoln | 6 | 2 | 8 | 2.31 |
| Oxford | 40 | 15 | 55 | 9.49 |
| Penobscot | 4 | 1 | 5 | 0.33 |
| Piscataquis | 1 | 0 | 1 | 0.6 |
| Sagadahoc | 6 | 1 | 7 | 1.95 |
| Somerset | 2 | 0 | 2 | 0.4 |
| Waldo | 2 | 0 | 2 | 0.5 |
| Washington | 1 | 0 | 1 | 0.32 |
| York | 166 | 28 | 194 | 9.34 |
| Total, Maine | 401 | 85 | 486 | 3.62 |

Maine CDC will update Hospital Use and Capacity data for October 8, 2020 later this afternoon.

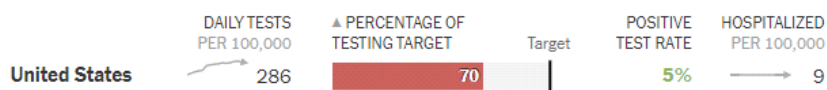
Effective October 1, 2020, Maine CDC will update Current Hospital Use and Capacity data Monday through Friday of each week.











| Hospitalized: Confirmed Cases | |
|-------------------------------|-----|
| Total Hospitalized | 9 |
| In Critical Care | 2 |
| On a Ventilator | 0 |
| Capacity | |
| Available Critical Care Beds | 113 |
| Total Critical Care Beds | 382 |
| Available Ventilators | 240 |
| Total Ventilators | 318 |
| Alternative Ventilators | 444 |

