

TOWN OF BELGRADE  
MUNICIPAL SPECIAL TOWN MEETING  
NOVEMBER 16, 2021

STATE OF MAINE  
KENNEBEC, S.S.

To Mary J. Vogel, Town Clerk in The Town of Belgrade, in the said County and State:

GREETING:

IN THE NAME OF THE STATE, YOU ARE HEREBY REQUIRED TO NOTIFY VOTERS OF THE TOWN OF BELGRADE SPECIAL TOWN MEETING AS DESCRIBED IN THIS WARRANT. THE TOWN MEETING WILL BE HELD AT THE BELGRADE TOWN OFFICE AT 6:30 P.M., 990 AUGUSTA ROAD. THE SPECIAL TOWN MEETING WILL ADDRESS THE FOLLOWING WARRANT ARTICLE, AND WILL BE VOTED ON THE FLOOR OF THE TOWN MEETING:

QUESTION 1) To see if the Town will approve a moratorium ordinance regarding commercial solar facilities, commercial wind energy facilities, telecommunications towers, and subdivisions, effective from Nov. 5, 2021, to May 5, 2022.

DATED AT BELGRADE NOVEMBER 9<sup>TH</sup>, 2021

BOARD OF SELECTPERSONS:

Melanie Jewell, Chair Melanie Jewell

Richard Damren, V. Chair Richard Damren

Daniel Newman Daniel Newman

Barbara Allen Barbara Allen

Carol Johnson Carol Johnson

**Moratorium Ordinance  
Regarding Commercial Solar Facilities, Commercial Wind Energy Facilities,  
Telecommunications Towers, and Subdivisions**

The TOWN OF BELGRADE, MAINE, adopts a Moratorium Ordinance to be known as the Moratorium Ordinance Regarding Commercial Solar Facilities, Commercial Wind Energy Facilities, Telecommunications Towers, and Subdivisions as follows:

WHEREAS, developers of commercial solar farms have expressed interest in developing facilities in Belgrade, where undeveloped land is plentiful and regulation of such developments is minimal, and having received and approved one such solar project application, the Town of Belgrade Planning Board reasonably anticipates others could soon follow; and

WHEREAS, the Planning Board has the same concerns regarding existing regulations for wind energy facilities and telecommunications towers; and

WHEREAS, the Planning Board is engaged in a massive rewrite of the Town's Subdivision Ordinance, which was adopted in 1988 and is no longer consistent with state law; and

WHEREAS, the Planning Board deems the Town's Commercial Development Review Ordinance and Subdivision Ordinance to be inadequate in addressing issues relevant to commercial solar facilities, wind energy facilities, telecommunication towers, and subdivisions that pose potential serious public harm, including, but not limited to, environmental impacts, the lack of decommissioning plans, and financial assurances that sites will be adequately completed and/or restored once they outlive their commercial usefulness; and

WHEREAS, the Town may need 180 days, or more, to develop, to earn voter approval, and to implement the necessary amendments to the Commercial Development Review Ordinance and the Subdivision Ordinance to accommodate these potential development pressures; and

WHEREAS, amendments to the Commercial Development Review and the Subdivision ordinances require a public hearing by the Planning Board and the Board of Selectpersons, and then must be voted upon at a Town Meeting; and

WHEREAS, in the judgment of the Town, these facts create a threat of serious public harm within the meaning of 30-A MRSA §4356(1)(B) and require the following Moratorium Ordinance as immediately necessary for the preservation of the public health, safety, and welfare.

NOW, THEREFORE, the Town of Belgrade hereby ordains that the following Moratorium Ordinance be enacted:

**I. AUTHORITY**

This Moratorium Ordinance is enacted pursuant to 30-A MRSA §4356, Article VIII, Part Second of the Constitution of the State of Maine, and 30-A MRSA §3001.

**II. PURPOSE**

The purpose of this Moratorium Ordinance is to allow municipal officials the appropriate time to evaluate and address concerns as they pertain to the adequacy of the Town's existing land use ordinances and regulations to provide protection for the public health, safety, and welfare of the Town of Belgrade.

### III. MORATORIUM

The Town of Belgrade hereby declares and imposes a moratorium effective immediately and applicable, to the maximum extent permitted by law and subject to the severability clause below, to all proceedings, applications and petitions not pending (within the meaning of 1 MRSA §302) as of November 5, 2021, and on any new construction or use, requiring approval under the terms of the Town's planning ordinances and regulations for such time until the effective date of the necessary amendments to the Commercial Development Review and Subdivision ordinances and regulations or until May 5, 2022. The Planning Board, Board of Appeals, the Code Enforcement Officer, and all other Town agencies and Town employees shall neither accept nor approve applications, plans, permits, licenses, and/or fees for any new construction or uses governed by this Moratorium Ordinance for such commercial solar facilities, wind energy facilities, telecommunications towers, and subdivisions for said period of time.

### IV. SEVERABILITY

To the extent any provision of this moratorium ordinance is deemed invalid by a court of competent jurisdiction, the balance of the moratorium ordinance shall remain valid.

### V. INCONSISTENCY

To the extent any provision of the Town's Commercial Development Review and Subdivision ordinances and regulations are inconsistent or conflicting with the provisions of this Moratorium Ordinance, including, without limitation, the requirements for site plan review by the Planning Board, subdivision and/or special exception review by the Planning Board, are hereby repealed to the extent that they are applicable for the duration of the Moratorium Ordinance hereby ordained, but not otherwise.

### VI. EMERGENCY

In view of the conditions cited in the preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town, shall apply, to the maximum extent permitted by the law but subject to the severance clause above, to all proceedings, applications and petitions not pending as of November 5, 2021, and shall stand repealed as of May 5, 2022.

### VII. DEFINITIONS

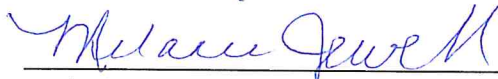
**COMMERCIAL SOLAR FACILITY:** Any ground-mounted solar energy system, and its associated facilities, that generates a nameplate capacity of 125kw or greater.

SUBDIVISION: As defined by 30-A MRSA §4401, as amended.

TELECOMMUNICATIONS TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including, but not limited to, camouflaged towers, lattice towers, guyed towers, and monopoles, for the purpose of transmitting or relaying radio frequency signals, including but not limited to radio, television, cellular, and personal communication service frequencies.

WIND ENERGY FACILITY: A facility that uses one or more wind turbines to convert wind energy to electrical energy for the purpose of exporting the energy. The term does not include wind turbines whose primary purpose is to supply residential or non-residential uses on the site where it is located. A wind energy facility includes both the generating facilities and associated power converters or substations.

Approved by the Board of Selectpersons Nov. 9, 2021.



Melanie Jewell, Selectboard Chair

Rick Damren, Selectboard Vic Chair



Dan Newman, Selectperson



Barbara Allen, Selectperson



Carol Johnson, Selectperson

**Town of Belgrade  
Board of Selectpersons**

**Nov. 16, 2021 / 6:30 p.m.**

**Belgrade Town Office**

**990 Augusta Road**

**This meeting will be conducted in person.**

**The public may also view the meeting and participate online at**

**<https://us02web.zoom.us/j/81131427984>**

**A G E N D A**

**Call to Order and Pledge of Allegiance**

***Open Meeting.***

**1. PUBLIC COMMENT**

**2. OLD BUSINESS**

- A. Approval of Nov. 9, 2021, **Selectboard minutes**.
- B. Discussion and consideration of **public water system**.
- C. Discussion and consideration of **committee appointment policy**.

**3. NEW BUSINESS**

- A. Consideration of **appointments**:
  - 1. Sue Bradshaw – Senior Resources Committee
- B. Discussion and consideration of designating the North Belgrade Community Center as a **senior center**.
- C. Discussion of **short-term rentals**.
- D. Discussion and consideration of **selling used fire truck and firefighting equipment**.

**4. WARRANT**

**5. TOWN MANAGER REPORT**

# Town of Belgrade Board of Selectpersons

Nov. 9, 2021 / 6:30 p.m.  
Belgrade Town Office  
990 Augusta Road

This meeting can be watched at  
<https://youtu.be/Tca1dsbxAEo>

## MINUTES

**Selectboard members present:** Melanie Jewell, Barbara Allen, Rick Damren, Dan Newman, Carol Johnson.

**In-person attendees:** Town Manager Anthony Wilson, Carol Carothers, Jane Manson, Recreation Director Annie Dobos, Bert Languet, Kim Haggan, MacGregor Stocco, Michael Barrett.

**Remote attendees:** Bruce Galouch, Town Clerk Mary Vogel, Nicholas Alexander, Dick Bourne, Kate Damren, Scott Damren, Facilities Maintenance Director Chris Dutill, Matt Fullerton of Waste Management, Michelle Fate, Rescue Chief Travis Burton, Firefighter Danielle Bedard, Lenny Reich, Penny Morrell.

Ms. Jewell called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Ms. Allen moved to open the meeting. Mr. Damren seconded. Motion approved 5-0.

**1. PUBLIC COMMENT.** Bert Languet asked the Board for an opportunity at a future meeting to make a presentation about using a portion of the Town's American Rescue Program Act (ARPA) federal funds on stormwater projects that would divert or improve stormwater that flows into the lake. Ms. Jewell suggested the first meeting in December would be available.

### **2. OLD BUSINESS**

- A. Approval of Oct. 19, 2021, and Oct. 20, 2021, **Selectboard minutes.** Mr. Newman moved approval of the Oct. 19, 2021, minutes. Ms. Allen seconded. Motion approved 4-0. Ms. Johnson abstained because she was not a member of the Board at the time. Ms. Allen moved approval of the Oct. 20, 2021, minutes. Mr. Newman seconded. Motion approved 4-0. Ms. Johnson abstained because she was not a member of the Board at the time.
- B. Discussion and consideration of **2022 Town Meeting.** Ms. Jewell moved to hold a traditional bifurcated town meeting in 2022. Mr. Newman seconded. The motion failed 2-3, with Ms. Allen, Mr. Damren and Ms. Johnson opposing. Ms. Allen moved to conduct the 2022 town meeting by secret ballot. Mr. Damren seconded. Motion approved 3-2, with Ms. Jewell and Mr. Newman opposing. The Board also agreed to include an article on the town meeting warrant asking

voters whether they would prefer to use a secret ballot or have a bifurcated town meeting in future years.

### 3. NEW BUSINESS

#### A. Consideration of **appointments**:

1. Sue Bradshaw – Senior Resources Committee. Mrs. Bradshaw was unable to attend so Ms. Jewell moved to table. Mr. Newman seconded. Motion approved 5-0.
2. Kim Haggan – Senior Resources Committee. Ms. Jewell moved to approve. Mr. Newman seconded. Motion approved 5-0.
3. Travis Burton – alternate Addressing Officer. Mr. Damren moved approval. Mr. Newman seconded. Motion approved 5-0.
4. Danielle Bedard – alternate Addressing Officer. Mr. Damren moved approval. Mr. Newman seconded. Motion approved 5-0.
5. Annie Dobos – Recreation Director. Ms. Jewell moved to approve. Ms. Allen seconded. Motion approved 5-0.

