

REGULAR MEETING**AGENDA****November 9, 2015**

1. Roll Call
2. Pledge of Allegiance to the Flag
3. Public Forum of not more than thirty minutes (3 min limit each speaker)
4. Meeting Notice
5. Reading of the Record
6. Reports:
 - a. City Manager's Report
 - b. City Attorney's Report
 - c. Other Official's Report
 - d. Mayor's Report
7. Licenses and Permits:
 - a. Lodging House License – Trade Winds Motor Inn (Postponed from 10//14/15)
8. Resolves:

#46 Appointment – Personnel Board (C. Avirett)	Mayor Isganitis
#47 Appointment – Board of Assessment Review (E. Kilgour)	Mayor Isganitis
#48 Accepting Donations – Library	City Council
#49 Adopting City Vision Statement	City Council
9. Ordinances in Final Reading and Public Hearing:

#37 Chapter 3, Article III Domesticated Chickens (Post. 10/14/15) (Postponed prior to holding the Public Hearing)	Councilor Geiger
#38 Chapter 19, Section 19-304 Res. A – Chickens (Post. 10/14/15) (Postponed prior to holding the Public Hearing)	Councilor Geiger
#39 Authorizing Quit Claim Deed – Sale of 19 Franklin Street	City Council
#40 Authorizing Quit Claim Deed – Sale of 15 Garden Avenue	City Council
10. Ordinances in First Reading:

#41 Chapter 11, Section 11-210 TRAs (Postponed 10/14/15)	Mayor Isganitis
#42 Chapter 19, Article III TRAs (Postponed 10/14/15)	Mayor Isganitis
#43 Chapter 19, Section 19-304 DT & TAAOZ – Front Setback	Mayor Isganitis
#44 Authorizing Quit Claim Deed – Reconveyance 105 First St.	City Council
#45 Chapter 17, Section 17-802 Thorndike Parking Lot – 15 Min	Mayor Isganitis
11. Orders:

#82 Authorizing Use of City Property & Fee Waiver – Holiday Celeb	City Council
#83 Authorizing Bids – Sale of City Property (224 Old County Rd)	City Manager
#84 Authorizing License Agreement – Mid-Coast Surveyors Assoc.	Councilor Clayton
#85 Approving Union Contract – Police	City Council
#86 Approving Union Contract – Public Service/Wastewater	City Council
#87 Approving Union Contract – Clerical	City Council
12. Adjournment.

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant TRADE WINDS MOTOR INN CORP Phone 596-6661

Address of Applicant 2 PARK DRIVE
ROCKLAND, MAINE 04841

Name of Business TRADE WINDS MOTOR INN Phone 596-6661

Address of Business 2 PARK DRIVE
ROCKLAND, MAINE 04841

Name of Property Owner (if different) SAME

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business LODGING HOUSE

Expiration of Current License 10/15/2015

Fee(s) Paid \$100.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature ROBERT LIBERTY Date 10/2/15

Approved By: _____ License # _____

Approved _____ Inspected; See Report _____ Code Officer _____ Date _____

Approved _____ Inspected; See Report _____ Fire Inspector _____ Date _____

Police Chief 10/2/15 Date _____

City Clerk _____ Date _____

Postponed 10/14/15 to 11/9/15

CITY OF ROCKLAND, MAINE

RESOLVE #46

IN CITY COUNCIL

November 9, 2015

RESOLVE Appointment – Personnel Board

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Mayor's appointment of Chelsea Avirett, 10 Fulton Street, to the Personnel Board to fill a vacancy on the Board is hereby confirmed. Ms. Avirett shall serve until that term expires in 2017.

Sponsor: Mayor Isganitis
Originator: Mayor Isganitis

CITY OF ROCKLAND, MAINE

RESOLVE #47

IN CITY COUNCIL

November 9, 2015

RESOLVE Appointment – Board of Assessment Review

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Mayor's appointment of Esther "Tess" Kilgour, 19 Beech Street, to the Board of Assessment Review to fill a vacancy on the Board is hereby confirmed. Ms. Kilgour shall serve until that term expires in 2017.

Sponsor: Mayor Isganitis
Originator: Mayor Isganitis

CITY OF ROCKLAND, MAINE

RESOLVE #48

IN CITY COUNCIL

November 9, 2015

RESOLVE Accepting Donations - Library

WHEREAS, the Friends of the Rockland Public Library donated \$1,384.23 to the Rockland Public Library for 118 children's titles to be added to the Library's Children's collection, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, the Rockland Public Library Endowment Association donated \$36.75 to the Rockland Public Library for an ad in the Free Press, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, the following persons donated gift subscriptions to the following magazines:

- Mary Ellen Macklin, Reading MA, \$283.68 to re-establish a subscription to the Portland Press Herald;
- Joanna Hynd, Thomaston, ME, for American Girl Magazine (valued at \$39.95);
- Jane Ryan, Thomaston, ME, for Atlantic Monthly Magazine (valued at \$44.85);
- Lee Heffner, Rockland, ME, for the New Yorker Magazine (valued at \$69.99);
- Kathleen Fleury, Editor in Chief, Downeast Magazine, complimentary subscription;
- Will Ikard, Newcastle, ME, for Field & Stream Magazine (valued at \$10.00);

to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Anne Sykes, Leominster, MA, donated \$500.00 to the Rockland Public Library, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Lea Carver, Rockland, ME, donated the book *Career of Evil*, valued at \$28.00, to the Rockland Public Library to be added to the Library's collection; and

WHEREAS, artist Laura Waller, Tampa, FL, donated six of her framed watercolor paintings to the Rockland Public Library, valued at \$2,400 each, with the understanding that the painting may be hung in rotation, and that they will not be sold;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City gratefully accepts these donations and directs that a letter of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE #49

IN CITY COUNCIL

November 9, 2015

RESOLVE Adopting Vision Statement

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Vision Statement for the City of Rockland establish by the City Council at a goal setting meeting held on October 22, 2015, is here adopted substantially as re-printed below.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE VISION STATEMENT

By June 30, 2018, the City of Rockland will be known as a place where public officials, private citizens and the press work together, with optimism, trust and collaboration, to create and promote the region's unique assets and quality of life. Collectively, we have a strong legislative voice and are succeeding in our advocacy at the State level.

In a three year period, we have increased tourism and commercial, residential and public values, as well as associated revenue, by realizing the potential of our natural waterfront resource in many, diverse ways. We have created and enhanced civic amenities and improved their utilization, safety and enjoyment. There is an in-town housing renaissance for all socioeconomic levels, and young families are choosing to live in the City of Rockland due to the availability of middle class housing and the quality of our education. We are also attracting new businesses and younger residents through public/private partnerships that offer a state-of-the-art technology infrastructure. With a focus on renewable energy, we have implemented some components of our sustainable energy and conservation plan.

At the same time, positive changes have taken place with workplace culture among City employees. Through a focus on continuous improvement and creativity, we have improved our efficiency and reduced our need to outsource work, by investing in staff development and fostering an entrepreneurial/ownership spirit among all department managers. Employee satisfaction is at an all-time high.

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #37
IN CITY COUNCIL**

September 14, 2015

ORDINANCE AMENDMENT: Domesticated Chickens

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 3, Animals & Fowl, ARTICLE III, Keeping of Domesticated Chickens, BE AMENDED AS FOLLOWS:

ADD:

ARTICLE III KEEPING OF DOMESTICATED CHICKENS

Sec. 3-301. Purpose; Administration.

This ordinance establishes standards for (1) the keeping of domesticated chickens in residential areas in a manner that enables residents to keep chickens for non-commercial purposes without adversely affecting the surrounding neighborhood, and (2) the safe and inoffensive keeping of domesticated chickens where agriculture is permitted. Chickens kept in accordance with this Article shall not constitute a use that is annoying, detrimental, obnoxious, unsightly, injurious or dangerous to the health, comfort, or property of individuals, or of the public.

This Article shall be administered pursuant to Chapter 19, Art. III, Sec. 19-312, or by the Animal Control Officer.

Sec. 3-302. Permit required.

- A. Except on parcels where agriculture as defined in Section 19-302 is permitted, and subject to applicable use prohibitions in the zoning regulations under Section 19-304, no person may keep chickens in the City of Rockland without first obtaining, from the Code Enforcement Office, a Domesticated Chickens Permit. Such permit, once granted, is personal to the permit holder and may not be assigned.
- B. The City Council may, by Order, establish an application and/or permit fee for Domesticated Chicken Permits.
- C. A permit to keep chickens may be revoked where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this Article, or other applicable ordinance or law.

Sec. 3-303. Regulations Applicable to Domesticated Chickens Permit Holders.

