

Filing Numbers 2009-01 through 2009-16

**CERTIFICATION OF OFFICIAL TEXT OF PROPOSED AMENDMENTS TO THE
ORDINANCES BY THE BOARD OF SELECTPERSON'S OF THE TOWN OF RUMFORD
[30-A MRS § 3002]**

Proposed Amendments to the Town Ordinances

To: Jane Giasson, Town Clerk of the Town of Rumford

We hereby certify to you that the document that we have affixed to this certificate is a true copy of the official text of proposed New Ordinances and Amendments to the Ordinances regarding changes recommended by the Board of Selectpersons of the Town of Rumford. Please refer to the affixed document for Filing Numbers 2009-01 – 2009-16 as listed on the ballot of June 9, 2009 under Article 43.

Pursuant to 30-A MRS § 3002, you will retain this copy of the complete text of the proposed Ordinances as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the Town Meeting/Polling Places on the day of the vote.

Dated: May 7, 2009

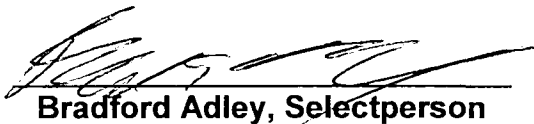
Board of Selectpersons of the Town of Rumford



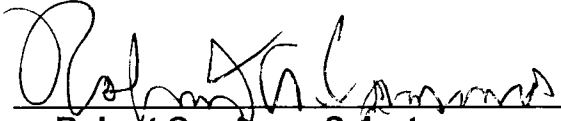
J. Arthur Boivin, Chairman

Frank DiConzo, Vice-Chairman

Mark Belanger, Selectperson



Bradford Adley, Selectperson



Robert Cameron, Selectperson

**RUMFORD ORDINANCE CHANGES
SUBMITTED ON WARRANT JUNE 9, 2009**

**Chapter I.
Board of Selectmen**

FILING BOOK 2009-01

Section 1. Meetings. Regular meetings of the Board of Selectmen shall be held twice monthly. The day of the month and time of day of such regular meetings for the ensuing year shall be determined at the organizational meeting.

~~Special m~~Meetings may be called by the ~~Chairman, Town Manager, chairperson, town manager~~ or by three members of the ~~Board~~Board of Selectpersons. Notice of such meetings shall be given to the members as they shall have determined by vote at the organizational meeting, otherwise by reasonable notice to all members, the town manager and local media.

A regular meeting may be changed by vote of the ~~Board of Selectmen~~ Board of Selectpersons at a prior regular meeting providing that notice of said change be posted and recorded in the minutes at least seven (7) days before ~~scheduled regular meetings~~the regularly scheduled meeting.

Section 2. Agenda. The regular meeting agenda will be prepared at least three (3) days in advance of this meeting. An item not on the agenda will not be discussed at the meeting unless sixty per cent (60%) of the members of the Board present declare that such an item is of an urgent nature. ~~in the nature of an emergency.~~

FILING BOOK 2009-02

**Chapter 4.
Police and Fire Departments**

Section 2. Organization of Police and Fire Departments.

- A. The Police Department shall consist of a chief and or public safety director and such other officers, patrolmen and special patrolmen as the ~~Board of Selectmen~~Board of Selectpersons shall from time to time determine.
- B. The Fire Department shall consist of a chief and or public safety director and such other officers, regular men and call men as the ~~Board of Selectmen~~ Board of Selectpersons shall from time to time designate.
- C. All references to employees designate both sexes, and where the male gender is used, it shall be construed to include male and female employees.
- D. All references to the chief of the either department shall mean chief or public safety director as determined by the Board of Selectpersons.

Section 3. Appointment of Chiefs. The chief of each department or public safety director overseeing both departments shall be chosen by the Town Manager with the approval of the ~~Board of Selectmen~~ Board of Selectpersons. The appointment may be probationary for a period not exceeding one year.

FILING BOOK 2009-03

Section 4. Appointment of Patrolmen and Firemen. All citizens shall be eligible for appointment as regular men in either department, except that a special patrolman and a call man, who shall have served at least ~~10~~five (5) years in the police department or fire department, respectively, shall be given preference over applicants not having such experience. The Town Manager with the approval of the Board of Selectmen shall have the right to make probationary appointments for a period not exceeding one year, and said one year period may be extended for a period not to exceed an additional three (3) months, if in the opinion of the Manager it seems advisable.