Updated October 7, 2020 at 12:15 PM

How each state's current testing measures up

Average daily testing and hospitalizations in the last two weeks

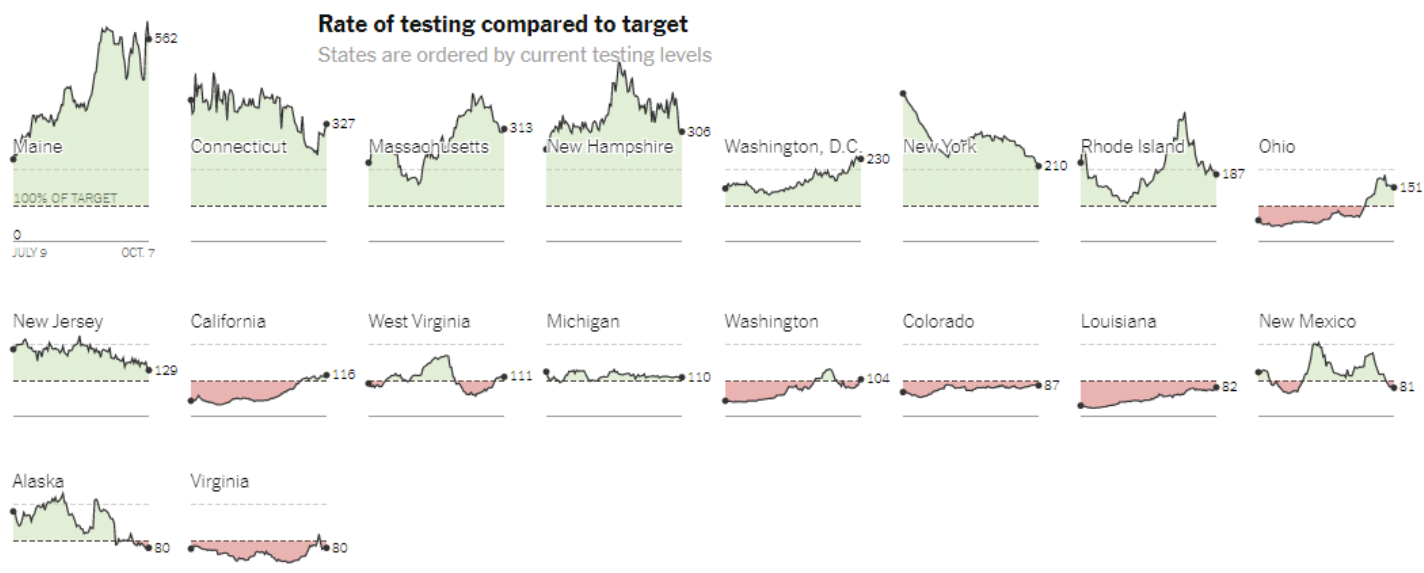


| | | | | | | |
|---------------|---|-----|---------------------------|-----|---|---|
| New Hampshire |  | 332 | <div><div>306</div></div> | 1% |  | 1 |
| Massachusetts |  | 954 | <div><div>313</div></div> | 1% |  | 6 |
| Connecticut |  | 525 | <div><div>327</div></div> | 1% |  | 3 |
| Vermont* |  | 145 | <div><div>453</div></div> | 1% |  | — |
| Maine |  | 477 | <div><div>562</div></div> | <1% |  | 1 |

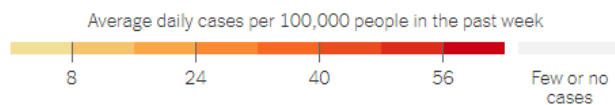
Note: Positive test rates and percentages of targets are calculated using cumulative figures from the last 14 days. All other values are 14-day rolling averages. Trendlines for daily tests and hospitalizations show averages for the last two weeks.

Where testing is above or near recommended levels

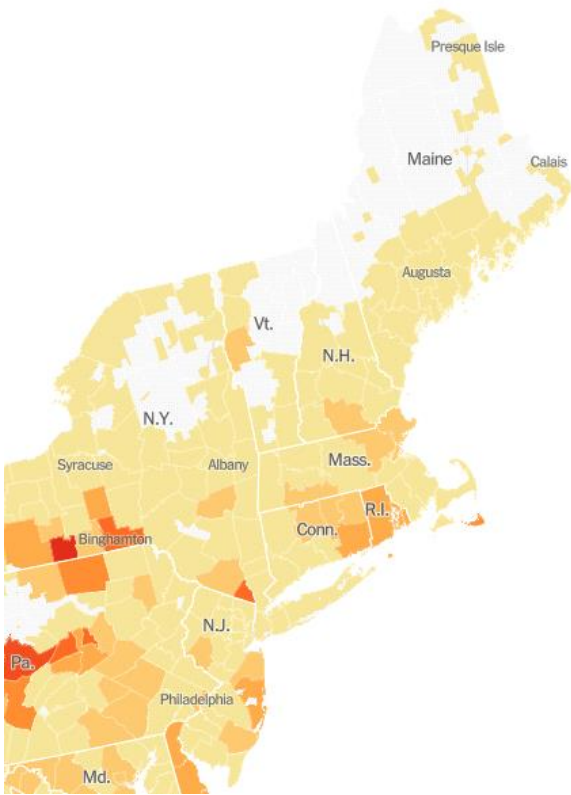
Over time, some states have reached the minimum testing target, and a few have exceeded it.



| Hot spots | Total cases | Deaths | Per capita |
|-----------|-------------|--------|------------|
|-----------|-------------|--------|------------|



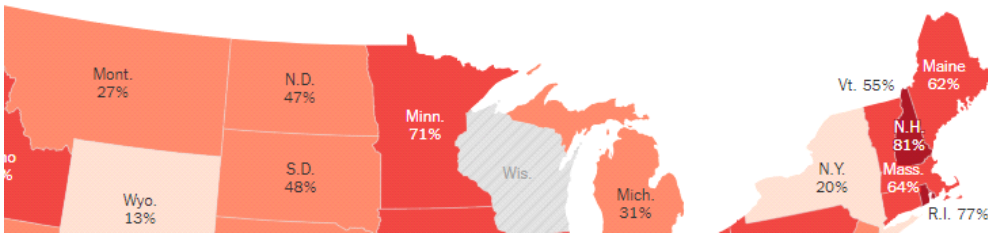
Double-click to zoom into the map.



In 18 states, at least half of deaths are linked to nursing homes.