Each Domesticated Chickens Permit holder must comply with the standards set forth in this Section and in Section 3-304. This Section shall not apply on parcels where agriculture as defined in Section 19-302 is permitted or approved as a Conditional Use.

A. Non-Commercial Use Only. Chickens shall be kept for personal use only, and chicken breeding, fertilizer production for commercial purposes, and on-site slaughtering of chickens is prohibited.

B. Quantities Limited. No person may keep a rooster, nor maintain more than nine hens on a single parcel.

C. Enclosures.

(1) Chickens must be kept in an enclosure or fenced area (chicken pen) at all times during daylight hours. Enclosures must be clean, dry, and reasonably odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. The chicken pen must provide adequate sun and shade and must be inaccessible by rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing buried at least 12" in the ground. The pen must be covered with wire, aviary netting, or solid roofing. The use of non-galvanized chicken wire is not permitted.

(2) Chickens shall be secured within a chicken coop or house during non-daylight hours.

(a) Each chicken coop or house shall be detached from residential structures. In the case of traditional New England barn structures attached to the main house by an ell, the chickens can be permitted in the barn, as long as they are enclosed in a separate coop area and not roaming throughout the barn. The chicken coop or house shall be enclosed on all sides, shall have a roof, and shall have doors capable of being closed and locked. Opening windows and vents must be covered with predator- and bird-proof wire of less than one-inch openings. Chicken coops and houses shall be cleaned regularly, and maintained so as to protect the health and comfort of the chickens housed therein.

(b) Chicken coops and chicken houses shall be located only in the yard to the rear of the principal dwelling, or in the case of a barn attached to the side of the house by an ell, the chicken coop may be located in said barn but the chicken yard shall be located to the rear of the barn. Chicken coops and houses shall be at least fifteen (15) feet from the property line(s). Chicken coops and houses may not be located in any front yard, nor in the interior of any home or other dwelling unit.

(c) Lights used to illuminate exterior areas around chicken coops or chicken houses must be turned off when no persons are present; motion-sensor lighting may be used for this purpose.

D. Waste Storage and Removal.

All chicken manure shall either be promptly composted or tilled into cultivated earth in such manner as to prevent run-off and minimize odor, be properly stored, or be removed and properly disposed of. All stored manure shall be placed in a fully enclosed container. No more than one, thirty-gallon container of manure shall be stored on any one parcel where chickens are kept. In addition, the chicken coop or house, pen, and surrounding area must be kept free from trash and accumulated droppings.

E. Predators, rodents, insects, and parasites.

Each Domesticated Chickens Permit holder shall take all reasonable precautions to reduce the attraction of predators and rodents and the potential infestation by insects and parasites. Where such conditions are found to exist by a code enforcement official or animal control officer, the City may order the removal of the chickens, enclosure(s), and coop(s) or house(s), or may arrange for such removal the cost of which shall be borne entirely by the permit holder or property owner.

Sec. 3-304. Regulations Applicable To All Persons Raising or Keeping Domesticated Chickens

Each person keeping domesticated chickens in Rockland must comply with the standards set forth in this Section.

A. Feed and Water.

Chickens must be provided with access to feed and clean water at all times, arranged in such manner as to

be inaccessible by rodents, wild birds, and predators. Uneaten feed shall be removed in a timely manner.

B. Odor.

Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.

C. Predators, rodents, insects, and parasites.

Each person keeping domesticated chickens shall take all reasonable precautions to reduce the attraction of predators and rodents and the potential infestation by insects and parasites.

D. Deceased Chickens.

Deceased chickens shall be promptly removed and properly disposed of.

Cross Reference: Sec. 3-103, Sick, Injured, or Dead Animals.

Sec. 3-305. Violations; Penalties.

Any violation of any provision of this Article shall be a civil violation subject to a minimum fine of one-hundred dollars (\$100.00) per violation. Each day that a violation continues shall constitute a separate violation. In addition, and in the sole discretion of the City, any violation of this Article shall be subject to a civil action brought pursuant Title 30-A, Maine Revised Statutes, Section 4452, and subject to the penalties and remedies set forth therein.

Sponsor: Councilor Geiger
Originator: Councilor Geiger

Postponed 10/14/15 to 11/9/15
(Prior to Public Hearing)

First Reading 9/14/15
First Publication 9/24/15
Public Hearing 10/14/15
Final Passage _____
Second Publication _____
Effective Date _____

**(PROPOSED AMENDMENTS)
CITY OF ROCKLAND, MAINE**

ORDINANCE AMENDMENT #37

IN CITY COUNCIL

September 14, 2015

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This Article shall be administered pursuant to Chapter 19, Art. III, Sec. 19-312, or by the Animal Control Officer.

Sec. 3-302. Permit required.

- A. Except on parcels where agriculture as defined in Section 19-302 is permitted, and subject to applicable use prohibitions in the zoning regulations under Section 19-304, no person may keep chickens in the City of Rockland without first obtaining, from the Code Enforcement Office, a Domesticated Chickens Permit. Such permit, once granted, is personal to the permit holder and may not be assigned.
- B. The City Council may, by Order, establish an application and/or permit fee for Domesticated Chicken Permits.
- C. A permit to keep chickens may be revoked where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this Article, or other applicable ordinance or law.

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Each Domesticated Chickens Permit holder must comply with the standards set forth in this Section and in Section 3-304. This Section shall not apply on parcels where agriculture as defined in Section 19-302 is permitted or approved as a Conditional Use.

A. Non-Commercial Use Only. Chickens shall be kept for personal use only, and chicken breeding, fertilizer production for commercial purposes, and on-site slaughtering of chickens is prohibited.

B. Quantities Limited. No person may keep a rooster, nor maintain more than ~~six nine~~ hens on a single parcel.

C. Enclosures.

(1) Chickens must be kept in an enclosure or fenced area (chicken pen) at all times during daylight hours. Enclosures must be clean, dry, and reasonably odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. The chicken pen must provide adequate sun and shade and must be inaccessible by rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing buried at least 12" in the ground. The pen must be covered with wire, aviary netting, or solid roofing. The use of non-galvanized chicken wire is not permitted. **Alternatively, chickens may be enclosed in portable, predator-proof coops or other suitable enclosure approved by the Code Enforcement Officer.**

(2) Chickens shall be secured within a chicken coop or house during non-daylight hours.

(a) Each chicken coop or house shall be detached from residential structures. In the case of traditional New England barn structures attached to the main house by an ell, the chickens can be permitted in the barn, as long as they are enclosed in a separate coop area and not roaming throughout the barn. The chicken coop or house shall be enclosed on all sides, shall have a roof, and shall have doors capable of being closed and locked. Opening windows and vents must be covered with predator- and bird-proof wire of less than one-inch openings. Chicken coops and houses shall be cleaned regularly, and maintained so as to protect the health and comfort of the chickens housed therein.

(b) Chicken coops and chicken houses shall be located only in the yard to the rear of the principal dwelling, or in the case of a barn attached to the side of the house by an ell, the chicken coop may be located in said barn but the chicken yard shall be located to the rear of the barn. Chicken coops and houses shall be at least **ten (10) fifteen (15)** feet from the property line(s) and at least **fifteen (15) feet from residences on abutting lots.** Chicken coops and houses may not be located in any front yard, nor in the interior of any home or other dwelling unit.

(c) Lights used to illuminate exterior areas around chicken coops or chicken houses must be turned off when no persons are present; motion-sensor lighting may be used for this purpose.

D. Waste Storage and Removal.

All chicken manure shall either be promptly composted or tilled into cultivated earth in such manner as to prevent run-off and minimize odor, be properly stored, or be removed and properly disposed of. All stored manure shall be placed in a fully enclosed container. No more than one, thirty-gallon container of manure shall be stored on any one parcel where chickens are kept. In addition, the chicken coop or house, pen, and surrounding area must be kept free from trash and accumulated droppings.

E. Predators, rodents, insects, and parasites.

Each Domesticated Chickens Permit holder shall take all reasonable precautions to reduce the attraction of predators and rodents and the potential infestation by insects and parasites. Where such conditions are found to exist by a code enforcement official or animal control officer, the City may order the removal of the chickens, enclosure(s), and coop(s) or house(s), or may arrange for such removal the cost of which shall be borne entirely by the permit holder or property owner.

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Each person keeping domesticated chickens shall take all reasonable precautions to reduce the attraction of predators and rodents and the potential infestation by insects and parasites.

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Cross Reference: Sec. 3-103, Sick, Injured, or Dead Animals.

Sec. 3-305. Violations; Penalties.