#### B. Discussion and consideration of **recommendations from the First-Responders Memorial Group**. Following a discussion of possible locations, which will be determined at a later date, MacGregor Stocco asked the Selectboard to place an article on the town meeting warrant that would authorize an amount from the Town not to exceed \$12,000 for the memorial. Ms. Jewell moved to place an article on the 2022 town warrant to raise and/or appropriate an amount not to exceed \$12,000 for a first-responders memorial. Ms. Allen seconded. Motion approved 5-0.

#### C. Discussion and consideration of a **Request for Proposals for a compactor container**. Ms. Jewell moved to approve the RFP as recommended from the Transfer Station Committee. Ms. Allen seconded. Motion approved 5-0.

#### D. Discussion and consideration of a **concrete slab for the maintenance garage addition**. Ms. Jewell moved to approve a quote of \$9,800 from Precision Concrete Floors. Ms. Allen seconded. Motion approved 5-0.

#### E. Discussion of **Town refunds**. In response to concerns raised by two citizens whose yoga classes were cancelled during the pandemic and who requested refunds more than a year later, the Board asked the Recreation Department to search for yoga class attendance records. After learning more, the Board indicated it would consider a policy at a future date.

#### F. Discussion and consideration of a **flat-fee contract for legal services**. Mr. Damren moved approval of the year-long agreement with Bernstein Shur. Mr. Newman seconded. Motion approved 5-0.

#### G. Consideration of property tax **abatements**:

1. Abatement 21-07, Map 13, Lot 65 – \$292.22. Ms. Jewell moved approval. Ms. Allen seconded. Motion approved 4-0. Mr. Newman abstained; as a state representative, he is not eligible to serve as an assessor.

2. Abatement 20-08, Map 8, Lot 13A-2 – \$575.21. Ms. Jewell moved approval. Ms. Allen seconded. Motion approved 4-0. Mr. Newman abstained; as a state representative, he is not eligible to serve as an assessor. Abatement 19-10, Map 8, Lot 13A-2 – \$575.21. Ms. Jewell moved approval. Mr. Damren seconded. Motion approved 4-0. Mr. Newman abstained; as a state representative, he is not eligible to serve as an assessor.

H. Consideration of a moratorium on subdivision, solar, wind and telecommunication permit applications, and of calling a **special town meeting** for Nov. 16, 2021.

Ms. Jewell moved approval. Mr. Newman seconded. Motion approved 5-0.

4. **WARRANT.** Ms. Allen moved approval of warrant 134 in the amount of \$650,910.53. Mr. Newman seconded. Motion approved 5-0.
5. **TOWN MANAGER REPORT.** After seeking guidance from the Board, the town manager was told to ask the Planning Board to craft a full set of regulations related to commercial solar arrays for amending the Commercial Development Review Ordinance. The town manager also asked the Board to consult their calendars for a budget workshop the first week of December.
6. **EXECUTIVE SESSION:** 1 M.R.S.A. §405(6)(A) – Personnel  
Ms. Allen moved to exit open session at 9:28 p.m. Mr. Newman seconded. Motion approved 5-0.  
Ms. Allen moved to enter executive session at 9:34 p.m. Mr. Newman seconded. Motion approved 5-0.  
Mr. Newman moved to exit executive session at 9:52 p.m. Ms. Allen seconded. Motion approved 5-0.  
Ms. Allen moved to re-enter executive session and adjourn at 9:52 p.m. Mr. Newman seconded. Motion approved 5-0.



# Memo

To: Board of Selectpersons  
From: Anthony Wilson, Town Manager  
Date: Nov. 16, 2021  
Re: Committee applications

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The attached policy incorporates the suggestion of Budget Committee chair Gary Mahler, which the Selectboard received at its Nov. 9 meeting; the new language is underscoring. Some boards, including the Board of Parks & Recreation, already adhere to this practice.

If the Selectboard were to adopt this policy, vacancies would be promoted on the Town's website, on its Facebook page, on the corkboard in the Town Office vestibule, and on one or more of the Town's marquees. Committee vacancies have also been promoted in recent editions of the Town's newsletter, which are produced three or four times per year.

We currently have openings on:

- Board of Appeals (1 alternate)
- Assessment Review (1)
- Budget Committee (1)
- Communications Committee (1)
- Roads Committee (2)
- Board of Parks & Recreation (5)
- Planning Board (1 alternate)

# TOWN OF BELGRADE

## COMMITTEE APPLICATION POLICY

Vacancies on Town boards and committees will be promoted for a minimum of two weeks, during which applications to serve will be accepted. The means of promoting the vacancy will include, but not be limited to, posting on the Town's website and on its Facebook page, posting on the corkboards in the Town Office and in any other appropriate Town facility (ex. Library, Center for All Seasons), on the marquee(s) of the Town Office and any other appropriate facility, and, depending on the timing of the vacancy, in the Town newsletter.

After the two-week period, the applications received will be forwarded to the board or committee for its review and recommendation to the Board of Selectpersons. The Selectboard will at its next available meeting consider the committee's recommendation. The Selectboard reserves the right to decline to approve an appointment.

Should a vacancy continue, the open board/committee seat will continue to be promoted until the Selectboard approves an appointee.

**This policy was adopted on Nov. 16, 2021, by the Belgrade Board of Selectpersons.**

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Melanie Jewell, Chair

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Rick Damren, Vice Chair

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Dan Newman, Selectperson

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Barbara Allen, Selectperson

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Carol Johnson, Selectperson

## TOWN OF BELGRADE



### Board/Committee Appointment & Re-appointment Application

Application for Appointment or re-appointment to:

☐ Planning Board  
☐ Board of Appeals  
☐ Dams Committee  
☐ Cemetery Committee  
☐ Library Trustee  
☐ Long Range Planning Com.

☐ Board of Parks & Recreation  
☐ Board of Assessment & Review  
☐ Transfer Station & Recycling Com.  
☐ Budget Committee  
☐ Tree Committee  
☐ Comprehensive Plan Review Committee

☒ Other Senior Resources Committee

If this is a re-appointment please state the number of years you have served \_\_\_\_\_

Name Sue Bradshaw  
Address P.O. Box 521 Belgrade  
Phone # (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ Email: \_\_\_\_\_  
Place of Employment NA  
Education & Experience Masters in School Counseling; educator + School counselor

Interests and Hobbies crafts; swimming; people

Why do you wish to serve on a municipal board or committee?

I have always enjoyed older people, I believe they should live in place with support with community resources available to them.

References

Name Becky Seel Phone # \_\_\_\_\_  
Name Pam Prescott Phone # \_\_\_\_\_

Please Return to:

[townclerk@townofbelgrade.com](mailto:townclerk@townofbelgrade.com)

OR

Town Manager  
Town of Belgrade  
990 Augusta Road  
Belgrade, ME 04917

# Memo

**To:** Belgrade Board of Selectpersons

**Date:** 11-016-2021

**Re:** Senior Resources

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The Senior Resource Committee would like to request the Board of Selectpersons officially designate the North Belgrade Community Center as the Town's Senior Center. This will assist in seeking grant opportunities to help financially support the endeavors of the committee.

**Reasons for the town having a designated Senior Center:**

- The NBCC is currently under utilized and this would provide visible value of the building to the residents of Belgrade.
- It will provide a space for seniors where they could gather for programming such as personal growth classes, movement activities to include dancing, yoga for seniors, general socialization and to provide seniors with resources to help them live well.
- By keeping active both mentally and physically seniors stay stronger, and it helps to support their independent living, which is important for those want to age in place in their homes. The Town of Belgrade can help to promote the healthy living of their seniors by providing a space to call their own.

**Current activities of the committee are as follows:**

- Distribution of File of Life Folders
- Currently distributing a survey to seniors which will assist the town in becoming and age-friendly community and to become members of AARP
- Taking names and will be distributing buckets of sand for seniors for the winter months
- Actively seeking out volunteers to help with programming
- Working on getting a senior newsletter together
- Discussing a face book page to assist seniors
- Working on revision of the Senior Resource Trifold

**NOTE: This idea of a senior center being at the NBCC was supported by the former Recreation Director, Lilly Schubert, who was also a committee member.**

**A letter of Support from Tasha Gradie is attached.**

11/5/21

Selectboard,

The Belgrade Senior Resource Committee (BSRC) would like to propose that the North Belgrade Community Center (NBCC) be used as one of the primary locations for the BSRC. This location would provide a safe environment for our seniors to attend activities, and educational events. The North Belgrade Community Center is accessible, has a kitchen, and restrooms. Please consider the above proposal to help the BSRC further assist and evaluate the needs of our seniors.

Thank you

Tasha Gradie

# Memo

To: Board of Selectpersons  
From: Anthony Wilson, Town Manager  
Date: Nov. 16, 2021  
Re: Short-term rentals

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Resident Paul Lessard requested to speak to the Board of Selectpersons about short-term rentals. Mr. Lessard wrote, "I have looked around to seek information about laws governing STRs, Short Term Rentals and short term rental zoning ordinances. These STRs have happened more frequently as time passes across the country during the past 10 years, especially in cities and in tourist areas.

"Here are some things that I have found that might help the Planners and Selectmen with their discussion about creating ordinances to control where these uses are permitted and what standards should be applied, including what fees to be collected by the local community as well as the State level in sales and income taxes.

- [https://www.ncsl.org/Portals/1/Documents/legisbriefs/2018/September/ShortRentals\\_Sep2018\\_35\\_v01.pdf](https://www.ncsl.org/Portals/1/Documents/legisbriefs/2018/September/ShortRentals_Sep2018_35_v01.pdf)
- <https://www.hostfully.com/regulations/maine/>
- <https://www.useful-community-development.org/short-term-rental-zoning.html>
- <https://www.capeelizabeth.com/ShortTermRentalOrdinanceStandards>
- <https://www.kennebunkportme.gov/code-enforcement-planning/pages/short-term-rentals>

(Printouts from these links are attached.)

Mr. Lessard continued, "It is important in Belgrade, a tourist destination, that controls be put in place to protect the current owners of existing cottages from being overrun by STRs and from their negative impact on the residents of the community."

Mr. Lessard will be at the meeting to offer testimony and answer questions.



Town of Cape Elizabeth, Maine

Search



# Short Term Rental Ordinance Standards

ZONING ORDINANCE SEC. 19-8-14. SHORT TERM RENTAL STANDARDS (recent amendments *Effective May 12, 2021*)

- A. Purpose
- B. Permitted Short Term Rentals
- C. Short Term Rental Requirements
- D. Review Procedure
- E. Submission Requirements
- F. Standards
- G. Suspension and Revocation of Permit

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## A. Purpose

Cape Elizabeth residents prize the peace and quiet of their residential neighborhoods. Some property owners have capitalized on the desirability of their neighborhood by renting out their property, especially during the summer months and holidays. Neighborhood residents are concerned that short term rentals take on the character of a business operating in a residential neighborhood. In order to preserve the fabric of residential neighborhoods, to minimize the negative impacts of transient occupation on adjacent residents, to maintain housing availability for long-term residents and to protect the public safety of visitors and residents, the operation of Short Term Rental must be efficiently and effectively regulated to balance the respective interests of town residents. The purpose of this section is to balance the desire of property owners to rent their properties to short term tenants and the desire of residents to preserve the peaceful quiet and enjoyment of their residential neighborhoods.