Share of state's deaths linked to long-term care facilities

0 25 50 75 100% Insufficient data



Memo



Number:

To: Public Safety Sub-Committee

From: Lorisa Ricketts, Administration

Date: 2020-10-13 11:00:00

Subject: Ordered, to authorize Code Enforcement Officer Jamie Cole to serve civil process on Joseph T. Dunican and Ashley Carruthers, the owners of 277 Blanchard Road, Springvale, Maine, pursuant to MRS Title 38, §441.

RECOMMENDATION

Authorize Code Enforcement Officer Jamie Cole to serve civil process on the owners of 277 Blanchard Road pursuant to MRS Title 38, §441.

ATTACHMENTS

- [NOV 277 Blanchard Road.pdf](#)
- [title38sec441.pdf](#)
- [Request for Legal Services Form \(277 Blanchard\).pdf](#)



City of Sanford, Maine

Code Enforcement

919 MAIN STREET, SANFORD, MAINE 04073
(207) 324-9145



VIA FIRST CLASS & CERTIFIED MAIL RETURN RECEIPT REQUESTED

06/23/2020

JOSEPH T DUNICAN & ASHLEY CARRUTHERS
277 BLANCHARD RD
SPRINGVALE, ME 04083

NOTICE OF VIOLATION, ORDER TO CORRECT INSPECTION: 277 BLANCHARD RD, SANFORD, ME (TAX MAP R4-12A)

Dear JOSEPH T DUNICAN & ASHLEY CARRUTHERS,

On 06/19/2020, 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,

Jamie Cole, Code Enforcement Officer
City of Sanford
919 Main St., Sanford ME 04073
207-324-9145
codes@sanfordmaine.org

NOTICE OF VIOLATION, ORDER TO CORRECT (CONTINUED)

INSPECTION: 277 BLANCHARD RD, SANFORD, ME (TAX MAP R4-12A)

| VIOLATIONS | ORDER TO CORRECT | DATE FOR COMPLIANCE |
|---|--|----------------------------|
| City of Sanford – § 149-4.1 – Purpose and findings. Medical Marijuana Production Facility License Required. | Operation of a medical production facility without a license. | June 23, 2020 |
| City of Sanford – § 280-14-9 – Temporary activities and events. | Special events held without City Council approval. | June 23, 2020 |
| City of Sanford – § 280-3-3 – Certificates of occupancy. | Lack of certificate of occupancy for home occupation. | July 3, 2020 |
| City of Sanford – § 280-15-10.2 – Marijuana general standards. | Lack of approval for commercial growth, cultivation, processing, sale and storage of marijuana products and sale of marijuana paraphernalia on residential property. | June 23, 2020 |
| City of Sanford – § 280-Attachment - Table 1A of Land Use. | Lack of approval for campground. | June 23, 2020 |

CERTIFICATION

INSPECTION: 277 BLANCHARD RD, SANFORD, ME (TAX MAP R4-12A)

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

Fire Department

Office of the Fire Marshal

Office: 919 Main St. Sanford Maine 04073

Mailing: 972 Main St. Sanford, Maine 04073

firemarshal@sanfordmaine.org



9/10/2020

Ashley Carruthers

277 Blanchard Road

Springvale Maine 04083

Ashley.c.carruthers@gmail.com

Ashley,

The Sanford Fire Department have reviewed your request for a special event. At this time this application is denied for the following reasons.

1. Special Event Permits from this office must be applied for 10 days prior to the event. This permit received 9 days before the event.
2. Executive Order 6 FY 20/21, the limit on the number of persons for indoor Gatherings is 50. For outdoor gatherings, the limit is 5 people per 1,000 square feet of occupied outdoor space, or not more than 100 persons, whichever is less. You are asking for 150 people for this event.
3. On 6/23/20 the Sanford Codes Office sent you a Notice of Violation.
 - a. Operation of a medical production facility without a license.
 - b. Special event held without a permit.
 - c. Lack of certificate of occupancy for home occupation.
 - d. Lack of approval for commercial growth, cultivation, processing, sale and storage of marijuana products and sale of marijuana paraphernalia on residential property.
 - e. Lack of approval for a campground.