Any violation of any provision of this Article shall be a civil violation subject to a minimum fine of one-hundred dollars (\$100.00) per violation. Each day that a violation continues shall constitute a separate violation. In addition, and in the sole discretion of the City, any violation of this Article shall be subject to a civil action brought pursuant Title 30-A, Maine Revised Statutes, Section 4452, and subject to the penalties and remedies set forth therein.

Sponsor: Councilor Geiger
Originator: Councilor Geiger

MEMORANDUM

To: Mayor Isganitis & City Councilors
Cc: City Manager, Code Enforcement Officer, City Attorney
From: Valli Geiger, Chair, Comprehensive Planning Commission
Date: 11/05/15
Re: Ordinance Amendment 2015-38

Mayor Isganitis and Members of the City Council:

The Comprehensive Planning Commission met on September 17, 2015 and, pursuant to Ch. 19, Art. IV, Sec. 19-404, I write to report the Commission's recommendations regarding Ordinance Amendment 2015-38 - Removing Prohibition of Domesticated Chickens in Residential A.

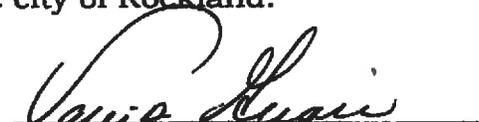
With Code Enforcement Officer John Root's assistance, the Commission discussed both the propose domesticated chickens ordinance (Ordinance Amendment #37) and the proposal to permit domesticated chickens in the Residential A zone. The keeping of chickens, without any regulation other than general welfare requirements in Chapter 3, is already allowed where not prohibited. Following the discussion, the Commission recommended adoption of allowing domesticated chickens in Residential A, and also that the Council consider revisions to Ordinance Amendment 37, as follows:

1. That the maximum number of hens be reduced from 9 to 6 per property;
2. That portable chicken coops be permitted as an alternative to buried chicken wire enclosures; and
3. That the coop setback requirements so that coops can be as close as 10' from the property line and 15' from a residence/principal dwelling.

ACTION: Eileen Wilkinson moved that the Commission recommend that the City Council adopt Ordinance Amendment #38, and that Ordinance Amendment #37 be amended as proposed. The motion was seconded by Ann Morris, and passed by a vote of 4 for, 0 opposed, and 0 abstaining.

The attached, proposed revisions to Ordinance Amendment #37 reflects the Commission's recommendations.

Thank you for the opportunity to serve the city of Rockland.


Valli Geiger, Chair

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #38

IN CITY COUNCIL

September 14, 2015

ORDINANCE AMENDMENT Domesticated Chickens

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, SECTION 19-304 Zone Regulations, BE AMENDED AS FOLLOWS:

Sec. 19-304 Zoning Regulations

1. RESIDENTIAL ZONE "A"

C. Prohibited Uses

RESIDENTIAL ZONE "A" PROHIBITED USES	
(1)	Any use which is obnoxious, annoying, unsightly, detrimental to the character of the neighborhood, or offensive to a neighborhood by reason of odor, fumes, vapor, dust, smoke, gas, noise, or vibration is prohibited.
(2)	Animal Restriction: <u>Except domesticated chickens kept in accordance with Chapter 3, Article III,</u> No person shall keep any farm animals including but not limited to fowl, mule, donkey, sheep, goat, cattle, swine, or non-domesticated animal, and no person shall keep any dogs or rabbits for breeding or commercial purposes, on any premises in this zone.

Sponsor: Councilor Geiger

Originator: Councilor Geiger

First Reading 9/14/15
First Publication 9/24/15
Public Hearing 10/14/15
Final Passage _____
Second Publication _____
Effective Date _____

Postponed 10/14/15 to 11/9/15
(Prior to Public Hearing)

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #39
IN CITY COUNCIL**

October 14, 2015

ORDINANCE AMENDMENT Authorizing Sale of City Property – 19 Franklin Street

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized to issue a municipal quitclaim deed to William Heal for property located at 19 Franklin Street, as shown on Rockland Tax Map #19-E-9, for \$35,000, said sale being subject to the execution and substantial compliance with the terms and conditions set forth in a purchase and sale agreement incorporated herein by reference.

Sponsor: City Council
Originator: City Manager

First Reading 10/14/15
First Publication 10/24/15
Public Hearing 11/9/15
Final Passage _____
Second Publication _____
Effective Date _____

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #40
IN CITY COUNCIL

October 14, 2015

ORDINANCE AMENDMENT Authorizing Sale of City Property – 15 Garden Avenue

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized to issue a municipal quitclaim deed to Shane Chontos for property located at 15 Garden Avenue, as shown on Rockland Tax Map #60-A-3, for \$1,000, said sale being subject to the execution and substantial compliance with the terms and conditions set forth in a purchase and sale agreement incorporated herein by reference.

Sponsor: City Council
Originator: City Manager

First Reading 10/14/15
First Publication 10/24/15
Public Hearing 11/9/15
Final Passage _____
Second Publication _____
Effective Date _____

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #41
IN CITY COUNCIL**

October 14, 2015

**ORDINANCE AMENDMENT: Licensing of Lodging Houses and
 Permitting of Transient Residential Accommodations**

WHEREAS, Title 30-A, Maine Revised Statutes, Section 3811, provides that no person may serve as a common innkeeper or tavernkeeper without a license; and

WHEREAS, the Rockland Code of Ordinances does not currently provide for the licensure of innkeepers of transient accommodations,

NOW, THEREFORE, THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 11, Licenses, Permits and Franchises, ARTICLE II, Licenses, When Required, SECTION 11-210, Lodging Houses, BE AMENDED AS FOLLOWS:

Sec. 11-210 Lodging Houses And Transient Residential Accommodations

1. Lodging House License.

A. License Required. No person shall operate a Lodging House for five (5) lodgers or more, without first obtaining annually a one-year license therefor from the City Council.

B. Definitions. For the purposes of this subsection¹

“Lodging house” means a house or other residential structure where lodgings for four or more but fewer than 16 persons not within the 2nd degree of kindred to the person operating the lodging house are offered for rent. “Lodging house” does not include dormitories of charitable, educational or philanthropic institutions, or the emergency use of private dwellings at the time of conventions or similar public gatherings.

B. Certifications; Public Hearing. Such license shall not be granted except upon the certification of the Police Chief, Fire Chief, Code Enforcement Officer (Building Inspector), and Plumbing Inspector pursuant to this Section and as per Section 11-106 of this Ordinance.

Prior to granting such licenses, the City Council shall hold a public hearing, notice of which shall be posted in ~~at two~~ public locations¹ and advertised at least seven days before the hearing meeting.

There shall be a non-refundable application and/or annual license fee for the Lodging House License which shall be set by Order of the City Council.

C. Standards. Following the public hearing, the City Council may condition or deny any Lodging House license upon the basis of a recommended condition or denial of certification by either the Police Chief, Fire Chief, Code Enforcement Officer, or Plumbing Inspector pursuant to Section 11-106. The City Council may condition, suspend or revoke a Lodging House License, following a public hearing, on the basis of the licensee's non-compliance with any applicable law, ordinance, or regulation, or license certification, condition, or criteria.

State Law Reference: 30-A M.R.S. § 3801 & § 3811.

2. Transient Residential Accommodations Permit.

A. Purpose. The purpose of the Transient Residential Accommodations Permit is to authorize the use of legally-existing single-, two-, and multi-family structures for the accommodation of transient guests, for compensation, for periods of less than one month, while ensuring the safety of the occupants and minimizing the impact of such use on the surrounding neighborhood. Transient Residential Accommodations Permits and the revenue they make available to homeowners and others helps makes Rockland affordable for persons on fixed or limited incomes; enhances and diversifies accommodations available to visitors and tourists; and provides travelers with affordable accommodations from which to explore Rockland and the Midcoast region. If not made the subject of appropriate, limited regulations, however, the use of residential properties for transient residential accommodations may create adverse impacts on surrounding residential uses including, without limitation, increased levels of traffic, parking demand, light and glare, and noise. Such impacts are deleterious to the public health, safety, and welfare of the neighborhood and the City because they impair the livability and desirability of Rockland neighborhoods for year-round residential uses.

B. Permit Required. No person shall operate a Transient Residential Accommodation without first obtaining annually a one-year permit therefor from the Code Enforcement Office.

C. Definitions. For the purposes of this Subsection¹:

Transient Residential Accommodation ("TRA") means the use of all or part of a legally-existing dwelling unit for short-term rental to a person or persons unrelated to the owner or occupant of the unit, for consideration, for periods of less than one month, as follows:

(1) Transient Residential Accommodation – 1 ("TRA-1") means either:

- (a) an owner- or lessee-occupied² single-family structure in which not more than one bedroom is rented or offered for rent to one person or one family for periods of less than one month, or
- (b) a dwelling unit in a two-family structure in which one unit is occupied² by the owner of the entire structure that is rented or offered for rent by one person or one family for periods of less than one month.