## B. Permitted Short Term Rentals

The following types of Short Term Rentals may be allowed after obtaining all required permits. Short Term Rental types not listed below are prohibited. Only one Short Term Rental may be operated on a lot in a calendar year, and limited to only one of the Short Term Rental types listed below for the calendar year. For the avoidance of doubt, for example, if the owner of a Short term Rental receives a permit to be a "Primary Residence Hosted" type of Short Term Rental in

one calendar year, then the owner may not switch the type of Short Term Rental to "Primary Residence Unhosted," (or another type) until the following calendar year. Where operation of a Short Term Rental must include that the Short Term Rental owner is "in residence," the intent is that the owner shall be living on the lot, or abutting lot as the case may be, and managing the Tenants.

**1. Primary Residence Hosted.** A Short Term Rental may be operated by a property owner in their primary residence when the property owner is in residence, including overnight, during the tenancy of the Short Term Rental tenants. The Short Term Rental must be located within the host's dwelling unit and not in an area functioning as a separate dwelling unit. Use of the property as a Short Term Rental must be in compliance with the rental intensity requirement.

**2. Primary Residence Unhosted.** A Short Term Rental may be operated by a property owner in their primary residence when the property owner is not in residence during the tenancy of the Short Term Rental tenants. The property may be used as a Short Term Rental for no more than forty-two (42) days per calendar year.

**3. Seven (7) Acres Plus Short Term Rental.** A Short Term Rental may be operated by a property owner in their primary residence or non-primary residence when the property owner is in residence or not in residence during the tenancy of the Short Term Rental tenants, where the lot is seven (7) acres or more in size. (Land abutting the Short Term Rental lot in the same ownership may be counted toward the minimum lot size. Abutting shall mean any lot that shares a lot line or is located directly across a road right-of-way from the primary residence. Abutting land used to meet the seven (7) acres requirement may not be counted towards more than one Short Term Rental). The property may be used as a Short Term Rental for no more than one-hundred eighty-two (182) days per calendar year.

**4. Short Term Rental Adjacent.** One Short Term Rental may be operated by a property owner in a non-primary residence when the Short Term Rental owner's primary residence is located on the same lot as the Short Term Rental or an abutting lot. (abutting shall mean any lot that shares a lot line or is located directly across a road right-of-way from the primary residence.). The property owner must be in residence during the tenancy of the Short Term Rental tenants. The property may be used as a Short Term Rental for no more than one-hundred five (105) calendar days per calendar year. If a property owner operates a Short Term Rental Adjacent, the owner shall not operate any other Short Term Rental on the lot, or abutting lot, during the same calendar year. For Example, an owner operating a Short Term Rental Adjacent on a lot (or abutting lot) shall not be able to also obtain a permit for a Primary Residence Hosted Short Term Rental (or any other type of Short Term Rental) during the same calendar year.

## C. Short Term Rental Requirements

**1. Permit required.** No Short Term Rental shall be advertised, rented, or operated without first obtaining a Short Term Rental Permit. A Short Term Rental Permit shall be valid for the calendar year in which the permit is issued. A permit application received more than thirty (30) days after the permit deadline, which shall be January 2nd of the year the Short Term Rental will be operating, shall be considered late. The property must remain in compliance with the Short Term



Rental Permit for the entire calendar year in which the permit is issued. A Short Term Rental Permit may only be issued to the property owner of the lot where the Short Term Rental is located and lessee of the lot may not operate a Short Term Rental.

Failure to obtain a Short Term Rental Permit prior to advertising, offering for rent, or use of the Short Term Rental shall require payment of double the Short Term Rental permit fee. Once notified by the town that a Short Term Rental has been operated without a permit, a permit application shall be submitted within seven (7) calendar days or shall be considered an additional violation. The permit applicant must make a diligent effort to meet permit requirements.

The second failure to obtain a Short Term Rental Permit for a property within a five (5) year period shall result in a prohibition from obtaining a permit for the property for one (1) year.

**2. Advertising.** It shall be unlawful to advertise occupancy or use of a Short Term Rental that would violate Sec. 19-8-14 of the Zoning Ordinance. For the purposes of this section, the term "advertise" shall mean any form of communication for marketing that is used to encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services as may be viewed through various media including, but limited to newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites or text messages. No Short Term Rental shall be advertised that does not have a current Short Term Rental Permit. The Short Term Rental advertising must be consistent with the terms of the Short Term Rental Permit and must include the current Short Term Rental Permit Number. Advertising of the Short Term Rental must include the statement, "[The Short Term Rental] is available for one (1) rental per seven (7) day period [or in case of a Primary Residence Hosted Short Term Rental, two (2) rentals per seven (7) day period], and may be rented for a partial week as long as the Short Term Rental remains vacant for the remainder of the seven (7) day rental period."

**3. Rental Intensity.** No more than one (1) rental/use of the Short Term Rental may occur in a seven (7) day period, except that a Primary Residence Hosted may be allowed up to two (2) rental/uses in a seven (7) day period. When a rental or non-compensated use of the property by any one (1) individual or group, including but not limited to personal or family use by the property owner of an unhosted primary residence, of less than seven (7) day occurs, the property must remain vacant for the remaining portion of the seven (7) day period. Any tenancy of the property for less than thirty (30) days shall be considered operation of a Short Term Rental and require a Short Term Rental Permit pursuant to the terms of the Zoning Ordinance.

**4. Registration Record.** The Short Term Rental owner must (a) maintain accurate, up-to-date records of all rental transactions involving the Short Term Rental, including the number of tenants and the length of their stays, and upcoming reservations; and (b) present said information to Town inspection officials upon request. Failure of the Short Term Rental owner to provide this information within five (5) business days to a Town request for the same shall be considered a violation of this section.

**5. Multi-family and Multiplex Units.** No Short Term Rental may be operated on a lot containing a multifamily dwelling unit unless all of the dwelling units are held in common ownership. No Short Term Rental shall be operated on a property containing five (5) or more dwelling units.

#### **D. Review Procedure**

1. The Code Enforcement Officer shall have the authority to issue a Short Term Rental Permit.
2. The Code Enforcement Officer shall provide a Short Term Rental Application to be completed by the applicant and submitted to the Code Enforcement Officer accompanied by the Short Term Rental permit fee as established by the Town Council in the Town Fee Schedule. The form shall include a non-exclusive checklist of code requirements that the property owner shall demonstrate compliance with.
3. The Code Enforcement Officer shall determine if the form has been properly completed before any permit is issued.
4. The first time that a Short Term Rental Permit Application is submitted for a property, no permit shall be issued until the Code Enforcement Officer has inspected the proposed Short Term Rental property for compliance with the Short Term Rental Standards and compliance with building code requirements. Thereafter, renewal of a Short Term Rental Permit shall require inspection by the Code Enforcement Officer of the Short Term Rental property no less than once every five (5) years. When the Code Enforcement Officer does not conduct an annual inspection, the Short Term Rental owner shall certify that there have been no material changes since the last inspection by the Code Enforcement Officer. Any third party inspection information submitted with the completed form shall have been conducted within the twelve months prior to the permit being issued.
5. The Code Enforcement Officer shall review the permit application for compliance with the Short Term Rental Standards.
6. If the Code Enforcement Officer determines that the proposed Short Term Rental application complies with the Short term Rental Standards, a Short Term Rental Permit shall be issued. The permit may be subject to suspension by the Code Enforcement Officer if the Short Term Rental property becomes non-compliant with the Short Term Rental Standards, and may be revoked as provided in 19-8-14. (G).

#### **E. Submission Requirements**

The Short Term Rental Permit Application shall include the following information:

1. **Location.** The street address and map/lot number of the Short Term Rental property. If the property is not located on a public road, the form shall include directions to the property from a public road.
2. **Contact Person/Owner Responsibility.** The name of the owner of the Short Term Rental property and contact information, including address and telephone number. In addition, if someone other than the owner is acting as the local contact person, contact information for that person shall also be provided. If there will be different contact persons for different time periods during the year, the form shall include the applicable contact person for each time period. Regardless of who enters the Short Term Rental agreement, or who may be designated as the owner's contact person, the property owner shall be responsible for compliance with the Short Term Rental Ordinance provisions.

3. **Availability.** The registration form shall include when, during the calendar year, the Short Term Rental will be available for rental. If this changes, the owner shall notify the Code Enforcement Officer.

4. **All information needed to demonstrate compliance with the standards listed in Subsection F below.**

**F. Standards**

The Code Enforcement Officer shall issue a Short Term Rental Permit upon the applicant satisfying the above requirements if the following standards are met:

1. **Code Compliance.** An applicant's property, without limitation, must comply with the following building safety requirements International Residential Code IRC and the International Building Code IBC:

a. **Smoke Alarms:** A smoke alarm is required in each bedroom. A smoke alarm is also required outside of each bedroom and in the immediate vicinity. A smoke alarm is also required to be on each story of the dwelling, including basements and habitable attics. The alarms shall be interconnected as much as reasonably possible.  
(Reference IRC Section R314);

b. **Carbon Monoxide Alarms:** If a house has an attached garage or a fuel fired appliance, a carbon monoxide alarm shall be installed outside of each bedroom and in the immediate vicinity. (Reference IRC Section R315);

c. **Portable Fire Extinguishers:** At least one (1) portable fire extinguisher shall be mounted in a prominent location. One (1) size / type 2/A is required or two (2) size/type 1/A extinguishers;

d. **Emergency Lighting:** At least one (1) hardwired emergency light with battery backup is required per 1200 square feet of living space. The lights must be positioned to illuminate the path of egress to the maximum extent. There also must be exterior lighting that is permitted to be solar powered. Exception: The house lighting has a backup power source that automatically activates.

e. The applicant shall provide floor plans of the dwelling unit that shows the location of the alarms, fire extinguisher(s), and emergency lighting.

2. **Building Evacuation Plan.** A building evacuation plan shall be prominently posted in the Short Term Rental property during the rental period.

3. **Sanitary Waste Disposal.** The applicant shall submit information demonstrating that adequate sanitary waste disposal is available in compliance with the Town of Cape Elizabeth Subsurface Wastewater Disposal Ordinance, as determined by the Code Enforcement Officer, or that the property is served by public sewer.

4. **Parking.** The applicant shall include a depiction of how parking will be provided for tenants and guests on the lot where the Short Term Rental is located and/or include a

written agreement for off-site parking at a specified location, to comply with the Off-Street Parking Standards, Sec. 19- 7-8. Garage parking spaces not allowed for tenant use shall not be used to meet the Short Term Rental parking requirement. On-street parking by Short Term Rental tenants or guests is prohibited. No bus shall be parked at the Short Term Rental property during any rental period.

**5. Rental Agreement Addendum.** The Short Term Rental permit application shall be submitted with an addendum to be attached to Short Term Rental agreement between owner and tenant that shall be provided to all tenants. The Town shall not be responsible for enforcement of the rental agreement of addendum. The rental agreement addendum shall include the following:

- a. Primary and secondary contact person and contact information. A contact person must be available to tenants at all times of the rental period (24/7);
- b. Emergency responder contact information;
- c. Building evacuation plan;
- d. Maximum number of tenants and guests;
- e. Parking arrangements, including a prohibition of tenants and guests parking on-street or in a manner that impedes access by emergency vehicles to the property or any other dwelling in the neighborhood;
- f. Maximum number of tenants and guests allowed at the property;
- g. Good neighbor guidelines;
- h. Copy of the Miscellaneous Offenses Ordinance.