Thank you for your time in this matter

Patrick Cotter

Fire Marshal

Sanford Fire Department



City of Sanford

Fire Department

Office of the Fire Marshal

Office: 919 Main St. Sanford Maine 04073

Mailing: 972 Main St. Sanford, Maine 04073

firemarshal@sanfordmaine.org

207-324-5293



APPLICATION FOR SPECIAL EVENT PERMIT

Application is hereby made for operation of all exhibits and trade shows, to conduct a Special Event as per NFPA 1-10.15.1; 20.1.4.5.1 and local ordinance. This registration binds the applicant to conform to NFPA 1, NFPA 101, (editions as adopted by ME Fire Code) standards and local ordinances. This registration can be revoked by the Sanford Fire Department Office of the Fire Marshal for failure to follow the above mentioned Codes, Ordinances, and Permitting process. Completing this application confirms that the applicant understands the above mentioned.

INFORMATION NEEDED:

This application shall be filled out completely and returned to the Sanford Fire Marshal's Office at least 10 days PRIOR to the event.

Please attach a map of the facility or area and the layout of the event. This may be a printed map marked up, or a freehand drawing. Fee must be paid with application.

Date(s) of Event Sept 18-20
Company Name _____ Company Phone _____ Co.
Fax _____

Applicants Name (Individual) Ashley Carathers Applicants Phone
207 206 2421

Applicants Address (where permit will be mailed)
277 Blanchard Rd. Springvale, ME 04083

Email Address ashley.c.carathers@gmail.com

EVENT INFORMATION:

Location (Street Address) of the
event: 277 Blanchard Rd. Springvale, ME 04083

Estimate of how many persons will attend event: 150 or less Chief Crowd

Manager: 1 Number of Additional: 0

Please note: Crowd Management is required at a ratio of 1 Crowd Manager per every 250 persons

Brief description of the
event: wedding

Live Music, Alcoholic Beverages, or other special considerations
needed?: Music

Cooking or food vendors to be present?: _____

Tents or portable structures to be used?: pop up shade tents

THIS IS NOT A PERMIT. Fee of \$75.00 per event payable to City of Sanford.

75 ac open field
Main Wedding
Area

Music

Sick yard

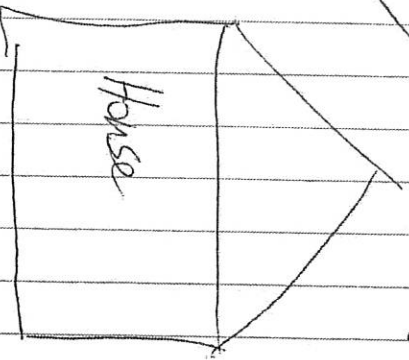
Drive way

Side yard

Back yard

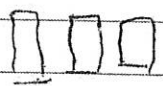
Backyard

Backyard



Front
Yard

Side
Yard



front yard

Drive Way



Sanford Police Department

City of Sanford, Maine
935 Main Street
Sanford, Maine 04073
(207) 324-3644 Fax (207) 324-9199

Thomas P. Connolly, Jr.
Chief of Police
(207) 324-9170 Ext. 200

September 14, 2020

Timothy E. Strout
Deputy Chief of Police
(207) 324-9170, Ext. 202

Sherry A. Lord
Office Manager
(207) 324-9170, Ext. 200

Joseph T. Dunican
Ashley C. Carruthers
277 Blanchard Road
Springvale, Maine 04083

Dear Mr. Dunican and Ms. Carruthers:

I am writing to advise you that certain activities that have and will be taking place on your property located at 277 Blanchard Road, Springvale Maine, may be illegal and that the Police Department is intent on preventing these activities and placing criminal and civil charges should any violations occur. You should know that several residents and neighbors on Blanchard Road have been complaining about:

- Parties that go late into the evening, with very loud music
- Guests from your parties who appeared to be intoxicated, trespassing on private property
- That you are apparently charging admission for your parties. *Requiring a donation* to enter/stay is not a donation. You are not licensed to have such a party and charge admission
- Apparent advertisement and sale of cannabis products from your residence – you are not licensed to be a medical marijuana dispensary, and
- Several violations of the Governor's Executive Orders regarding COVID-19 restrictions, specifically that you are hosting parties with more than 100 people present, and those present are not social distancing and not wearing face coverings as required

I realize that you and your neighbors have what could be described as an adversarial relationship; I know that some of your neighbors have been harassing you, and that you have obtained a protection from harassment order against at least one neighbor. That being said, I also believe that many of the complaints made regarding your "parties" are probably accurate. I have been following your advertisements on

line, and I am aware that there could be hundreds of people attending your event scheduled for September 18-20. I have also read that you may use a shuttle bus to bring people to and from your property.