¹ See Ch. 19, Art. III, Sec. 19-302 for definitions of words and phrases not defined herein.

² The owner or lessee must occupy the dwelling or unit while it is being rented.

(2) Transient Residential Accommodation – 2 (“TRA-2”) means either:

- (a) a single-family structure that is not occupied by its owner or lessee that is rented or offered for rent to one person or one family for periods of less than one month,³ or
- (b) one dwelling unit in a non-owner occupied two-family structure rented or offered for rent to one person or one family for periods of less than one month.

(3) Transient Residential Accommodation – 3 (“TRA-3”) means one dwelling unit in a multi-family structure, where such structure has an approved, functional sprinkler system that is not necessarily occupied by its owner or lessee and that is rented or offered for rent to one person or one family for periods of less than one month. A multi-family structure located in a zone other than the Residential A, AA or B Zones that permits lodging houses shall be permitted to rent any or all units under this section provided that the structure is in full compliance with Chapter 26 of NFPA 101 Life Safety Code/2012.

D. Application; Fee. The City Council may establish a non-refundable application fee for Transient Residential Accommodations Permits, and/or a permit fee which may include a graduated fee schedule on the basis of the number of rooms of the facility and/or other criteria.

E. Notice. Upon receipt of a complete application for a Transient Residential Accommodation Permit, the City Clerk shall submit the application to the Code Enforcement Officer and, by U.S. Mail, First Class, provide notice of such application to the owner(s) of record of abutting parcels, including owner(s) of record of parcels located directly across a street or other way from the subject parcel, at least seven (7) days prior to issuing such license. Notice is effective upon mailing.

F. Permitting Authority; Review Criteria. Within thirty (30) days of the City Clerk’s receipt of a Transient Residential Accommodations Permit application, the authorized permitting authority shall grant, grant with conditions, or deny such application applying the level of review criteria (“Review Level”) as defined below, consistent with Table 11-210(2). All Transient Residential Accommodations are also subject to the Additional Requirements set forth in Subsection G.

Review Level I: Applicant shall provide satisfactory evidence of current insurance providing coverage for bodily injury and property damage sustained or caused by the owner, guests, and others admitted to the premises.

³ Provided that there are code-compliant fire separations between dwelling units in an existing condominium structure, each unit under separate, unrelated or affiliated ownership shall be considered a single-family structure for the purposes of Transient Residential Accommodations Permit provisions. New condominium units established after October 1, 2015, may not be used for Transient Residential Accommodations.

Applicant shall provide two on-site parking spaces for a single-family structure and three on-site spaces for a two-family structure.

Review Level II: Applicant shall demonstrate compliance with applicable⁴ building, fire prevention, and life safety codes upon inspection by the Code Enforcement Officer and Fire Chief or their designees.

Applicant shall provide satisfactory evidence of current insurance providing coverage for bodily injury and property damage sustained or caused by the owner, guests, and others admitted to the premises.

Applicant shall provide two on-site parking spaces if a single-family structure; one and one-half on-site parking spaces for each dwelling unit in a two- or multi-family structure; and one on-site parking space for each room in a TRA-4 that is offered for rent in addition to two on-site parking spaces required if owner-occupied.

Table 11-210(2)

<u>Type of Accommodation</u>	<u>Type of Structure</u>	<u>Duration of Stay for Which Rental Is Offered</u>	<u>Permitting Authority in Residential AA, A, and B Zones</u>	<u>Permitting Authority in Other Zones</u>	<u>Review Level</u>
<u>TRA-1</u>	<u>Single-Family (rental of one room in owner-occupied structure or one unit in an owner-occupied two-family structure)</u>	<u>1 day up to less than 1 month</u>	<u>Code Office</u>	<u>Code Office</u>	<u>I</u>
<u>TRA-2</u>	<u>Single-Family</u>	<u>7 days up to less than one month</u>	<u>Code Office</u>	<u>Code Office</u>	<u>I</u>
	<u>Single-Family</u>	<u>1 day up to less than 1 month</u>	<u>Planning Board⁵</u>	<u>Code Office</u>	<u>I</u>
	<u>Two-Family</u>	<u>7 days up to less than one month</u>	<u>Code Office</u>	<u>Code Office</u>	<u>I</u>

⁴ See Chapter 4 – Buildings, Inspections & Enforcement.

⁵ When the Planning Board is the Permitting Authority, it shall grant, condition, or deny the application by taking into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography, and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; and compliance with applicable requirements of all City ordinances.

	<u>Two-Family</u>	<u>1 day up to less than 1 month</u>	<u>Planning Board</u>	<u>Code Office</u>	<u>I</u>
<u>TRA-3</u>	<u>Multi-Family*</u>	<u>1 day up to less than 1 month</u>	<u>Planning Board</u>	<u>Planning Board</u>	<u>II</u>

* Use of structure as a dwelling must be a permitted or conditional use in the zone. All newly-constructed Lodging or Rooming Houses are subject to Planning Board Site Plan Review.

G. Additional Requirements. In addition to the standards set forth in Section 11-106 and other applicable law, ordinance, or regulations, the following criteria shall apply to applications for Transient Residential Accommodations:

- (1) The occupancy classification of a single-family structure, or a unit in a two-family or multi-family structure, used as a TRA shall be in compliance with that of a "one-family dwelling" as described in Chapter 24 § 24.1.1.1 of NFPA 101 Life Safety Code/2012.
- (2) Rental must be to a single entity. Maximum occupancy shall be limited to two people per bedroom plus no more than two additional children under the age of twelve.
- (3) The use of a dwelling unit as a TRA does not violate any applicable lease, rental agreement, condition of municipal approval, covenant, or other lawful restriction on the use of the parcel;
- (4) Notwithstanding anything to the contrary in Section 19-315, signage identifying, advertising, providing wayfinding, or otherwise relating to the use of a dwelling as a TRA is not permitted, either on- or off-site;
- (5) The Permittee must maintain accurate, up-to-date records of all rental transactions in the TRA, including the number of guests and the duration of their stays. Such records must be available for review by the Code Enforcement Officer upon request;
- (6) The Permittee must post in plain sight to visitors near the entrance and in each rented bedroom a Notice that identifies the name, address, phone number(s), e-mail address, and emergency contact of the operator of the TRA, and, when the TRA is not subject inspection by the City's Code Enforcement Officer and Fire Chief pursuant to Table 11-210(2), the following disclaimer:

NOTICE

The Operator of these accommodations, _____ [print permittee's name] has been granted a City of Rockland Transient Residential Accommodations Permit, Permit No. _____, pursuant to Rockland Code of Ordinances, Ch. 11, Art. II, Sec. 11-210(2). THE GRANTING OF THIS PERMIT DOES NOT CONSTITUTE A FINDING BY THE CITY OF ROCKLAND OR OTHER CODE

ENFORCEMENT AUTHORITY THAT THE PREMISES ARE IN COMPLIANCE WITH APPLICABLE BUILDING, PROPERTY MAINTENANCE, FIRE PREVENTION, LIFE SAFETY, OR OTHER APPLICABLE CODES OR REGULATIONS. No inspection for compliance with such regulations has been conducted, and none is required for Operator to acquire a Transient Accommodations Permit or to conduct that business at these premises so long as the Operator's use of the premises is in conformance with and does not exceed the scope of the Transient Residential Accommodations Permit;

and

(7) The Permittee must assure that each advertisement of the TRA includes Permittee's City of Rockland Transient Accommodations Permit number.

(G) Suspension, Revocation, or Denial of Permit. The Permitting Authority may deny any Transient Residential Accommodation Permit upon failure of the applicant to meet all regulations set forth in this section. The City Council may condition, suspend, or revoke a Transient Residential Accommodation Permit, following a public hearing, on the basis of the licensee's non-compliance with any applicable law, ordinance, or regulation, or license certification, condition, or criteria.

Sponsor: Mayor Isganitis
Originator: Code Enforcement Officer

Postponed 10/14/15 to 11/9/15

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #41

IN CITY COUNCIL

October 14, 2015

**ORDINANCE AMENDMENT: Licensing of Lodging Houses and
Permitting of Transient Residential Accommodations**

WHEREAS, Title 30-A, Maine Revised Statutes, Section 3811, provides that no person may serve as a common innkeeper or tavernkeeper without a license; and

WHEREAS, the Rockland Code of Ordinances does not currently provide for the licensure of innkeepers of transient accommodations,

NOW, THEREFORE, THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 11, Licenses, Permits and Franchises, ARTICLE II, Licenses, When Required, SECTION 11-210, Lodging Houses, BE AMENDED AS FOLLOWS:

Sec. 11-210 Lodging Houses And Transient Residential Accommodations

1. Lodging House License.

A. License Required. No person shall operate a Lodging Hhouse ~~for five (5) lodgers or more,~~ without first obtaining annually a one-year license therefor from the City Council.