**6. Limit On Rental Occupancy.** The maximum tenant capacity of a Short Term Rental shall be limited to no more than two (2) tenants per bedroom, plus two additional tenants for no more than one (1) additional sleeping space.

If a Short Term Rental property is operated on a lot of thirty-thousand (30,000) sq. ft. or less in size, the Short Term Rental Permit shall not allow occupancy by more than eight (8) tenants at any time. The number of Short Term Rental guests shall be limited to eight (8) at any time. On-site parking shall be limited to four (4) parking spaces.

**7. Response Requirement.** Failure of the owner/contact person to respond to a Short Term Rental tenant or guest inquiry during the Short Term Rental tenancy, including check-in, within thirty (30) minutes shall be considered a violation of Sec. 19-8-14, Short Term Rental Standards.

**8. Good Neighbor Conduct.** The Code Enforcement Officer shall consider any complaints received about behavior at the Short Term Rental that diminishes the peaceful quiet enjoyment of property by residents within one thousand fee (1,000) of the Short Term Rental property line. Disruptive outdoor behavior may include, but not be limited to,

smoking, swearing, lewd gestures or conduct, late-hour noise, pet control, substance use, parking, and speeding. The Code Enforcement Officer may deny issuance of the permit based on complaints that the Short Term Rental owner, tenants, or guests have diminished the peaceful and quiet enjoyment of neighborhood residents. An appeal of the Code Enforcement Officer's decision to issue or deny a Short Term Rental Permit based on this standard shall be heard by the Town Council.

## **G. Suspension and Revocation of Permit**

In addition to the provisions of Sec. 19-3-6. Violations, a permit for a Short Term Rental may be suspended or revoked if the Code Enforcement Officer determines that one or more substantiated complaints regarding Short Term Rentals of a property have been made in a three (3)-year period. The Police Department may provide a report of conditions observed in plain sight to the Code Enforcement Officer, but enforcement of the Zoning Ordinance shall remain with the Code Enforcement Officer.

**1. Complaint.** Any individual or town official may file and/or initiate a complaint against a Short Term Rental permit holder. If the Police Department or the Code Enforcement Officer receives a complaint, they shall visit the property. The Police Department shall generate a report of the facts its officers have observed upon a visit, and statements made to them regarding the Short Term Rental. The Police Department shall then forward the report to the Code Enforcement Officer.

When the Code Enforcement Officer receives a report from the Police Department, or the Code Enforcement Officer has responded to a complaint or independently investigated, the Code Enforcement Officer shall inspect the property and shall collect information related to the complaint, including notifying the property owner and requesting information regarding the complaint. Within five days of receiving a Police Report or complaint, the code Enforcement Officer shall determine if the complaint is substantiated. A complaint is substantiated when the Code Enforcement Officer concludes that one or more violations of the Short Term Rental provisions occurred.

**2. First Substantiated Complaint.** Once the Code Enforcement Officer has made a finding of a substantiated complaint, the Code Enforcement Officer shall notify the property owner in writing. The notification shall require the property owner to meet with the Code Enforcement Officer within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Code Enforcement Officer, to identify ways in which the violation(s) will be corrected. The owner will agree to take all necessary measures to correct the violation(s), which measures shall be memorialized in a written agreement at the conclusion of the meeting and shall be fully implemented within one (1) week of said meeting unless another date is agreed to by the Code Enforcement Officer. Failure of the property owner to enter into such an agreement at the conclusion of the meeting will be deemed a second violation of the Short Term Rental provisions. In addition, the Code Enforcement Officer may suspend the short Term Rental permit for a term not to exceed thirty (30) days.

**3. Second Substantiated Complaint.** Once the Code Enforcement Officer has made a finding of two (2) substantiated complaints, the Code Enforcement Officer shall notify the

property owner in writing that the Short Term Rental permit shall be suspended for the remainder of the permit year but not less than six (6) months. When less than six (6) month remains in the calendar year, no Short Term Rental Permit may be submitted in the next calendar year until six (6) months after the second substantiated complaint. Late permit fees shall apply. The notification shall require the property owner to meet with the Code Enforcement Officer within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Code Enforcement Officer, to identify ways in which the violation(s) will be corrected. The owner will agree to take all necessary measures to correct the violation(s), which measures shall be memorialized in a written agreement at the conclusion of the meeting and shall be fully implemented within one (1) week of said meeting unless another date is agreed to by the Code Enforcement Officer. Failure of the property owner to enter into such an agreement at the conclusion of the meeting will be deemed a violation of the Short Term Rental provisions.

**4. Third Substantiated Complaint.** Once the Code Enforcement Officer has made a finding of three (3) substantiated complaints, the Code Enforcement Officer shall notify the property owner in writing that the Short Term Rental permit has been revoked for three (3) years.

**5. Appeal.** An appeal to the zoning Board of Appeals as an Administrative Appeal may be taken by any person aggrieved by a determination of the code Enforcement Officer pursuant to Section 19-5-2.(A).

**6. Effective Date.** The Short Term Rental amendments shall be effective July 1, 2021. Any Short Term Rental permit in effect and issued prior to July 1, 2021 shall expire on June 30, 2021. On June 1, 2021, the Code Enforcement Officer will begin accepting for review a Short Term Rental permit application that is in compliance with the Short Term Rental amendments that become effective on July 1, 2021. All Short Term Rental permits issued after June 30, 2021 shall expire on January 2, 2022.

The 2021 permit fee for any property with an existing short term rental permit shall be \$250. The 2021 permit fee for any property that does not have a short term rental permit shall be \$500. Commencing in 2022, the Short Term Rental Permit fee shall be determined in the Town Fee Schedule.

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Town of Cape Elizabeth  
320 Ocean House Road  
Cape Elizabeth, ME 04107  
Phone: 207-799-0881  
Fax: 207-799-7141  
7:30-5:00 Monday  
7:30-4:00 Tuesday-Friday

ARTICLE I  
**Short-Term Rentals**  
**[Adopted 6-8-2021]**

**§ 116-1. Purpose.**

The purpose of this article is to require the disclosure and licensing of short-term rentals operated within the Town of Kennebunkport. Furthermore, this article is intended to ensure that residential neighborhoods are not unduly impacted by the operation of short-term rentals within the Town. This will be accomplished by a licensing program that enables the Town to monitor and track the proliferation of short-term rentals within its borders, includes modest performance standards intended to protect property owners, renters, and neighbors along with limits to the numbers of short-term rentals within the community. Due to the historic nature and long-standing tradition of short-term rentals within the Goose Rocks Beach neighborhood, this limited area will not be subject to licensing limits; it will, however, still be subject to all other requirements in this article.

**§ 116-2. Applicability.**

- A. Permitted short-term rentals. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of a short-term rental license for the premises in accordance with the requirements of this article.
- B. Prohibited short-term rentals. No person may offer for rent, operate, or otherwise use any dwelling unit in the Town of Kennebunkport for short-term rentals if:
  - (1) Such person has not secured or maintained a valid short-term rental license for the premises; or
  - (2) The accommodations are an accessory apartment constructed or permitted after November 3, 2009, or a recreational vehicle, trailer or tent.
- C. Lodging establishments exempt. The following lodging establishment uses are exempt from the licensing requirements and standards of this article: hotels, motels, bed-and-breakfasts, inns, seasonal rental accommodation complexes, and residential rental accommodations.

**§ 116-3. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**ADVERTISING** — Any form of communication for marketing that is used to encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services as may be viewed through various media, including, but not limited to, newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites or text messages.

**DWELLING UNIT** — One or more rooms arranged for complete, independent housekeeping purposes with space for living and sleeping; space or facilities for eating or cooking; and provisions for sanitation. For purposes of this article, recreational

vehicles are not considered dwelling units.

**GOOD NEIGHBOR GUIDELINES** — A document prepared by the Town that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions pertaining to the use and occupancy of a dwelling unit used or occupied as a short-term rental.

**GOOSE ROCKS BEACH NEIGHBORHOOD** — See the area defined on Exhibit A.<sup>1</sup>

**OWNER** — An individual person or persons or an entity that is the owner of record of real property as documented by deed or other document evidencing ownership recorded at the York County Registry of Deeds.

**RESIDENTIAL RENTAL ACCOMMODATIONS** — The permitted accessory use of no more than two bedrooms in a legally existing dwelling or dwelling unit. This dwelling unit shall be an owner-occupied dwelling. Rooms rented may be for either short-term or long-term rental to a roomer who may be unrelated to the owner or occupant of the unit. Individual rooms shall be rented no more than once per week. For purposes of this definition, a "week" shall be defined as Monday through Sunday.

**SEASONAL RENTAL ACCOMMODATION COMPLEX** — A lodging business located on one parcel of land that makes a room, a group of rooms, and/or cottages available for a tenancy of less than 30 days on a seasonal basis.

**SHORT-TERM RENTAL** — The use, control, management or operation of a legally existing residential dwelling unit offered for rent for transient occupancy for dwelling, sleeping or lodging purposes by short-term rental guests for a tenancy of less than 30 consecutive days, for compensation, directly or indirectly, excluding motels, hotels, bed-and-breakfasts, inns, seasonal rental accommodation complexes, and residential rental accommodations.

**SHORT-TERM RENTAL GUEST** — Any person who rents, licenses, occupies or has the right to occupy a dwelling unit for less than 30 consecutive days.

#### **§ 116-4. General requirements.**

- A. License required: No short-term rental shall be advertised, rented, or operated without first obtaining a short-term rental license. A short-term rental license shall be valid for the calendar year for which the license is issued. The property must remain in compliance with the short-term rental license for the calendar year in which the license is issued.
  - (1) Short-term rental license renewal. Short-term rental licenses shall expire on December 31 of each calendar year, and short-term rental license holders may renew such license by submitting a renewal application, via a renewal process established by the Town. After the effective date of this article, any duly licensed short-term rental may continue operating as long as the license is current and renewed on or before the annual renewal deadline established by the Town. If the license is not renewed within the prescribed time frame, the

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1. Editor's Note: Said map is on file in the Town offices.



license expires, and this protection clause no longer applies. Any renewal application received after the advertised deadline for submission shall be considered late and deemed a new application.

- (2) The Board of Selectmen shall establish fees for the licensure of short-term rentals. Licensing fees for short-term rentals shall be assessed based upon the following criteria:

- (a) Tier I: Short-term rentals with zero to three bedrooms.

- (b) Tier II: Short-term rentals with four or more bedrooms.