FILING BOOK 2009-04

Section 10. Political Activity. No member of either department, regular or special, including the chief, acting in an official capacity or in association with any official capacity, as an individual or in concert with others, shall participate, direct or indirectly, in any act or program designed to, or tending to influence the election of any Town official or to influence the appointment of any person. Violation of the provisions of this section shall constitute a cause for suspension or dismissal under the provisions of section 8 hereof.

FILING BOOK 2009-05

**Chapter 12.
General Business Provisions**

Section 2. Business Hours. The municipal building and all Town offices shall be open for business Monday through Friday for at least eight (8) consecutive hours on each day, unless otherwise directed by the town manager or board selectpersons. The ~~Board of Selectmen~~Board of Selectpersons may, by order, change the beginning and ending hours provided that a notice of such change is published in a paper of local circulation at least seven (7) days prior to such change. Holidays shall be observed by Town offices, as determined by the ~~Board of Selectmen~~Board of Selectpersons.

FILING BOOK 2009-06

**CHAPTER 13,
Financial Procedures**

Section 9. Monies Received From Cable T.V. Franchise Agreement. ~~Monies received from cable T.V. franchise agreements shall be paid to the Town Treasurer to be disbursed by vote of the Board of Selectmen. In the event of a surplus at the end of a fiscal year, it shall be transferred to the Undesignated Fund Balance.~~

Option A. Monies received from cable Television Franchise Agreement shall be paid to the town treasurer to be disbursed by vote of the Board of Selectpersons. In the event of a surplus at the end of the fiscal year, it shall be transferred to the undesignated fund balance.

Option B. Monies received from cable Television Franchise Agreement shall be paid to the town treasurer with fifty (50) percent of the fees received given to local cable television to assist in their operation. In the event of a surplus at the end of the fiscal year, it shall be transferred to the undesignated fund balance.

Option C. Monies received from cable Television Franchise Agreement shall be paid to the town treasurer with one hundred (100) percent of the fees received given to local cable television to assist in their operation.

FILING BOOK 2009-07

CHAPTER 15

Hawking and Peddling

Section 1. License Required. It shall be unlawful for any person to engage in the business of hawking or peddling goods, wares or merchandise, at retail, without first obtaining a license therefore from the Board of Selectmen. Such licenses shall be issued, on application, for the calendar year and the fee therefore shall be established by the Selectmen in the *Schedule of License, Permit and Application Fees*.

Section 1-A. Hours for Hawking and Peddling. The business of hawking and peddling referred to in Section 1 of this ordinance shall be confined to the hours of 6:00 a.m. to 9:00 p.m. unless special permission has been granted by the Board of Selectmen. In the event that special permission has been granted, the Town Manager shall notify the Chief of Police in writing of said permission by the Board of Selectmen as soon as practicable.

Section 1-B. Applications. Application shall be submitted by each entity requesting a license. The license is valid for only one entity and may not be transferred nor shared under a group association.

FILING BOOK 2009-08

CHAPTER 16 Excavations and Deposits in Streets

Section 2. Snow and Ice. It shall be unlawful for any persons, firm or those in plowing for hire or their agents to deposit snow and ice upon any public way or rights of way which obstructs or interferes with the free passage of foot or vehicular traffic. It shall be unlawful to deposit snow and ice so as to obstruct any fire hydrant.

FILING BOOK 2009-09

CHAPTER 21 Sanitation and Safety Measures

Section 11. Unoccupied and Abandoned Buildings.

1. Any building shall be considered unoccupied if it is not used for residential or commercial purposes, or is not under active construction or renovation, for a continuous period of 120 days or more.

A) Storage, except if run by an established business devoted specifically to providing rented storage space to the public, shall not be deemed an applicable residential or commercial purpose.

B) Residential structures in which utilities, including water, electricity and heating systems, remain in service shall be considered occupied.

C) All unoccupied buildings shall be properly secured against unauthorized entry, vandalism and infestation by pests.

D) Unoccupied buildings judged by the Code Enforcement Officer, Police or other town officials as not to be properly secured may be made secure, including the sealing of windows and doors, removing of pests and rubbish, and/or disinfection and cleaning, by order of the Board of Selectmen with full costs assessed to the building's owner of record.

2. Any unoccupied commercial structure or residential structure of three units or more may be designated as abandoned after twelve months of continued lack of use, repair, or occupancy. The owners of buildings declared abandoned by order of the board of selectmen shall be given 30 days to present a plan of management to the town manager. The Plan of Management shall describe:

A) A schedule of measures to maintain the continuation of security against unauthorized entry, vandalism and infestation by pests, including a schedule of inspection by the property owner or an authorized agent.