B. Definitions. For the purposes of this subsection¹

“Lodging house” means a house or other residential structure where lodgings for four or more but fewer than 16 persons not within the 2nd degree of kindred to the person operating the lodging house are offered for rent. “Lodging house” does not include dormitories of charitable, educational or philanthropic institutions, or the emergency use of private dwellings at the time of conventions or similar public gatherings.

B. Certifications; Public Hearing. Such license shall not be granted except upon the certification of the Police Chief, Fire Chief, Code Enforcement Officer (Building Inspector), and Plumbing Inspector pursuant to this Section andas per Section 11-106 ~~of this Ordinance.~~

Prior to granting such licenses, the City Council shall hold a public hearing, notice of which shall be posted in atwo public locations/ and advertised at least seven days before the hearingmeeting.

There shall be a non-refundable application and/or annual license fee for ~~the~~ Lodging

House License which shall be set by Order of the City Council.

C. Standards. Following the public hearing, the City Council may condition or deny any Lodging House license upon the basis of a recommended condition or denial of certification by either the Police Chief, Fire Chief, Code Enforcement Officer, or Plumbing Inspector pursuant to Section 11-106. The City Council may condition, suspend or revoke a Lodging House License, following a public hearing, on the basis of the licensee's non-compliance with any applicable law, ordinance, or regulation, or license certification, condition, or criteria.

State Law Reference: 30-A M.R.S. § 3801 & § 3811.

2. Transient Residential Accommodations Permit.

A. Purpose. The purpose of the Transient Residential Accommodations Permit is to authorize the use of legally-existing single-, two-, and multi-family structures for the accommodation of transient guests, for compensation, for periods of less than one month, while ensuring the safety of the occupants and minimizing the impact of such use on the surrounding neighborhood. Transient Residential Accommodations Permits and the revenue they make available to homeowners and others helps makes Rockland affordable for persons on fixed or limited incomes; enhances and diversifies accommodations available to visitors and tourists; and provides travelers with affordable accommodations from which to explore Rockland and the Midcoast region. If not made the subject of appropriate, limited regulations, however, the use of residential properties for transient residential accommodations may create adverse impacts on surrounding residential uses including, without limitation, increased levels of traffic, parking demand, light and glare, and noise. Such impacts are deleterious to the public health, safety, and welfare of the neighborhood and the City because they impair the livability and desirability of Rockland neighborhoods for year-round residential uses.

B. Permit Required. No person shall operate a Transient Residential Accommodation without first obtaining annually a one-year permit therefor from the Code Enforcement Office.

C. Definitions. For the purposes of this Subsection¹:

(1)-"Minimum Stay Period" means the minimum number of nights for which a Transient Residential Accommodation may be rented to guests. Guests may stay for less than the minimum stay period provided that the TRA remains vacant until the end of the minimum stay period. (For example, if the minimum stay period is four (4) nights, this does not preclude rental to guests for two (2) nights, provided the unit remains unrented for the two (2) subsequent nights before being occupied again as a transient residential accommodation.)

(2) "Owner- or Lessee-Occupied" describes a dwelling unit that is such owner's or lessee's primary residence and is occupied, including over-night, by such owner or lessee when any part of the structure is rented as a transient residential accommodation.

¹ See Ch. 19, Art. III, Sec. 19-302 for definitions of words and phrases not defined herein.

(3) “Transient Residential Accommodation” (“TRA”) means the use of all or part of a legally-existing dwelling unit for short-term rental to a person or persons unrelated to the owner or occupant of the unit, for consideration, for periods of less than one month, as follows:

(a) Transient Residential Accommodation – 1 (“TRA-1”) means either:

(i) an owner- or lessee-occupied single-family structure in which not more than one bedroom is rented or offered for rent to one person or one family for periods of less than one month, or

(ii) a dwelling unit in a two-family structure in which one unit is occupied by the owner of the entire structure that is rented or offered for rent by one person or one family for periods of less than one month.

(b) Transient Residential Accommodation – 2 (“TRA-2”) means either:

(i) a single-family structure that is not occupied by its owner or lessee that is rented or offered for rent to one person or one family for periods of less than one month, or

(ii) one dwelling unit in a non-owner occupied two-family structure rented or offered for rent to one person or one family for periods of less than one month.

(c) Transient Residential Accommodation – 3 (“TRA-3”) means one dwelling unit in a multi-family or mixed-use structure where such structure has an approved, functional sprinkler system that is not necessarily occupied by its owner or lessee and that is rented or offered for rent to one person or one family for periods of less than one month.- A multi-family structure located in a zone other than the Residential A, AA or B Zones that permits lodging houses shall be permitted to rent any or all units under this section provided that the structure is in full compliance with Chapter 26 of NFPA 101 Live Safety Code/2012.

D. Application; Fee. The City Council may establish a non-refundable application fee for Transient Residential Accommodations Permits, and/or a permit fee which may include a graduated fee schedule on the basis of the number of rooms of the facility and/or other criteria such as residency.

[Drafting Note: The fee order is where owner occupied structures and structures owned by Rockland residents will be “discounted” as opposed to non-resident owners.]

E. Notice. Within seven (7) days of receipt of a complete application for a Transient Residential Accommodation Permit, the City Clerk shall submit the application to the Code Enforcement Officer and, by U.S. Mail, First Class, provide notice of such application to the owner(s) of record of abutting parcels, including owner(s) of record of parcels located directly

across a street or other way from the subject parcel, at least seven (7) days prior to issuing such license. Such notice shall include the name, address, and telephone number of the person(s) responsible for management of the TRA. Notice is effective upon mailing.

F. Permitting Authority; Review Criteria. The authorized Permitting Authority shall grant, grant with conditions, or deny applications for Transient Residential Accommodations Permits, applying the level of review criteria (“Review Level”) as defined below, consistent with Table 11-210(2), no sooner than fourteen (14) days after the Clerk mails notice of such application to abutters pursuant to Subsection E and no later than thirty (30) days when the Code Enforcement Officer is the Permitting Authority, or sixty (60) days when the Planning Board is the Permitting Authority. When the application is for the renewal of a current Transient Residential Accommodations Permit and the permittee is in compliance with this and other applicable Ordinances, the City Clerk may grant an administrative extension of such current permit for up to thirty (30) days when reasonably necessary to allow the continuance of the accommodations during the permit review and renewal process. All Transient Residential Accommodations are also subject to the Additional Requirements set forth in Subsection G.

<u>Review Level I:</u>	<u>Applicant shall provide satisfactory evidence of current insurance providing coverage for bodily injury and property damage sustained or caused by the owner or lessee, guests, and others admitted to the premises. Evidence of such insurance must be available for inspection at all times while a unit or structure is used as a TRA.</u>
	<u>Applicant shall provide the name, address, and telephone number of thea person(s) who will be responsible for management of the TRA.</u>
	<u>Applicant shall provide two on-site parking spaces for a single-family structure and three on-site spaces for a two-family structure.</u>
	<u>Applicant shall not currently be in violation of any applicable law, ordinance, or regulation relating to a transient residential accommodation, lodging house, bed and breakfast establishment, hotel or motel, or other commercial residential facility.</u>
<u>Review Level II:</u>	<u>Applicant shall demonstrate compliance with applicable² building, fire prevention, and life safety codes upon inspection by the Code Enforcement Officer and Fire Chief or their designees.</u>
	<u>Applicant shall provide satisfactory evidence of current insurance providing coverage for bodily injury and property</u>

² See Chapter 4 – Buildings, Inspections & Enforcement.

damage sustained or caused by the owner, lessee, guests, and others admitted to the premises. Evidence of such insurance must be available for inspection at all times while a unit or structure is used as a TRA.

Applicant shall provide the name, address and telephone number of thea person(s) who will be responsible for management of the TRA.

Applicant shall provide two on-site parking spaces if a single-family structure; one and one-half on-site parking spaces for each dwelling unit in a two- or multi-family structure.

Applicant shall not currently be in violation of any applicable law, ordinance, or regulation relating to a transient residential accommodation, lodging house, bed and breakfast establishment, hotel or motel, or other commercial residential facility.

When the Planning Board is the Permitting Authority, it shall grant, condition, or deny the application by taking into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography, and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; and compliance with applicable requirements of all City ordinances.