B. Nontransferability.

- (1) Short-term rental licenses issued under this article shall not be transferable to a new owner or location. Any change of ownership shall require a new license, except transfers of the real estate and related license in a permitted transfer. A "permitted transfer" is a transfer of the subject real estate and the related license to a permitted transferee. A "permitted transferee" includes 1) another current owner of the subject real estate; 2) the spouse, child(ren) and/or grandchild(ren) of a current owner; 3) a trust for the benefit of a current owner, a current owner's spouse, a current owner's child(ren) and/or grandchild(ren) of a current owner; or 4) for estate planning purposes, a trust, limited-liability company (LLC), corporation or other entity, as long as the beneficiaries of the trust or owners of the entity, as applicable, are a current owner, a current owner's spouse, a current owner's child(ren) and/or grandchild(ren) of a current owner. In the case of a transfer to a permitted transferee, the permitted transferee shall become a "licensee" and an "owner," and the definition of "permitted transferee" shall apply to the new licensee/owner.
- (2) Licensees/owners shall be required to certify that they comply with the provisions of this section annually and that they have not engaged in any transfers, or been transferees in any transfers, that are not permitted transfers. See § 116-6C herein.
- (3) Licenses are limited to the dwelling unit for which they are issued and shall not be transferable to a different dwelling unit.

C. Advertising. It shall be unlawful to advertise occupancy or use of a short-term rental that has not been licensed. Licensed short-term rentals in good standing may advertise for beyond the current licensing year. For the purposes of this section, the term "advertise" shall mean any form of communication for marketing that is used to encourage, persuade, or manipulate viewers, readers or listeners into contracting for goods and/or services as may be viewed through various media included, but not limited to, newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites or text messages. The short-term rental advertising must be consistent with the terms of the short-term rental license, and all advertisements of the short-term rental must include the current short-term rental license number.

- D. Registration record. The short-term rental owner must a) maintain accurate, up-to-date records of all rental transactions involving the short-term rental, including the number of tenants and the length of their stays, and upcoming reservations; and b) present said information to Town inspection officials upon request. Failure of the short-term rental owner to provide this information within five business days of a Town request for the same shall be considered a violation of this section.
- E. Notice. The short-term rental license holder must post in plain sight near the entrance to the short-term rental a notice that identifies the short-term rental license number, and the name, address, phone number(s), and email address of the owner of the short-term rental, and/or the owner's local contact person. Such notice may be posted in plain sight in the interior of the short-term rental. The short-term rental license holder shall also post the license provided by the Town.

### **§ 116-5. Review procedure.**

Issuance procedure:

- A. Application submission; completeness. Short-term rental license applications shall be submitted to the Town Clerk. Applications for licenses for the upcoming calendar year may be submitted beginning in October of the previous license year. The Town Clerk, or the Town Clerk's designee, shall review all applications for completeness and accuracy and in the order that they were received.
- B. Application, license fee. The Town Clerk shall provide a short-term rental application to be completed by the applicant and submitted to the Town Clerk accompanied by the short-term rental license fee as established by the Board of Selectmen. The short-term rental application shall include a nonexclusive checklist of code requirements that the property owner shall demonstrate compliance with.
- C. Town Clerk authority. The Town Clerk shall have the authority to issue a short-term rental license. The Town Clerk, or the Town Clerk's designee, shall determine if the application has been properly completed before any license is issued.
- D. Inspection.
  - (1) Anytime that a short-term rental application is submitted for a property, the short-term rental applicant shall certify on the short-term rental application that the proposed short-term rental property complies with the short-term rental standards in § 116-7, and with Building Code requirements.
  - (2) The Code Enforcement Officer shall inspect the licensed premises once every five years, to determine compliance with the short-term standards in § 116-7.
- E. Transitional provisions for licensing of preexisting short-term rentals. Persons or entities who operated a legally existing residential dwelling unit as a short-term rental and who received reservations for short-term rentals at the same premises prior to the effective date of this article shall be required to obtain a short-term rental license for said premises by submitting an application to the Town Clerk by the advertised date, which application must contain an affidavit or other sworn

statement by the owner, along with documented evidence, certifying that the premises were previously used for short-term rental use by one or more tenants for a period of less than 30 consecutive days per tenancy and for at least 14 total days in a calendar year in any one of the following years: 2019, 2020, or 2021.

- (1) Upon review and approval of a timely application submitted for a license containing sufficient evidence of previous short-term rental use as required above, the Town Clerk shall issue a license for each such premises, without the need for a prior inspection of said premises by the Code Enforcement Officer or designee as is otherwise required in § 116-5D.
- F. Issuance. If the Town Clerk, or the Town Clerk's designee, in consultation with the Code Enforcement Officer, determines that the proposed short-term rental application complies with the short-term rental standards, the Town Clerk shall issue the applicant a short-term rental license in accordance with the limits established in § 116-9 below.

#### **§ 116-6. Submission requirements.**

The short-term rental license application shall include the following information:

- A. Location. The street address and map/block/lot number of the short-term rental property.
- B. Contact person/owner responsibility. The name of the owner of the short-term rental property and contact information, including address and telephone number. If the owner is anything other than a natural person, then the following information must also be included: the name of each individual person who has an ownership interest in any entity that is the record owner, including, without limitation, all beneficiaries of any trust, and all members and shareholders of a limited-liability company, corporation or other entity. In addition, if someone other than the owner is acting as the local contact person, contact information for that person shall also be provided. Regardless of who enters the short-term rental agreement, or who may be designated as the owner's contact person, the property owner shall be responsible for compliance with article provisions.
- C. For renewal applications, licensees/owners shall be required to certify annually that they have not engaged in any transfers of the licensed premises, or been transferees in any transfers, that are not permitted transfers under § 116-4B of this article.
- D. All information needed to demonstrate compliance with the standards listed below.

#### **§ 116-7. Standards.**

The Town Clerk shall issue a short-term rental license upon the applicant satisfying the above requirements if the following standards are met:

- A. Code compliance. An applicant's property, without limitation, shall comply with the following building safety requirements.

- (1) Smoke alarms. Smoke alarms shall be installed in the following locations:
    - (a) In each bedroom.
    - (b) Outside each separate sleeping area in the immediate vicinity of the bedrooms.
    - (c) On each additional story of the dwelling, including basements and habitable attics.
  - (2) Carbon monoxide alarms. If a house has an attached garage or a fuel-fired appliance, a carbon monoxide alarm shall be installed outside each bedroom in the immediate vicinity of the bedrooms.
  - (3) Portable fire extinguishers. At least one portable fire extinguisher shall be mounted in a prominent location. One size/type 2/A is required or two size/type 1/A extinguishers.
- B. The applicant shall provide floor plans of the dwelling unit that shows the location of the alarms and fire extinguisher(s).
- C. Sanitary waste disposal. The applicant shall submit information demonstrating that adequate sanitary waste disposal is available in compliance with the Maine Subsurface Wastewater Disposal Rules or that the property is served by public sewer. This shall include the total number of bedrooms included in the property, any additional sleeping space, and the total number of tenants that the property accommodates. The total number of tenants used to determine adequacy of sanitary waste disposal shall not be less than the total number of tenants that the property is advertised to accommodate. For the purpose of evaluating the adequacy of a subsurface disposal system, every two tenants shall be equivalent to one bedroom.
- D. Parking. The applicant shall include a depiction designating parking spaces that will be provided for tenants and guests on the same lot where the short-term rental is located. Guest parking at the short-term rental shall occur in parking spaces designated by the applicant, and the number of guest vehicles allowed at the short-term rental shall be limited to the number of on-site parking spaces designated by the applicant. Garage parking spaces not allowed for tenant use shall not be used to meet the short-term rental parking requirement. Tenants and guests of short-term rentals are prohibited from parking in a manner that impedes access by emergency vehicles to the property or any other dwelling in the neighborhood.
- E. Good neighbor guidelines.
- F. Occupancy limits. The maximum tenant occupancy of a short-term rental shall be limited to no more than two tenants per bedroom, plus two additional tenants total for the entire dwelling unit. By way of example, the maximum tenant capacity for a three-bedroom dwelling short-term rental is eight tenants (i.e., three bedrooms multiplied by two tenants, plus an additional two tenants, for a total of eight).

**§ 116-8. Suspension and revocation of license.**

A license for a short-term rental may be conditioned, suspended, or revoked by the Board of Selectmen after a public hearing if the Board of Selectmen determine that a violation of this article, any applicable statute, ordinance, or regulation, or short-term rental license certification, condition, or criteria has occurred.

- A. Violations of this article. Violations of this article include, but are not limited to, the following:
  - (1) Providing false or misleading information on an application, or renewal application, for a short-term rental license;
  - (2) Failure to provide the registration records as provided in § 116-4D within five business days of a Town request for such records;
  - (3) Failure to comply with the parking provisions of § 116-7D of this article;
  - (4) Failure to comply with the rental occupancy limits of § 116-7F of this article;
  - (5) Failure to acquire and/or display the required short-term rental license number or include the license number in any advertising of the licensed premises;
  - (6) Violation of any short-term rental license certification, condition, or criteria;
  - (7) Violation of any statute, ordinance, or regulation applicable to the short-term rental property.
- B. Complaints concerning short-term rentals. The Code Enforcement Officer shall establish and maintain a log of all complaints for each short-term rental received and substantiated by the Town. The Code Enforcement Officer shall seek the correction of all substantiated complaints by the short-term rental license holder.
- C. Suspension or revocation of license. When, in the judgement of the Code Enforcement Officer, the nature and/or number of complaints warrants further review of the short-term rental license, the Code Enforcement Officer shall provide a report of the same to the Board of Selectmen for its consideration. The Board of Selectmen may condition, suspend, or revoke a short-term rental license, following a public hearing, on the basis of the licensee's noncompliance with this article, any applicable law, ordinance, or regulation, or short-term rental license certification, condition, or criteria.
- D. Appeal. Any person aggrieved by the decision of the Board of Selectmen to suspend or revoke a short-term rental license may appeal the decision of the Board of Selectmen to Superior Court, pursuant to Maine Rule of Civil Procedure 80B, within 30 days of the Board of Selectmen's decision.

**§ 116-9. Limitations on annual licenses for short-term rental units.**

The Town Clerk shall issue short-term rental licenses on an annual basis. The total number of licenses issued in each calendar year shall be set annually by the Board of

Selectmen. The limitation on the total number of licenses set by the Board of Selectmen shall first go into effect on January 1, 2023.

- A. Formula. The total number of licenses issued in each calendar year shall be set by the Board of Selectmen annually according to a formula based in part upon a percentage of the total number of residential dwelling units in the Town of Kennebunkport.
- B. Goose Rocks Beach Neighborhood. No short-term rental located in the Goose Rocks Beach Neighborhood (as depicted on the attached map<sup>2</sup>) shall be advertised, rented, or operated as a short-term rental without first obtaining a short-term rental license. Licensed short-term rentals located in the Goose Rocks Beach Neighborhood (as depicted on the attached map) shall not be counted towards the total number of short-term rental licenses to be set annually by the Board of Selectmen under § 116-9A herein, and to be issued on an annual basis thereafter by the Town.
- C. Effective date. This article and all the licensing standards contained herein shall go into effect on January 1, 2022.

#### **§ 116-10. Violations and penalties; enforcement.**

- A. In the event the owner or owner's short-term rental guests violate this article or the terms and conditions of the license, the Town, in addition to the suspension or revocation of the then-current license pursuant to § 116-8 above, may also prohibit the owner from licensing the dwelling unit for 12 months following the current licensing expiration date, after which the owner may submit a new application for licensure.
- B. Violations shall also be subject to fines and penalties as set forth in this section and in a penalty schedule established by the Board of Selectmen.
- C. Any such fines or penalties may be in addition to any suspension or revocation imposed in accordance with the provisions of § 116-8 of this article.
- D. The Town may institute or cause to be instituted any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article. In any court action, the Town may seek injunctive relief in addition to or instead of fines/penalties. The Town shall be entitled to recover its costs of enforcement, including its reasonable attorneys' fees.