Your neighbors have complained long and often to the City of Sanford Codes Department, the City Manager, and the City Council. The powers that be have reached the limit of their patience, and this matter has been delivered to me for some type of resolution.

So, here is what I would like to see happen:

1. That you will cease advertising for and hosting large parties that attract hundreds of people. You are not licensed for special events. Additionally, under the Governor's Emergency Orders, you are not allowed any more than 100 people at any outdoor event; if the 100 people at any event cannot or do not social distance, then participants must wear a face covering
2. That you ensure that you comply with Sanford Ordinance 178, Noise, especially (4) (1) and (2). In essence, you may not make any noise or play any music that can be heard more than 75 feet from your property line after 10:00 PM on Friday and Saturday nights; 9:00 PM on Sunday nights
3. That you cease any activities that are related to the use of your property as a Medical Marijuana Dispensary. It is my understanding that neither you nor Ms. Carruthers is allowed to be a caregiver in Sanford, as the City did not opt-in for LD 1539, which expanded the operations of caregivers. Your Baked Boxer website is very nice. Unfortunately, you may not operate as a dispensary or provide services as a caregiver

I would hope that you would understand that I obtain no pleasure in taking action against these non-violent issues; however, your refusal to listen to your neighbors, and abide by the directives of our Codes Department, has now placed this matter at my feet. Here is what I am prepared to do:

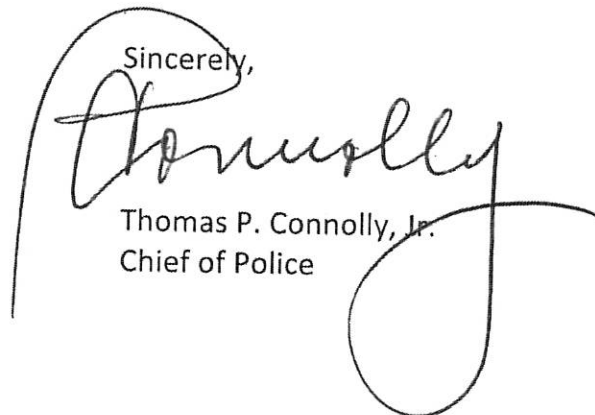
1. I am directing my officers to conduct frequent patrols at your property, especially from 09-18-20 through 09-20-20. Any and all qualifying violations of the noise ordinance will result in a summons for the City ordinance violation, 178-4. The penalty is \$50, and each subsequent violation doubles the fine; \$50, \$100, \$200. If we do not get compliance, I will elevate this to a Class E (misdemeanor)

Disorderly Conduct, §17-A, 501 (A), and obtain a warrant for your arrest. You could be fined up to \$1,000 and jailed (doubtful)

2. If you do not stop advertising and hosting large parties, especially parties that violate the Governor's Executive Orders on the maximum number of people and the requirements to wear a face covering, then I will document the event and the violations, and I will either personally issue you a summons or obtain a warrant for your arrest. I hope you understand that with all of the COVID angst present in the community, that the Attorney General's office would be more than pleased to authorize your arrest. For your information, I have asked the MDEA to insert an undercover agent into one of your parties – we'll pay the "voluntary" admission fee. That agent will take photographs to document any violations
3. You must remove the signs from your property advertising the sale of Cannabis products, and you must stop engaging in any marijuana caregiver or dispensary business. While these are mainly code and licensing regulations, I promise you that I will burn-up the phone lines between Sanford and The Office of Marijuana Policy until someone from that office files the appropriate court injunction against you. This is in addition to working with my Codes Department to prosecute any and all code violation in civil court. I understand that the fines for such civil violations can run into the thousands of dollars, plus legal fees on your part

The ball is now "in your court." You can disregard everything in this letter; should you do that, I promise you that I will take each and every action I mentioned. I would be pleased to meet with you at your convenience, and discuss how we can avoid any and all future confrontations.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Tom Connolly', with a long horizontal stroke extending to the right.