Table 11-210(2)

<u>Type of Accommodation</u>	<u>Type of Structure</u>	<u>Minimum Stay Period</u>	<u>Permitting Authority in Residential AA, A, and B Zones</u>	<u>Permitting Authority in Other Zones</u>	<u>Review Level</u>
<u>TRA-1</u>	<u>Single-Family (rental of one room in owner-occupied structure or one unit in an owner-occupied two-family structure)</u>	<u>1 night up to less than 1 month</u>	<u>Code Office</u>	<u>Code Office</u>	<u>I</u>
<u>TRA-2</u>	<u>Single-Family (whole house)</u>	<u>4 nights up to less than 1 month</u>	<u>Planning Board</u>	<u>Code Office</u>	<u>I</u>
	<u>Two-Family (one unit rented monthly and one unit rented less than one month)</u>	<u>4 nights up to less than 1 month</u>	<u>Planning Board</u>	<u>Code Office</u>	<u>I</u>
<u>TRA-3</u>	<u>Multi-Family or Mixed Use</u>	<u>4 nights up to less than 1 month</u>	<u>Planning Board</u>	<u>Planning Board</u>	<u>II</u>

[Drafting Note: Councilor Clayton indicated in an email that when a Rockland resident owns a structure used for TRA, they should be able to rent nightly. It was my recollection that the rest simply wanted the fee to be less for owner occupied TRAs and residents who own property other than their home and which is used for a TRA.]

G. Additional Requirements. In addition to the standards set forth in Section 11-106 and other applicable law, ordinance, or regulations, the following criteria shall apply to applications for Transient Residential Accommodations:

- (1) The occupancy classification of a single-family structure, or a unit in a two-family or multi-family structure, used as a TRA shall be in compliance with that of a “one-family dwelling” as described in Chapter 24 § 24.1.1.1 of NFPA 101 Life Safety Code/2012;
- (2) TRA rentals shall be to a single person or family;
- (3) The maximum occupancy shall be limited to two people per existing bedroom plus no more than two additional children under the age of twelve;
- (4) Provided that there are approved fire separations between dwelling units in an existing duplex or condominium structure, each unit under separate, unrelated or affiliated ownership shall be considered a single-family structure for the purposes of Transient Residential Accommodations Permit provisions. New condominium units established after October 1, 2015, may not be used for Transient Residential Accommodations;
- (5) Multi-family dwellings must be a permitted use in the zone in which it is located in order to rent any unit as a TRA-3;:-
- (6) An approved functional sprinkler system is required in any multi-family dwelling in which a single unit is used as a TRA-3;:-
- (7) A multi-family structure located in zones other than Residential “A”, “AA” or “B” zones, and where the zone in which the multi-family dwelling is located permits Lodging, Rooming or Boarding Houses and/or Hotels, shall be permitted to rent any or all dwelling units for any period less than a month. Such multi-family dwelling must have approved functional sprinkler and fire alarm systems. The total number of guests occupying such TRA-3 shall not exceed sixteen (16);
- (8) No detached accessory building, recreational vehicle, trailer, tent, or other mobile residential equipment other than a mobile home may be permitted or rented as a transient residential accommodation;
- (9) The use of a dwelling unit as a TRA does not violate any applicable lease, rental agreement, condition of municipal approval, covenant, or other lawful restriction on the use of the parcel;

- (10) Notwithstanding anything to the contrary in Section 19-315, signage identifying, advertising, providing wayfinding, or otherwise relating to the use of a dwelling as a TRA is not permitted, either on- or off-site;
- (11) The Permittee must maintain accurate, up-to-date records of all rental transactions in the TRA, including the number of guests and the duration of their stays. Such records must be available for review by the Code Enforcement Officer upon request;
- (12) The Permittee must post in plain sight to visitors near the entrance ~~and in each rented bedroom~~ a Notice that identifies the name, address, phone number(s), e-mail address, and emergency contact of the operator of the TRA, and, when the TRA is not subject inspection by the City's Code Enforcement Officer and Fire Chief pursuant to Table 11-210(2), the following disclaimer:

NOTICE

The Operator of these accommodations, [print permittee's name] has been granted a City of Rockland Transient Residential Accommodations Permit, Permit No. _____, pursuant to Rockland Code of Ordinances, Ch. 11, Art. II, Sec. 11-210(2). THE GRANTING OF THIS PERMIT DOES NOT CONSTITUTE A FINDING BY THE CITY OF ROCKLAND OR OTHER CODE ENFORCEMENT AUTHORITY THAT THE PREMISES ARE IN COMPLIANCE WITH APPLICABLE BUILDING, PROPERTY MAINTENANCE, FIRE PREVENTION, LIFE SAFETY, OR OTHER APPLICABLE CODES OR REGULATIONS. No inspection for compliance with such regulations has been conducted, and none is required for Operator to acquire a Transient Accommodations Permit or to conduct that business at these premises so long as the Operator's use of the premises is in conformance with and does not exceed the scope of the Transient Residential Accommodations Permit;

- (13) The Permittee must assure that each advertisement of the TRA includes Permittee's City of Rockland Transient Accommodations Permit number; and.
- (14) Renters of transient residential accommodations may not sublease any portion of the transient residential accommodation to another person, family, or entity.

H. Complaints. Complaints regarding TRAs filed with the Police Department shall be brought to the attention of the Code Enforcement Officer as soon as practicable. Any person may also file a complaint with the Code Enforcement Officer. The Code Enforcement Officer shall establish and maintain a log of all complaints for each TRA received and substantiated by the City. The Code Enforcement Officer shall seek the correction of all substantiated complaints by the Permittee.

I. Suspension, Revocation, or Denial of Permit. The Permitting Authority may deny any

Transient Residential Accommodation Permit upon failure of the applicant to meet all regulations set forth in this section. When, in the judgement of the Code Enforcement Officer, the nature and/or number of complaints warrants further review of the TRA, he shall provide a report of the same to the City Council for its consideration. The City Council may condition, suspend, or revoke a Transient Residential Accommodation Permit, following a public hearing, on the basis of the licensee's non-compliance with any applicable law, ordinance, or regulation, or license certification, condition, or criteria.

3. Penalties.

A. Operation Without Permit. Whoever operates a lodging house or transient residential accommodation without a license or permit therefor shall be penalized with a fine of five hundred dollars (\$500) for the first offense and additional fines of one thousand dollars (\$1,000) for each additional offense, to be recovered upon complaint before the Maine District Court in Rockland, for the use of the City. Each rental of any room or other transient accommodation shall constitute a separate offense.

[Drafting Note: this is the same penalty imposed for violations of the taxicab drivers' license ordinance, in Section 11-512.]

B. Violation of Law, Ordinance, or Regulation. A lodging house licensee or transient residential accommodation permittee who violates any applicable law, ordinance, or regulation and who, following notice by the Code Enforcement Officer fails to abate such violation within the period prescribed shall be penalized with a fine of two hundred and fifty dollars for each such violation, to be recovered upon complaint before the Maine District Court in Rockland, for the use of the City. Each day such violation is allowed to continue shall constitute a separate violation.

C. In addition to or instead of such penalty(ies), in the sole the discretion of the City, the City may seek an injunction prohibiting the operation of the lodging house or transient residential accommodation until the offense or violation shall have been abated.

4. Transitional Provisions. Notwithstanding anything to the contrary herein, the provisions in this Ordinance Amendment relating to the permitting of transient residential accommodations, and penalties for violations of such provisions, shall be implemented as follows:

A. Permitting Authority. The Code Enforcement Officer shall serve as the Permitting Authority for all applications for Transient Residential Accommodations Permits received between the effective date of Ordinance Amendment 15-41 and April 30, 2016;

B. Deadline. The Code Enforcement Officer shall have sixty (60) days to grant, grant with conditions, or deny applications for Transient Residential Accommodations Permits received on or before April 30, 2016; and

C. Reservations.

(1) Persons or entities who operated a transient residential accommodation in Rockland at any time between January 1, 2015, and December 1, 2015, which TRA is not of a type that may be

permitted as a TRA-1, TRA-2, or TRA-3, and who received reservations for transient residential accommodations at the same premises between December 1, 2015, and April 30, 2016, may honor such reservations and provide such transient residential accommodations without a permit therefor. No new reservations for transient residential accommodations may be accepted after the effective date of this ordinance unless such accommodations were offered for rent in 2015 prior to December 1, and – if permitted – would fall within the definition of a TRA-1, TRA-2, or TRA-3.

(2) Persons or entities who operated a transient residential accommodation in Rockland at any time between January 1, 2015, and December 1, 2015, which TRA, if permitted, would fall within the definition of a TRA-1, TRA-2, or TRA-3, and who prior to April 30, 2016, receive reservations for transient residential accommodations at the same premises between December 1, 2015, and October 30, 2016, may honor such reservations and provide such transient residential accommodations without a permit therefor. No new reservations for such transient residential accommodations may be accepted after April 30, 2016, unless the premises have been permitted therefor.