B) A schedule of active maintenance of the abandoned property, including cleaning, painting, roof and window repair and maintenance, grounds keeping and other measures necessary to prevent a blighted appearance;

C) A schedule or other plan for return of the abandoned building to appropriate residential or commercial use.

3. In the event of the failure of the owner of the property to present a Plan of Management, or in the event that the Selectmen, by majority vote, declare the Plan inadequate, the Selectmen shall order an inspection, to the fullest extent practical, of the premises by the Code Enforcement Officer. The Code Enforcement Officer shall determine whether, under the laws of the State of Maine, the abandoned building constitutes a public nuisance, including, but not limited to violations of any application state statutes or local ordinances, any history of neighborhood disruption or illegal activity resulting from unauthorized use of the premises, and as a source of blight.

4. Within the authority of MRSA Title 30-A, §3104. Abatement of nuisances, and/or MRSA Title 17, §2851 Dangerous buildings The Board of Selectmen shall seek the removal, renovation , or restoration to active function of any buildings declared a public nuisance as described herein.

FILING BOOK 2009-10

CHAPTER 25-D Fire and Life Safety Code

Section 1. Adoption of the Code

It is hereby adopted and incorporated herein by reference, as if completely and specifically set forth in its entirety, for the purpose of prescribing minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion and dangerous conditions, the following codes prepared by the National Fire Protection Association: the "NFPA 1, Uniform Fire Code 2003⁹ edition" and the "Life Safety Code (NFPA 101) 2003⁹ edition" as prepared and published by the National Fire Protection Association and the whole thereof ~~save and except such portions as are hereinafter deleted, modified or amended.~~ as a guideline with revisions as approved by the Board of Selectpersons. Not fewer than three (3) copies of such Codes have been and now are now filed in the office of the Town Clerk for public use, examination and inspection.

All references in the Uniform Fire Code and Life Safety Code which refer to AHJ (authority having jurisdiction) shall mean the Town of Rumford.

FILING BOOK 2009-11

CHAPTER 33 Shoreland Zoning Ordinance

The entire amended Shoreland Zoning Ordinance is on file in the Town Clerk's Office.

FILING BOOK 2009-12

CHAPTER 37 Board of Appeals

Section 3. Procedure.

A. The Chairman shall call meetings of the Board as required. The Chairman shall also call meetings of the Board when requested to do so by a majority of the members or by the municipal officers. A quorum of the Board necessary to conduct an official Board Meeting shall consist of at least three (3) members. The Chairman shall preside at all meetings of the Board and be the official spokesman of the Board.

A-1. All requests for appeal shall be submitted in writing to the chairman through the town manager's office in a sealed envelope addressed to the board of appeals. The request shall include copies of any written decisions as well as reference to the chapter and section(s) or actions being appealed and remedy sought.

FILING BOOK 2009-13

**CHAPTER 40
Political and Yard Signs
ADDED June 2009**

Section 1. No political signs shall be posted on the Island or near the Information Booth. Signs must not impair the view of the Rumford Falls from any location. They will not be allowed on town owned property. The time of placement of political signs shall be governed by the State Statute; and removed within forty-eight (48) hours after the closing of the election voting hours.

Section 2. All signs and banners shall not exceed 24x16.

Section 3. Yard sale signs.

The time of placement shall not be more than twenty-four (24) hours before the yard sale and removed within four (4) hours after the end of the sale. The yard sale signs will not be allowed on town owned property.

Section 4. Advertisement banners.

When banners are used to advertise a charitable event, they may be hung fourteen (14) days prior to the event and removed in the morning following the event. All exceptions must be approved by the town manager.

Section 5. Penalties.

A ten (10) dollar fine will be assessed for each day of noncompliance with any section of the ordinance. The candidate, persons associated with the signs shall be responsible for payment of the penalty.

FILING BOOK 2009-14

**CHAPTER 45
Sex Offender Ordinance
Added June 2009**

Section 1. Authority.

This ordinance is enacted pursuant to Title 30-A M.R.S.A., Section 3001.

Section 2. Purpose.

In acknowledgement that sex offenders who prey upon children are at a higher risk of re-offending, the Town of Rumford has a compelling interest to protect the health, safety, and welfare of its children by restricting access to areas where concentrations of children exist.

Section 3. Definitions.

(1). **Registered Sex Offender** – An individual convicted of a sex offense, as defined by 34-A M.R.S.A. §§11203 (6)-(7) against a person under the age of 18 and as a result, required to register for life pursuant to Title 34-A M.R.S.A., Chapter 15.