Thomas P. Connolly, Jr.
Chief of Police

§441. Code enforcement officers**(REALLOCATED FROM TITLE 12, SECTION 4812-C)**

1. Appointment. In every municipality, the municipal officers shall annually by July 1st appoint or reappoint a code enforcement officer, whose job may include being a local plumbing inspector or a building official and who may or may not be a resident of the municipality for which that person is appointed. The municipal officers may appoint the planning board to act as the code enforcement officer. The municipal officers may remove a code enforcement officer for cause, after notice and hearing. This removal provision only applies to code enforcement officers who have completed a reasonable period of probation as established by the municipality pursuant to Title 30-A, section 2601. If not reappointed by a municipality, a code enforcement officer may continue to serve until a successor has been appointed and sworn.

[RR 2007, c. 2, §25 (COR).]

2. Certification; authorization by municipal officers. No person may serve as a code enforcement officer who is authorized by the municipal officers to represent the municipality in District Court unless that person is currently certified under Title 30-A, section 4453, as being familiar with court procedures.

Upon written authorization by the municipal officers, a certified code enforcement officer may serve civil process on persons whom that officer determines to be in violation of ordinances adopted pursuant to this chapter and, if authorized by the municipal officers, may represent the municipality in District Court in the prosecution of violations of ordinances adopted pursuant to this chapter.

[PL 1997, c. 296, §11 (AMD).]

3. Powers and duties. The duties of the code enforcement officer shall include the following:

A. Enforce the local shoreland zoning ordinance in accordance with the procedures contained therein; [PL 1985, c. 481, Pt. A, §29 (RAL).]

B. Collect a fee, if authorized by a municipality, for every shoreland permit issued by the code enforcement officer. The amount of any such fee shall be set by the municipality. The fee shall be remitted to the municipality; [PL 1985, c. 481, Pt. A, §29 (RAL).]

C. Keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found and fees collected; and [PL 2013, c. 320, §14 (AMD).]

D. Investigate complaints of alleged violations of local land use laws. [PL 1985, c. 481, Pt. A, §29 (RAL).]

[PL 2013, c. 320, §14 (AMD).]

SECTION HISTORY

PL 1983, c. 796, §4 (NEW). PL 1985, c. 481, §A29 (RAL). PL 1985, c. 737, §A111 (AMD). PL 1987, c. 737, §§C87,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). PL 1989, c. 403, §§10,11 (AMD). PL 1991, c. 346, §10 (AMD). PL 1997, c. 296, §11 (AMD). RR 2007, c. 2, §25 (COR). PL 2013, c. 320, §14 (AMD).

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Request for Legal Services

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|--|------------------------------|------------------------------|
| Requested By: Jamie Cole | Department: Code Enforcement | Date Request Made: 10/7/2020 |
| | | Time Request Made: 2:30 |
| What is the nature of the request? Requesting attorney representation for a Rule 80K compliant regarding an NOV sent to 277 Blanchard Rd. | | |
| What do you want the attorney to accomplish? Represent code enforcement in court case as this case could get "sticky" due to it involving MMJ. | | |
| What is your target date for deliverables from legal counsel? Depends on court date timing, with current covid 19 situation unknown amount of time needed to get court hearing date. | | |
| Have you checked and reviewed the Town's record of legal opinions to avoid a duplicity of prior research and/or opinions? <div style="display: flex; justify-content: space-between;"> <u> X </u> Yes <u> </u> No </div> | | |
| Is this legal cost reimbursable to the Town? <u> If we win </u> Yes <u> </u> No | | |

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| City Manager's Review Date and Time 8-Oct-20 | Response and Decision of the City Manager I authorize the use of the City's Legal Counsel for representation on this 80K complaint pending authority granted by the City Council to proceed to court pursuant to Title 38 Section 441 et. Al. |
| | |
| For City Manager's Office Use Only: Log Number: _____ Log Date Received: _____ | |