**Sponsor: City Council
Originator: Code Enforcement Officer**

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #42
IN CITY COUNCIL**

October 14, 2015

**ORDINANCE AMENDMENT: Zoning Provisions for Transient
Residential Accommodations**

**THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And
Planning, ARTICLE III, Zoning Ordinance, BE AMENDED AS FOLLOWS:**

Sec. 19-302 Words And Phrases Defined

For the purpose of this Article certain words and phrases are defined as follows:

* * *

Bed and Breakfast Establishments. Except as permitted pursuant to Ch. 11, Art. II,
Sec. 11-210(2), the following definition shall apply:

- a. The following definition shall apply: **Bed and Breakfast.** Any dwelling in which two (2) or more bedrooms for transient lodging or boarding and lodging are provided and offered to ~~the public~~ one or more persons or families by the owner for compensation for less than one week. Except as otherwise provided, this property shall also be the full-time, permanent residence of its owner during periods of operation. There shall be no provisions for cooking in any individual guest room. The maximum guest occupancy shall be 16 / night
- b. No food or drink of any kind shall be sold to the general public.
- c. For a Bed and Breakfast in a residential zone, no more than eight (8) rooms may be rented unless the property has multiple buildings existing prior to April 10, 2002. In that case, additional rooms may be rented in the additional building or buildings up to a total of twelve (12) rooms on the property. The expansion must be made wholly within the building existing as of April 10, 2002.

Unless presented together initially, each multiple existing building being opened as a Bed and Breakfast Inn will require its own Site Plan Review and approval from the Planning Commission.

Dwelling Unit: A room or suite of rooms that are arranged, designed, used, or intended for use as a self-contained housekeeping unit, separated from other such rooms or suites of rooms, and contains living, kitchen, and sleeping facilities for one person, or one family, including single-family homes and the separated units in a duplex, apartment house, multi-family dwelling, and residential condominium.

~~A room or suite of rooms that is used as a habitation, which is separate from other such rooms or suites of rooms, and which contains living, cooking, and sleeping facilities, includes single family houses, and the units in a duplex, apartment house, multifamily dwellings, and residential condominiums.~~

Dwelling, One-Family or Dwelling, Single-Family: The use, for zoning purposes, of a single-family structure by its owner or the owner's tenant as a residence for a person or a family for a term of at least one month, except as otherwise provided under Title 30-A, Maine Revised Statutes, Section 4357-A – Community Living Arrangements, as amended.

~~A building containing not more than one (1) dwelling unit in which the dwelling unit is occupied by members of a single family with not more than three (3) outsiders, if any, accommodated in rented rooms, with exceptions as mandated in Title 30-A Section 4357-A: Community living arrangements, as amended.~~

Structure, Single-Family: A building containing not more than one (1) dwelling unit.

Dwelling, Two-Family: The use, for zoning purposes, of each dwelling unit in a two-family structure by its owner or the owner's tenant as a residence for one person or a family for a term of at least one month.

~~A building containing not more than two (2) dwelling units in which each dwelling unit is occupied by members of a single family with not more than three (3) outsiders, if any, accommodated in rented rooms.~~

Structure, Two-Family: A building containing two (2) dwelling units.

Dwelling, Multi-Familyple. The use, for zoning purposes, of each dwelling unit in a multi-family structure by its owner or the owner's tenant as a residence for one person or a family for a term of at least one month, including apartment houses and apartment hotels, but excluding boarding houses, inns, lodging houses, hotels, motels, and other transient residential accommodations.

~~**Dwelling; Multiple.** A "multiple dwelling" means a building or portion thereof used or intended to be used or occupied as a permanent residence, more or less, by three (3) or more families living independently of each other, including apartment houses and apartment hotels, but excluding boarding houses, lodging houses, hotels and motels. The latter terms shall mean a building or buildings divided into individual rooms or suites of rooms which are rented or used or designed to be used primarily for sleeping purposes where the building(s) has only general kitchen and dining facilities or where the rooms which are rented contain no extensive cooking facilities.~~

Structure, Multi-Family: A building containing three (3) or more dwelling units.

Family. Two or more persons related by blood, marriage, civil union, or adoption who reside together as a single housekeeping unit, sharing common kitchen and bathroom facilities. A

“family” for zoning purposes may also consist of (1) two or more persons related by blood, marriage, civil union, or adoption and no more than three additional persons who are not so related, or (2) no more than three unrelated persons, who occupy a dwelling unit as a single housekeeping unit, sharing common kitchen and bathroom facilities.

~~———— “Family” means one (1) or more persons living, sleeping, cooking and eating on the same premises as a single house-keeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel. Such unit shall not exceed five (5) persons not related by blood or marriage.~~

Hotel: A commercial establishment offering sleeping accommodations for seventeen (17) or more travelers and others on a transient or semi-permanent basis, sometimes including varying levels of accessory services for occupants and/or the general public such as restaurants, shops, and meeting rooms.

A building or groups of buildings under the same management in which there are sleeping accommodations for more than sixteen (16) persons and primarily used by transients for lodging with or without meals.

* * *

Kitchen Facility(ies). “Kitchen Facility,” both in its singular or plural form, shall mean an area that contains any, some, or all of the following facilities for food preparation, storage, and/or sanitation: a stove, oven, convection oven, microwave, hotplate or other cooking or food warming equipment; any size refrigerator or freezer; and/or any type of sink, including a bar sink or wet-bar but not including a bathroom sink.

~~———— **Lodging Facilities.** A facility that offers accommodations for a fee.~~

~~**Lodging, or Rooming, or Boarding House:** A building other than single-, two-, or multi-family structure in which a licensed operator provides, for a fee, sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals served to occupants only, but without separate kitchen facilities for individual occupants; provided however that the building may include a separate, additional dwelling unit occupied by the owner or manager that includes kitchen facilities for such owner or manager’s personal use.~~

~~———— **Lodging or Rooming House:** Buildings that provide sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants.~~

* * *

Transient Residential Accommodation (“TRA”). The use of all or part of a legally-existing dwelling unit for short-term rental to a person or family unrelated to the owner or occupant of the unit, for consideration, for periods of less than one month.

Sec. 19-309 Special Use Classes ~~Exceptions and Exemptions~~

* * *

3. Transient Residential Accommodations.

A. Permitted Transient Residential Accommodations. In any zone, existing single-, two-, and multi-family structures may be used as Transient Residential Accommodations upon the issuance of a Transient Residential Accommodations Permit for the premises pursuant to Chapter 11, Article II, Section 11-210. Notwithstanding anything to the contrary in this section, Planning Board review of Transient Residential Accommodations as a Special Use Class shall not be required when the Code Office is the designated Permitting Authority pursuant to Chapter 11, Article II, Section 11-210(2).

B. Prohibited Transient Residential Accommodations. No person may offer for rent, rent, operate, or otherwise use any parcel in the City of Rockland for Transient Residential Accommodations if:

(1) Such person has not secured or maintained a valid Transient Residential Accommodations Permit for the premises; or

(2) The accommodations are an accessory apartment, a detached accessory building, recreational vehicle, trailer, tent, or other mobile residential equipment other than a mobile home.

Sponsor: Mayor Isganitis
Originator: Code Enforcement Officer

Postponed 10/14/15 to 11/9/15

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #42

IN CITY COUNCIL

October 14, 2015

**ORDINANCE AMENDMENT: Zoning Provisions for Transient
Residential Accommodations**

**THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And Planning,
ARTICLE III, Zoning Ordinance, BE AMENDED AS FOLLOWS:**

Sec. 19-302 Words And Phrases Defined

For the purpose of this Article certain words and phrases are defined as follows:

* * *

Bed and Breakfast Establishments. Except as permitted pursuant to Ch. 11, Art. II, Sec. 11-210(2), the following definition shall apply:

- a. ~~The following definition shall apply: Bed and Breakfast.~~ Any dwelling in which two (2) or more bedrooms for transient lodging or boarding and lodging are provided and offered to ~~the public~~ one or more persons or families by the owner for compensation for less than one week. Except as otherwise provided, this property shall also be the full-time, permanent residence of its owner during periods of operation. There shall be no provisions for cooking in any individual guest room. The maximum guest occupancy shall be 16 / night
- b. No food or drink of any kind shall be sold to the general public.
- c. For a Bed and Breakfast in a residential zone, no more than eight (8) rooms may be rented unless the property has multiple buildings existing prior to April 10, 2002. In that case, additional rooms may be rented in the additional building or buildings up to a total of twelve (12) rooms on the property. The expansion must be made wholly within the building existing as of April 10, 2002.