#### **§ 116-11. Additional regulations.**

The Board of Selectmen may adopt regulations implementing the provisions of this article.

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2. Editor's Note: Said map is on file in the Town offices.

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# Maine Guide to Short-Term Rental Regulations

## Disclaimer

*Short-term rental regulations are in a constant state of change. The below resource is updated when possible, but it should not be taken as legal advice. It is critical that you consult with your local lawyer to ensure you are taking the necessary steps to keep your business safe and legal.*

## Introduction

The state of Maine requires that short-term rental operators, homeowners, or anyone who collects rents from the owner, for a business or even casually, must register for and collect a 7% Vacation (Casual) Rental Tax. A rental does not have to be advertised in order for this tax to apply. There are some exemptions:

- Casual rentals for fewer than 15 nights in a year, this applies for owners who rent themselves. For a rental collected on by an agent (or on behalf of the owner), must collect and remit appropriate taxes, no matter how many times the property is rented.
- Occupancy for 28 days or more.
- Airbnb will collect and remit sales tax on behalf of the owner in the amount of 9% of the listed rent plus any applicable cleaning or booking fees.

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This lack of available properties has driven rents higher and Maine is now considered one of the most expensive markets in the country. With the rising cost of living, listing a room or an investment property for rent has become a crucial income source for many owners across the state.

The new bill to restrict the banning of short term rentals was proposed to control municipalities from implementing overly restrictive bans on short-term rentals and to uphold the (personal) property rights of owners. The bill was introduced in response to certain municipalities issuing full short-term rental bans in residential neighborhoods, causing a loss of income.

## Cities in Maine with Short-Term Rental Regulations

### Rockland

#### Rockland

Rockland allows short-term rentals with the proper permits (Rockland Ordinance - Chp 19 - Section 3).

- Only single-family, multi-family or mixed-use properties are permitted. Short-term rentals are not permitted in any other structure (trailer, tent, accessory dwelling unit, separate structure, etc.), without permission from the Rockland Zoning & Planning Commission.
- Short-term rental application must be filed with the Rockland Code Enforcement office, one application per unit.
- The application will require a fee of \$100.00 to be paid per short term rental unit. Short-term rental permits are valid for one year.

### Bar Harbor

#### Bar Harbor

Short-term rentals are permitted in single-family, double-family and certain apartment buildings with the proper registration. Owners and owner agents must submit information on every rental they own or manage, as required for proper inspection through the city. Here is an overview of the regulations:

- Short term rentals must be registered on an annual basis with the town of Bar Harbor.



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# Lewiston

## Lewiston

The Lewiston Area Public Health Committee gathered an ad-hoc rental registration committee that has in process of researching the creation of short-term rental regulations. The full recommended action plan is still awaiting approval. Under the proposed regulations, the following applies (with approval):

- Short term rental registration will be required with the town of Lewiston.
- There will be a non-refundable fee involved, the amount is to be determined by Lewiston City Council.
- Only multi-family and mixed-use properties will be permitted.
- Applications must be submitted by July 1st of each year and renewed annually.
- If there are any conflicting ordinances involving short-term rental regulation and existing ordinance, the stricter ordinance will apply.
- Rental units will be inspected in an organized or as-needed basis.

# Portland

## Portland

Short-term rentals are heavily regulated in the city of Portland. Owners and owner agents must submit certain information on every rental they own or manage, as well as adhere to the local ordinance and zoning law overview:

- **Portland Short Term Rental Requirements** Portland city inspectors will inspect the property for property code and fire safety compliance.
- Portland reserves the right to inspect the property at any time and request rental history, transactions, and upcoming bookings at any time.
- Operators and owners have 48 hours to reply to a request before a penalty will be issued.
- Short-term rental operators must register yearly and pay a fee for every unit.

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	2 <sup>nd</sup> Unit - \$500
	3 <sup>rd</sup> Unit - \$1,000
	4 <sup>th</sup> Unit - \$2,000
	5 <sup>th</sup> Unit - \$4,000

- Renewals must be submitted by January 1st of every year.
- Discounts are offered per unit with a maximum of \$20.00 in discounts per unit. Maximum of 400 N occupied (or “unhosted”) units are allowed to be registered in a year on the mainland.
- Property owners may register up to 5 short-term rentals.
- Cap of 5 living spaces can be rented in any one single owner-occupied property (this includes bedrooms, separate spaces).
- Non-owner-occupied condominiums and single-family homes may not be rented short-term.
- When registering an owner-occupied short term rental, only homes or apartments used as primary will be permitted.
- Max of two guests per bedroom, with only one additional space allowed per short term rental that is occupied by a max of two additional guests.
- All short term rental advertisements must include the city-issued regulation permit registration number. Unit buildings have their own limitations:

Resources

- [Maine Revenue Services](#)
- [Maine Sales & Use Tax Registration](#)



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## Short Term Rental Zoning May Be Strictly Regulated or Not

When it comes to short term rental zoning, communities have to decide on a policy that fits their history and ideals. This issue is especially likely to arise where tourists or a transient population are interested in temporary rentals of single-family residences, without the owner being on the premises.



With the rise of the sharing economy, online businesses such as Airbnb have made renting out a home, or just a room or two, an easy option for homeowners in areas not considered especially touristy. So this problem is increasing in frequency and potential for controversy.

Of course it is not a new issue where seasonal tourism is high, but the question has become newly relevant for many towns and cities that have never been seen a demand for short term rentals before now. This applies to areas that are near tourist attractions in large cities, but which have never thought of themselves as tourist destinations until now. What we have to say on this page applies to these sharing services as well.

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7 Signs Your Liver Is Dying



Liver Health F

Often the question is handled through the zoning ordinance, but sometimes a stand-alone ordinance may be enacted governing the conditions under which such a land use is permitted.

Often the short term rental zoning provisions define short term as less than 30 days. The same concept may be called transient rentals, or short term transient rentals. A few examples of a seasonal zoning regulation have been found as well, in which different regulations apply if the rental is for more than 30 days but less than 180 or so.

If the zoning ordinance is where short term rentals are regulated, the ordinance of course will spell out which zoning districts allow such a use. Sometimes ordinances require a special use permit, which usually leads to the same level of public hearings and action by the governing body equivalent to the process required for a rezoning.

We think the best provision would be to require a conditional use permit in any residential zoning district, which allows the city, township, or county to address concerns about extra vehicles, hours, noise, trash removal, frequency of turnover, and more. Then if the local government thinks that its comprehensive plan requires strict adherence to a single family model in some districts, conditions such as a minimum number of nights' stay for each tenant, a maximum number of nights of rental each year, and the presence of the owner-occupant on premises can be required.

Short Term Rental Zoning

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In any event, the zoning ordinance is likely to set forth standards for short term rental zoning. Topics regulated might include:

- Posting or availability at the town hall of one or even two **local** contact persons who will be responsible for handling any problems that arise with the property. We think this is the most important regulation, and one that should be strictly enforced.
- Requirements for providing off-street parking. Unless the unit in question is very well served by public transportation, this is a must. Typically the requirement could be met by extra driveway space, but if even homeowners park on the street, be quite careful to include a sufficient regulation.
- Noise and nuisance provisions, or reference to other ordinances addressing such situations.
- Requirements that garbage collection be maintained, and limiting the hours before and after collection when the garbage receptacles can be in front of the home.
- Minimal required spacing between short term rentals. A particular interval of feet may be used to assure that an entire block does not turn into a short term rental district.
- Reinforcement of the normal occupancy limits (number of persons who may live in the home) for a particular zoning district as applying also to short term rental tenants.
- Proof of code compliance, fire safety measures, adequate water and sewer service, or other utilities or infrastructure that may be of particular concern.
- Requirements for notifying neighbors, or even for their agreement.
- Limitations on the turnover. Renting to six different tenants within a month probably won't be allowed in many places. There may be a minimum stay, perhaps of a week.
- Limitations on particular areas of the town or city where short term rental either is not allowed at all or is not restricted. Such statements within a zoning ordinance would amount to establishing an overlay district pertaining just to the subject of transient rentals.
- Imposition of a special use permit or conditional use permit requirement, allowing for scrutiny of the particular facts of a site before allowing such a use.

If the rental of homes for a short time is not covered in the zoning ordinance, or the town or city does not have a zoning ordinance, a separate law sometimes is enacted. Probably it would deal with the same types of limitations and requirements described above, as considered appropriate and necessary by the local government.

If your town is targeting regulations toward Airbnb and its competitors, you may want to discuss a requirement that the building is owner-occupied. This prevents the situation of an off-premises owner who may be conscientious but not aware of tiny problems that might arise each night. Yet it also allows homeowners with plenty of space and parking capability to be able to earn some extra income in a manner relatively harmless to the neighborhood.

A number of European cities, led by Paris, have adopted a registration process for the short term rentals, since prior to the licensing requirement they largely had been avoiding paying taxes required of hotels and other formalized lodging. Additional pushback in European cities has come from those who claim that the short term rentals of rooms and apartments have become so lucrative that there is a loss of rental housing stock available for the local population. From some reports we have read, there is merit in this claim.

Resort cities and towns in the U.S. face a similar problem in that out-of-town visitors are willing to pay a premium for rooms that once were rented to seasonal employees, who now have nowhere to live. Each city in this situation has to wrestle with its moral and practical responsibility to provide housing for the seasonal workers who make the tourism industry possible.

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## Trends In Brief Rentals

The 2020 COVID-19 pandemic may change everything permanently in terms of short-term rentals, but the impact will depend on how the public perceives the safety of staying in a residence other than a hotel and even on whether leisure travel diminishes somewhat over a period of many months or years. This factor may give municipalities who have not yet addressed the issue some additional time to consider an appropriate response, but we are betting that at some point the

popularity of this element of the sharing economy will continue on its overall upward trend.

In the case of both short term rental zoning and free-standing transient rental regulations, many communities that are aware of the connections between **tourism and economic development** have a tendency to begin with minimal regulation and to add requirements on the basis of particular problems that arise. If the town becomes divided over the issue, however, of course the regulations are likely to be more strict and more creative.

Still other towns choose to ignore the issue that some residents or property owners rent out homes for a very short term, considering this practice to be the prerogative of the property owner. Be aware that there will be resistance if you try to limit property owners' flexibility. As an example, see our exchange with a site visitor about being **forced to stop renting through Airbnb**.

We see the opposite tendency in towns that do not consider themselves to be tourism oriented. Often they are very suspicious of allowing people to rent out rooms in their residence for a few days, thinking that it undermines the sanctity of single-family residential neighborhoods. They have a good point actually.

We advise you to think this through before it becomes a big issue though. There may be some zoning districts and even some particular lot configurations where any potential disruption would be minimal, but where the economic benefits to property owners could be real.

Particularly in an unattractive real estate market, allowing short term rental zoning is probably not a bad idea, as long as the percentage of the housing stock devoted to this use is small. From the community perspective, short term rental use is probably preferable to a house going into foreclosure.