(2). **School / Daycare** – Any public or private educational facility that provides services to those 18 years or younger or a licensed daycare facility that is clearly marked.

(3). **Premises** – The building structure or surrounding the building, playground area, playing fields, or courts.

(4). **Radius** – Distance shall be measured as a straight line “as the crow flies” from the outer property lines.

(4). **Residence** – That place or those places, other than a domicile in which a person may spend time living, residing, or dwelling.

(5). **Loiter** - To congregate, linger, wander, stand, delay, walk or stroll about aimlessly, or to remain idle in essentially one (1) location in a manner and under circumstances manifesting an unnecessary or aimless purpose.

Section 4. Restrictions.

(1). Any person who is a convicted sex offender involving a minor, and is required to register for life, shall not reside within a 2500-foot radius of the property line of a school or within a 1000-foot radius of the property line of a daycare center.

(2). Any person who is a convicted sex offender involving a minor, and is required to register for life, is prohibited from entering upon the premises of a school or daycare center unless specifically authorized by the school administration or daycare center owner.

(3). No person who is a convicted sex offender and is required to register for life shall loiter or remain within a 2500-foot radius of a school or within a 1000-foot radius of a licensed daycare center.

Section 5. Exceptions.

(1). A registered sex offender residing within 2500-feet of a school or within 1000-feet of a licensed daycare center is not in violation if the residency was established prior to the date of passage of this ordinance and residency has been consistently maintained.

(2) A sex offender is not in violation of this ordinance if a school or daycare facility is built or moved into the 2500/1000-foot restricted area as long as the offender resided at this location prior to the new establishment and residency has been consistently maintained.

Section 6. Violation; Injunctive Relief and Penalties.

Any person who, after written notice from the Town about the requirements of this ordinance, is in violation of the provisions of this ordinance and shall be subject to an action brought by the Town in the District Court or Superior Court to enforce the requirements of this ordinance. The Town may seek injunctive relief to require compliance with the provisions of the ordinance. The Town may also seek a penalty in the minimum amount of \$500, which may be imposed on a daily basis for each day that a violation continues after notice from the Town. In the event that the Town is the prevailing party in an action under this ordinance, it shall be entitled to an award of its reasonable attorney's fees, expert witness fees, or any other associated costs.

Section 7. Severability.

In the event that any section or any portion of this ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be effected to affect the validity of any other section or portion of this ordinance. The provisions of this ordinance are hereby declared to be severable.

Section 8. Effective Date.

Notwithstanding any law to the contrary, this ordinance shall take effect as of June _____, 2009.

Explanation: The purpose of the ordinance is to deal with people begging or asking for money on the streets in a manner inconsistent with their first amendment rights.

FILING BOOK 2009-15

CHAPTER 46
Prohibition Against Abusive Solicitation.
Added June 2009

Section 1. Purpose. It is the intent of this chapter to impose reasonable manner of limitations on solicitation, as defined herein, in order to protect the safety of the general public against abusive solicitation while respecting the constitutional right of free speech.

Section 2. Definitions. The following words or phrases as used in this chapter shall have the following meanings:

- (1) "solicitation" means any request made in person seeking an immediate donation of money or other item of value. A person shall not be deemed to be in the act of solicitation when he or she passively displays a sign or gives any other indication that he or she is seeking donations without addressing his or her solicitation to any specific person, other than in response to an inquiry by that person.
- (2) "Donation" means a gift of money or other item of value and shall also include the purchase of an item for an amount far exceeding its value under circumstances where a reasonable person would understand that the purchase is a substantial a gift.
- (3) "Abusive solicitation" means to do one or more of the following while engaging in solicitation or immediately thereafter:
 - (a) Blocking or impeding the passage of the person solicited;
 - (b) Following the person solicited by proceeding behind, ahead or alongside of him or her after the person solicited declines to make a donation;
 - (c) Threatening the person solicited with physical harm by word or gesture;
 - (d) Abusing the person solicited with words which are offensive and inherently likely to provoke an immediate violent reaction;
 - (e) Touching the solicited person without the solicited person's consent;

Section 3. Penalties. Any person who engages in abusive solicitation as defined herein shall be guilty of a violation of this article and, upon conviction, shall be punished by a fine or not less than twenty-five dollars (\$25.00) nor more than one hundred fifty dollars (\$150) for each offense. The town may also seek, and the court may order, injunctive relief designed to prevent any further violations of this chapter.

FILING BOOK 2009-16

CHAPTER 47
Gender Neutral References

All existing ordinances and all future ordinances shall be gender neutral, unless the context otherwise requires or the modification would cause the ordinance to be unlawful.