Some apartments run themselves, in a sort of absentee **bed and breakfast** situation. However, we recommend that it is best to require a meaningful stay if there is no on-premise owner or manager. Our advice would be to require a stay of at least three days but preferably five to seven.

TI . . . . . situation better. If new people



about anything strange they see. But each community will need to evaluate its own situation to determine how to address home sharing.

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## Check Out These Pages Relevant To The Short Term Rental Debate



[Tourism and  
Economic  
Development](#)



[Zoning for Bed  
and Breakfast](#)



[Condo  
Conversion  
Zoning](#)



[Zoning  
Regulations](#)

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[Community Development](#) > [Zoning](#) > [Short-Term Rental Zoning](#)

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## More States Taking Action On Short-Term Rentals

BY SAVANNAH GILMORE

They go by a variety of names: vacation rentals, transient accommodations, home sharing, Airbnbs. Whatever you call them, short-term rental properties have experienced significant growth over the past decade. They not only make up a sizable portion of today's lodging industry, they also affect multiple public policy issues ranging from regulation to taxation.

Action on short-term rentals is continually taking place across the states and it does not appear it will subside anytime soon.

### State Action

■ **Regulation.** Short-term rental regulations—such as local zoning restrictions, registration requirements and banning short-term rentals

completely—vary widely, with many states leaving the decision-making to municipalities.

However, some states have limited local authority on the issue: Arizona, Florida, Idaho, Indiana, Tennessee and Wisconsin have enacted legislation prohibiting short-term rental bans. And several states protect localities' abilities to do so in certain circumstances, while Wisconsin only restricts banning rentals of seven consecutive days or more.

In New York, individuals are banned from renting out non-owner-occupied apartments for fewer than 30 days, and in 2016, the state reinforced the ban by enacting legislation that prohibits any advertising of these units as short-term vacation rentals. Reports, however, have [found](#) that these rentals continue to exist.

### Did You Know?

- A 2016 [Pew Research Center report](#) found roughly 1 in 10 American adults had stayed overnight at a private residence that was booked using a home-sharing site.

- According to a separate 2016 [Pew Research Center report](#), 1 percent of Americans had earned money in the last year from an online vacation rental platform.

- There may be significant differences in regulations based on whether a short-term rental is the owner's primary residence.

One proposed approach, not yet enacted, is state-level registration requirements for short-term vacation rentals, as introduced during Vermont's 2018 legislative session with [SB 204](#). Additionally, the Massachusetts General Court passed [HB 4841](#), which would have created a state-level short-term rental registry. However, Governor Charlie Baker (R) returned the bill with several proposed amendments following the conclusion of the formal session.

Although there are no general statewide registration requirements, other than for tax purposes in some states, some bills require short-term rental owners to comply with specific regulations. Washington, for example, enacted [HB 1757](#) in 2017, which expanded statutory language to include transient accommodations as property subject to reporting hazardous chemical contamination to the Department of Health. And, in 2017, Virginia enacted [SB 1578](#), authorizing localities to create registration requirements for short-term rentals.

■ **Taxation.** Another significant short-term rental issue is the proper tax collection and remittance of sales and/or lodging taxes at state and local levels. A [report](#) examining Airbnb, released by New York's state attorney general's office, found New York City hosts were liable for more than \$33 million in taxes from 2010 to 2014, not including fines or penalties. The report found "few" hosts had filed necessary paperwork with the city to collect and remit these taxes, resulting in a large amount of unpaid occupancy taxes. Additionally, a lack of proper reporting related to short-term rental income has made it difficult to collect accurate amounts for personal income tax purposes.

According to the Bloomberg Tax 2018 Survey of State Tax Departments, 25 states place the obligation on the owners of short-term rental accommodations to collect sales tax, while 14 states place it on the third-party facilitator. More than 20 states include any fees paid to the facilitator in the taxable price of the rentals.

A collection method spearheaded by [Airbnb](#), in which the company has entered into voluntary contract agreements with departments of revenue to collect and remit taxes on hosts' behalves, has become increasingly popular:

But this approach hasn't worked with all rental platforms. According to Vermont's 2017 [Short-Term Rental Working Group Report](#), the Department of Taxes tried to enter into a similar agreement with HomeAway, the parent company of VRBO. But since the site does not hold any financial transactions, short-term rental owners are still responsible for collecting and remitting taxes and fees to the state. However, primarily due to changes in state law, [Home-](#)

## Do you know your hosts?

There are two distinct types of short-term rental hosts:

### ■ The Greeters:

Primary residence hosts are homeowners who live in the residence and offer rooms or parts of the home as short-term rentals.

■ **The Unseen:** Non-owner-occupied short-term vacation rentals are apartments and homes where the host is not present during a stay.



[Away](#) began collecting and remitting state taxes in Idaho, Oregon and Washington in 2018.

And, it's worth noting, while these contract agreements have been praised for increasing feasibility of hosts' tax collection, they also have been criticized for not being transparent. A former Montana Department of Revenue director authored a [report](#), supported by the [American Hotel and Lodging Association](#), that criticized these agreements' lack of accountability on the accurate payment of lodging taxes. This was because the contracts he examined gave substantial control of the payment and audit process to Airbnb. According to the report, these agreements generally protect lodging operators from being identified to public agencies.

## Federal Action

Although no federal legislation has been enacted in direct response to the rise of short-term rentals, there are specific laws that relate to the federal protection of short-term rental marketplace platforms. According to the 2017 [League of California Cities report](#), these laws include the Communications Decency Act, which protects online rental marketplace platforms from being held liable for "information provided by another content provider." Another law cited in the report is the Stored Communications Act, which complicates the ability of government entities to impose requirements for online rental marketplace platforms to disclose transaction information.

## Additional Resources

- Pew Research Center, "[Shared Collaborative and On Demand: The New Digital Economy](#)," May 2016
- Pew Research Center, "[Gig Work, Online Selling and Home Sharing](#)," November 2016
- NCSL, "[Principles for the Taxation of Online Travel Companies and Short-Term Rental Marketplaces](#)," November 2017

## NCSL Contact

Savannah Gilmore  
303-856-1425

# Memo

To: Board of Selectpersons  
From: Anthony Wilson, Town Manager  
Date: Nov. 16, 2021  
Re: Selling surplus fire equipment

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Fire Chief Dan MacKenzie is seeking Selectboard authorization to advertise for sale surplus fire equipment, including old tank truck 65, which is 30-plus years old and has been replaced by a recently acquired truck. Additionally, the Fire & Rescue Department wants to sell some air bottles that retain a little resale value as well as some old air packs the department no longer has use for and would like to remove from storage at the Dalton properties.

The items would be advertised for sale and bids accepted for at least two weeks. The advertisements would be posted on the Maine Municipal Association and Town websites, the Town's Facebook page, and on the Town Office marquee. We will also disseminate the request for bids to other volunteer departments and through the Maine town managers listserv.

Chief MacKenzie will be at the meeting to answer questions.

FYI, here's the truck's info:

- **Body**
  - 3,000-gallon steel body with dump chute
  - Portable collapsible dump tank
- **Truck**
  - Chassis manufactured July 1987
  - GMC Sierra 7000 diesel
  - Dual rear axle
  - 6-speed manual transmission
  - Gross vehicle weight 48,860
  - 19,199 miles
  - 8.2L Detroit diesel Allison motor model 40877336
- **Portable pump if sold as a firetruck**
  - 18 HP hale pump
  - V-twin OHV vanguard (by Briggs and Stratton motor)

## Warrant 137

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
<b>00111 AMERICAN NAMEPLATES</b>						
0597	21971	11	SB NAMEPLATE	28240		
SB NAMEPLATE			E 01-01-99-99		18.80	0.00
			GEN'L GOV. / SELECT PRSNS - EXPENSE / EXPENSE			
			<b>Vendor Total-</b>		<b>18.80</b>	
<b>00289 AUGUSTA FUEL CORP.</b>						
0597	21972	11	CFAS HEATING	5910427		
CFAS HEATING			E 13-02-20-05		623.52	0.00
			FACILITIES / CFAS - SERVICES / HEATING			
			<b>Invoice Total-</b>		<b>623.52</b>	
0597	21972	11	LAKES FD HEATING	5911076		
LAKES FD HEATING			E 13-06-20-05		108.70	0.00
			FACILITIES / FD:LAKES - SERVICES / HEATING			
			<b>Invoice Total-</b>		<b>108.70</b>	
			<b>Vendor Total-</b>		<b>732.22</b>	
<b>00263 BOB THE PLUMBER, INC.</b>						
0597	21973	11	8 DALTON PLUMBING REPAIRS	5326		
8 DALTON PLUMBING REPAIRS			E 13-11-35-06		250.65	0.00
			FACILITIES / DALTON - REPAIRS / PLUMBING			
			<b>Vendor Total-</b>		<b>250.65</b>	
<b>00376 CARDMEMBER SERVICES</b>						
0597	21975	11	CELL PHONE REPAIR	3315		
CELL PHONE REPAIR			E 13-01-20-01		84.39	0.00
			FACILITIES / GENERAL - SERVICES / COMMUNICATIO			
			<b>Invoice Total-</b>		<b>84.39</b>	
0597	21975	11	CRAFT BAGS	5498		
CRAFT BAGS			E 30-01-30-03		14.12	0.00
			LIBRARY / LIBRARY - SUPPLIES / OFFICE			
			<b>Invoice Total-</b>		<b>14.12</b>	
0597	21975	11	FLAG POLE BRACKET	2357		
FLAG POLE BRACKET			E 30-01-40-04		11.98	0.00
			LIBRARY / LIBRARY - PURCHASES / EQUIPMENT			
			<b>Invoice Total-</b>		<b>11.98</b>	
0597	21975	11	DIGITAL SIGN BOARD	7546		
DIGITAL SIGN BOARD			E 30-01-40-04		550.00	0.00
			LIBRARY / LIBRARY - PURCHASES / EQUIPMENT			
DIGITAL SIGN BOARD			E 30-01-30-04		168.94	0.00
			LIBRARY / LIBRARY - SUPPLIES / OPERATING			
			<b>Invoice Total-</b>		<b>718.94</b>	
0597	21975	11	BRACKET	5291		
BRACKET			E 30-01-40-04		13.26	0.00
			LIBRARY / LIBRARY - PURCHASES / EQUIPMENT			
			<b>Invoice Total-</b>		<b>13.26</b>	
0597	21975	11	2 ADOBE SUBSCRIPTIONS	6357, 4665		
2 ADOBE SUBSCRIPTIONS			E 01-10-20-07		31.62	0.00
			GEN'L GOV. / ADMIN - SERVICES / CONTRACTED			
			<b>Invoice Total-</b>		<b>31.62</b>	
0597	21975	11	ELECTION STAMPS	6868		
ELECTION STAMPS			E 01-35-30-01		87.12	0.00
			GEN'L GOV. / ELECTIONS - SUPPLIES / POSTAGE			
			<b>Invoice Total-</b>		<b>87.12</b>	
0597	21975	11	BOST POST CANE PIN	2691		
BOST POST CANE PIN			E 01-10-31-01		84.90	0.00

Warrant 137

Jrnl	Check	Month	Invoice Description	Reference
Description	Account	Proj	Amount	Encumbrance
GEN'L GOV. / ADMIN - SPECIAL / EVENTS				
Invoice Total-			84.90	
0597	21975	11	BATTERIES, PAPER TOWELS	0578
BATTERIES, PAPER TOWELS	E 05-05-30-04		58.71	0.00
PUBLIC SAFTY / FD/ RSC DEPT - SUPPLIES / OPERATING				
Invoice Total-			58.71	
0597	21975	11	BOSTON POST CANE PLAQUE	3600
BOSTON POST CANE PLAQUE	E 01-10-31-01		79.00	0.00
GEN'L GOV. / ADMIN - SPECIAL / EVENTS				
Invoice Total-			79.00	
0597	21975	11	LILY'S PARTY	3883
LILY'S PARTY	E 01-10-31-01		78.13	0.00
GEN'L GOV. / ADMIN - SPECIAL / EVENTS				
Invoice Total-			78.13	
0597	21975	11	ZOOM SUB LIBRARY	3180
ZOOM SUB LIBRARY	E 30-01-20-07		14.99	0.00
LIBRARY / LIBRARY - SERVICES / CONTRACTED				
Invoice Total-			14.99	
0597	21975	11	STAMPS	1569
STAMPS	E 01-10-30-01		174.00	0.00
GEN'L GOV. / ADMIN - SUPPLIES / POSTAGE				
Invoice Total-			174.00	
0597	21975	11	BROOM, MOP REC CENTER	1966
BROOM, MOP REC CENTER	E 25-30-30-04		74.22	0.00
RECREATION / REC PROGRAMS - SUPPLIES / OPERATING				
Invoice Total-			74.22	
0597	21975	11	FUEL HHW	2050
FUEL HHW	E 15-01-99-99		10.04	0.00
SOLID WASTE / HHW - EXPENSE / EXPENSE				
Invoice Total-			10.04	
0597	21975	11	DONUTS HHW	9304
DONUTS HHW	E 15-01-99-99		37.98	0.00
SOLID WASTE / HHW - EXPENSE / EXPENSE				
Invoice Total-			37.98	
0597	21975	11	FD PURCHASES 2327, 6282	1390,7721
FD PURCHASES 2327, 6282	E 05-05-30-03		223.83	0.00
PUBLIC SAFTY / FD/ RSC DEPT - SUPPLIES / OFFICE				
Invoice Total-			223.83	
Vendor Total-			1,797.23	
00224 DUNBAR, LAURA				
0597	21976	11	SCIENCE	11/10/2021
SCIENCE	E 62-01-99-99		63.12	0.00
DC STEVENS / DC STEVENS - EXPENSE / EXPENSE				
Vendor Total-			63.12	
00000 FLORA, KATE				
0597	21977	11	CASTING CALL	
CASTING CALL	E 30-01-20-07		65.00	0.00
LIBRARY / LIBRARY - SERVICES / CONTRACTED				
Vendor Total-			65.00	
00009 HAMMOND LUMBER COMPANY				
0597	21978	11	TS NEW OFFICE	4973360
TS NEW OFFICE	E 15-05-31-01		97.20	0.00
SOLID WASTE / WASTE - SPECIAL / EVENTS				

## Warrant 137

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
<b>Vendor Total-</b>					<b>97.20</b>	
<b>00000 KELLY RAYMOND</b>						
0597	21979	11	PROPERTY TAX REFUND	2021-07		
PROPERTY TAX REFUND			E 33-01-99-99		292.22	0.00
			OVERLAY / OVERLAY - EXPENSE / EXPENSE			
<b>Vendor Total-</b>					<b>292.22</b>	
<b>00189 KENNEBEC VALLEY COUNCIL OF</b>						
0597	21980	11	HHWC COLLECTION	14920		
HHWC COLLECTION			E 15-01-99-99		1,009.00	0.00
			SOLID WASTE / HHW - EXPENSE / EXPENSE			
<b>Vendor Total-</b>					<b>1,009.00</b>	
<b>00638 LEAF</b>						
0597	21981	11	COPIER CONTRACT	12496715		
COPIER CONTRACT			E 01-10-20-14		25.40	0.00
			GEN'L GOV. / ADMIN - SERVICES / COPIER			
<b>Vendor Total-</b>					<b>25.40</b>	
<b>00296 LIFESAVERS, INC</b>						
0597	21982	11	DEFIBRILLATION PADS	211833		
DEFIBRILLATION PADS			E 05-05-30-07		123.30	0.00
			PUBLIC SAFTY / FD/ RSC DEPT - SUPPLIES / EMS			
<b>Vendor Total-</b>					<b>123.30</b>	
<b>00002 MAINE MUNICIPAL ASSOCIATION</b>						
0597	21983	11	ELECTED OFFICIALS TRAININ	1000414009		
ELECTED OFFICIALS TRAININ			E 01-01-13-01		45.00	0.00
			GEN'L GOV. / SELECT PRSNS - EDUCATION / EDUCATION			
<b>Vendor Total-</b>					<b>45.00</b>	
<b>00000 MILIIKEN, MAUREEN</b>						
0597	21984	11	CASTING CALL			
CASTING CALL			E 30-01-20-07		65.00	0.00
			LIBRARY / LIBRARY - SERVICES / CONTRACTED			
<b>Vendor Total-</b>					<b>65.00</b>	
<b>00174 MTCCA</b>						
0597	21985	11	3 MEMBERSHIPS	2021		
3 MEMBERSHIPS			E 01-10-14-03		120.00	0.00
			GEN'L GOV. / ADMIN - MEMBERSHIP / MTCCA			
<b>Vendor Total-</b>					<b>120.00</b>	
<b>00676 PINE TREE WASTE</b>						
0597	21986	11	TOILETS	1077521		
CEMETERY			E 12-01-20-06		75.00	0.00
			CEMETERY / CEMETERY - SERVICES / RENTALS			
GARAGE			E 13-01-20-06		75.00	0.00
			FACILITIES / GENERAL - SERVICES / RENTALS			
BALLFIELD			E 13-10-20-06		75.00	0.00
			FACILITIES / PARKS - SERVICES / RENTALS			
VILLAGE GREEN			E 13-10-20-06		100.00	0.00
			FACILITIES / PARKS - SERVICES / RENTALS			
<b>Invoice Total-</b>					<b>325.00</b>	
0597	21986	11	TOILETS	1077520		
LONG POND BEACH			E 13-10-20-06		75.00	0.00
			FACILITIES / PARKS - SERVICES / RENTALS			
DEPOT FD			E 13-07-20-06		75.00	0.00
			FACILITIES / FD:DEPOT - SERVICES / RENTALS			
NBFD			E 13-08-20-06		75.00	0.00

## Warrant 137

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
PENNINSULA PARK			FACILITIES / FD:NB - SERVICES / RENTALS			
			E 13-10-20-06		75.00	0.00
			FACILITIES / PARKS - SERVICES / RENTALS			
			Invoice Total-		300.00	
			Vendor Total-		625.00	
00003 REGISTRY OF DEEDS						
0597	21987	11	1 LIEN DISCHARGE			
1 LIEN DISCHARGE			E 01-10-47-01		19.00	0.00
			GEN'L GOV. / ADMIN - FEES / DISCHARGE			
			Vendor Total-		19.00	
00000 ROBINSON, MAGGIE						
0597	21988	11	CASTING CALL			
CASTING CALL			E 30-01-20-07		65.00	0.00
			LIBRARY / LIBRARY - SERVICES / CONTRACTED			
			Vendor Total-		65.00	
00255 SCHENO, KENNETH						
0597	21989	11	HEALTH INSURANCE	2021		
HEALTH INSURANCE			E 15-05-10-13		600.00	0.00
			SOLID WASTE / WASTE - PERSONNEL / BENEFITS			
			Vendor Total-		600.00	
00612 SPECTRUM ENTERPRISE						
0597	21990	11	TOWN OFFICE INTERNET	084051401110121		
TOWN OFFICE INTERNET			E 01-10-20-01		133.87	0.00
			GEN'L GOV. / ADMIN - SERVICES / COMMUNICATIO			
			Vendor Total-		133.87	
00048 TREASURER, STATE OF MAINE						
0597	21991	11	PLUMBING PERMITS			
PLUMBING PERMITS			G 1-211-00		62.50	0.00
			GEN'L FUND / PLUMB. PERM.			
			Vendor Total-		62.50	
00379 TREASURER, STATE OF MAINE						
0597	21992	11	FUEL CHARGES	22BG0116427		
FUEL CHARGES			E 05-05-30-02		369.33	0.00
			PUBLIC SAFTY / FD/ RSC DEPT - SUPPLIES / FUEL			
			Vendor Total-		369.33	
00265 UNITED STATES CELLULAR						
0597	21993	11	COMMUNICATIONS	0471042404		
FACILITIES			E 13-01-20-01		52.99	0.00
			FACILITIES / GENERAL - SERVICES / COMMUNICATIO			
FIRE RESCUE			E 05-05-20-01		40.00	0.00
			PUBLIC SAFTY / FD/ RSC DEPT - SERVICES / COMMUNICATIO			
FACILITIES			E 13-01-20-01		40.00	0.00
			FACILITIES / GENERAL - SERVICES / COMMUNICATIO			
TRANSFER STATION			E 15-05-20-01		40.00	0.00
			SOLID WASTE / WASTE - SERVICES / COMMUNICATIO			
TOWN MANAGER			E 01-15-20-01		104.44	0.00
			GEN'L GOV. / MANAGER - SERVICES / COMMUNICATIO			
			Vendor Total-		277.43	
00013 WASTE MANAGEMENT OF						
0597	21994	11	TS MIXED SOLID WASTE	2046331-2080-1		
TS MIXED SOLID WASTE			E 15-05-20-13		18,146.69	0.00
			SOLID WASTE / WASTE - SERVICES / DISPOSAL			
			Invoice Total-		18,146.69	

## Warrant 137

Jrnl	Check	Month	Invoice Description	Reference	
Description			Account	Proj	Amount
					Encumbrance
0597	21994	11	TS DEMO WASTE	2046332-2080-9	
TS DEMO WASTE			E 15-05-20-13		2,737.91
			SOLID WASTE / WASTE - SERVICES / DISPOSAL		0.00
			Invoice Total-		2,737.91
			Vendor Total-		20,884.60
00369 WB MASON CO, INC					
0597	21995	11	REC SNACKS AND WATER	224689595	
REC SNACKS AND WATER			E 25-30-30-05		114.16
			RECREATION / REC PROGRAMS - SUPPLIES / FOOD/WATER		0.00
			Vendor Total-		114.16
			Prepaid Total-		0.00
			Current Total-		27,855.03
			EFT Total-		0.00
			Warrant Total-		27,855.03

THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE THE SUM SET AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

MELANIE JEWELL, SELECTPERSON CHAIR \_\_\_\_\_  
 RICHARD W. DAMREN, JR., V. CHAIR \_\_\_\_\_  
 DANIEL NEWMAN, SELECTPERSON \_\_\_\_\_  
 BARBARA ALLEN, SELECTPERSON \_\_\_\_\_  
 CAROL JOHNSON, SELECTPERSON \_\_\_\_\_  
 M. ANTHONY WILSON, TOWN MANAGER \_\_\_\_\_