Unless presented together initially, each multiple existing building being opened as a Bed and Breakfast Inn will require its own Site Plan Review and approval from the Planning Commission.

Dwelling Unit: A room or suite of rooms that are arranged, designed, used, or intended for use as a self-contained housekeeping unit, separated from other such rooms or suites of rooms, and contains living, kitchen, and sleeping facilities for one person, or one family, including single-family homes and the separated units in a duplex, apartment house, multi-family dwelling, and residential condominium.

~~A room or suite of rooms that is used as a habitation, which is separate from other such rooms or suites of rooms, and which contains living, cooking, and sleeping facilities, includes single family houses, and the units in a duplex, apartment house, multifamily dwellings, and residential eondominiums.~~

Dwelling, One-Family or Dwelling, Single-Family: The use, for zoning purposes, of a single-family structure by its owner or the owner's tenant as a residence for a person or a family for a term of at least one month, except as otherwise provided under Title 30-A, Maine Revised Statutes, Section 4357-A – Community Living Arrangements, as amended.

~~A building containing not more than one (1) dwelling unit in which the dwelling unit is occupied by members of a single family with not more than three (3) outsiders, if any, accommodated in rented rooms, with exceptions as mandated in Title 30-A Section 4357 A: Community living arrangements, as amended.~~

Structure, Single-Family: A building containing not more than one (1) dwelling unit.

Dwelling, Two-Family: The use, for zoning purposes, of each dwelling unit in a two-family structure by its owner or the owner's tenant as a residence for one person or a family for a term of at least one month.

~~A building containing not more than two (2) dwelling units in which each dwelling unit is occupied by members of a single family with not more than three (3) outsiders, if any, accommodated in rented rooms.~~

Structure, Two-Family: A building containing two (2) dwelling units.

Dwelling, Multi-Familyple. The use, for zoning purposes, of each dwelling unit in a multi-family structure by its owner or the owner's tenant as a residence for one person or a family for a term of at least one month, including apartment houses and apartment hotels, but excluding boarding houses, inns, lodging houses, hotels, motels, and other transient residential accommodations.

~~**Dwelling; Multiple.** A "multiple dwelling" means a building or portion thereof used or intended to be used or occupied as a permanent residence, more or less, by three (3) or more families living independently of each other, including apartment houses and apartment hotels, but excluding boarding houses, lodging houses, hotels and motels. The latter terms shall mean a building or buildings divided into individual rooms or suites of rooms which are rented or used or designed to be used primarily for sleeping purposes where the building(s) has only general kitchen and dining facilities or where the rooms which are rented contain no extensive cooking facilities.~~

Structure, Multi-Family: A building containing three (3) or more dwelling units.

Family. Two or more persons related by blood, marriage, civil union, or adoption who reside together as a single housekeeping unit, sharing common kitchen and bathroom facilities. A "family" for zoning purposes may also consist of (1) two or more persons related by blood, marriage, civil union, or adoption and no more than three additional persons who are not so related, or (2) no more than three unrelated persons, who occupy a dwelling unit as a single housekeeping unit, sharing common kitchen and bathroom facilities.

"Family" means one (1) or more persons living, sleeping, cooking and eating on the same premises as a single house-keeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel. Such unit shall not exceed five (5) persons not related by blood or marriage.

Hotel: A commercial establishment offering sleeping accommodations for seventeen (17) or more travelers and others on a transient or semi-permanent basis, sometimes including varying levels of

accessory services for occupants and/or the general public such as restaurants, shops, and meeting rooms.

~~A building or groups of buildings under the same management in which there are sleeping accommodations for more than sixteen (16) persons and primarily used by transients for lodging with or without meals.~~

* * *

Kitchen Facility(ies). “Kitchen Facility,” both in its singular or plural form, shall mean an area that contains any, some, or all of the following facilities for food preparation, storage, and/or sanitation: a stove, oven, convection oven, microwave, hotplate or other cooking or food warming equipment; any size refrigerator or freezer; and/or any type of sink, including a bar sink or wet-bar but not including a bathroom sink.

~~Lodging Facilities.~~ A facility that offers accommodations for a fee.

Lodging, or Rooming, or Boarding House: A building other than single-, two-, or multi-family structure in which a licensed operator provides, for a fee, sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals served to occupants only, but without separate kitchen facilities for individual occupants; provided however that the building may include a separate, additional dwelling unit occupied by the owner or manager that includes kitchen facilities for such owner or manager’s personal use.

~~Lodging or Rooming House:~~ Buildings that provide sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants.

* * *

Transient Residential Accommodation (“TRA”). The use of all or part of a legally-existing dwelling unit for short-term rental to a person or family unrelated to the owner or lessee of the unit, for consideration, for periods of less than one month.

Sec. 19-309 Special Use Classes ~~Exceptions and Exemptions~~

* * *

3. Transient Residential Accommodations.

A. Permitted Transient Residential Accommodations. In any zone, existing single-, two-, and multi-family structures may be used as Transient Residential Accommodations upon the issuance of a Transient Residential Accommodations Permit for the premises pursuant to Chapter 11, Article II, Section 11-210. Notwithstanding anything to the contrary in this section, Planning Board review of Transient Residential Accommodations as a Special Use Class shall not be required when the Code Office is the designated Permitting Authority pursuant to Chapter 11, Article II, Section 11-210(2).

B. Prohibited Transient Residential Accommodations. No person may offer for rent, rent, operate, or otherwise use any parcel in the City of Rockland for Transient Residential Accommodations if:

(1) Such person has not secured or maintained a valid Transient Residential Accommodations Permit for the premises; or

(2) The accommodations are ~~an accessory apartment,~~ a detached accessory building, recreational vehicle, trailer, tent, or other mobile residential equipment other than a mobile home.

Sponsor: Mayor Isganitis
Originator: Code Enforcement Officer

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #43
IN CITY COUNCIL**

November 9, 2015

ORDINANCE AMENDMENT: Amending Minimum Front Setback from Publicly-Accessible Park or Plaza

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning And Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304, Zone Regulations, SUBSECTION 19-304(14), Downtown Zone Regulations and SUBSECTION 19-304(23), Tillson Avenue Area Overlay Zone Regulations, BE AMENDED AS FOLLOWS:

14. Downtown Zone "DT" Regulations.

A. Purpose.

The purpose of the Downtown Zone is to preserve and promote a compact, historic commercial district to serve as the retail, office, institutional, financial, governmental, and cultural center of the community. This Zone should include mixed uses that are compatible with existing uses and architectural scale.

* * *

C. Standards.

- (1) The standards of Section 19-316 shall be observed.
- (2) The following space and bulk standards shall apply to all lots and/or parcels of land:

Table 304-14

"DT" ZONE

* * *

<p>Maximum Front Setback (Principal and Accessory Structures)</p>	<p><u>Five feet from property line for no less than 40% of the building façade (first floor) as measured linearly. Fifteen feet from property line for the remainder of the building façade (all floors) as measured linearly. Such Maximum Front Setbacks shall be measured from the inside edge of any park, plaza, or other exterior portion of the lot that abuts the primary street and to which the lot owner has granted the City of Rockland a public access easement in a form acceptable to the City Attorney. The inside edge shall be that point of the longest line or, in the event of a round or oval space, the curve formed by the publicly-accessible park, plaza or similar area, that is located closest to the principal façade of the proposed structure.</u></p>
<p>Minimum Front Setback (Principal and Accessory Structures)</p>	<p>None</p>

Minimum Side Setback (Principal and Accessory Structures)	None outside designated scenic viewsheds. Within designated scenic viewsheds, as identified in a City-adopted plan, see 'Preservation of Water views' standard for minimum side setbacks.
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* * *

23. Tillson Avenue Area Overlay Zone

1. Purpose. To enhance redevelopment opportunities in the Tillson Avenue Area while protecting and enhancing the historic character and mixed-uses in Rockland's largely 19th Century-constructed commercial center (the "Downtown District"), and waterfront. This Overlay defines uses and standards that are in addition to regulations for the underlying land use zones that apply in this area. Where there is a conflict between uses and standards within the zones of this area and the Tillson Avenue Area Overlay Additional Standards, the Tillson Avenue Area Overlay Additional Standards shall apply.

* * *

5. Standards. In addition to the standards for the zones within this area, the following space, bulk and design standards shall apply to all lots and/or parcels of land.

TILLSON AVENUE AREA OVERLAY ADDITIONAL STANDARDS

* * *

Maximum Front Setback (Principal Structures and Accessory Structures with building coverages of 150 sq. ft. or more)	5 feet from property line for no less than 40% of the building façade (first floor) as measured linearly. 15 feet from property line for the remainder of the building façade (all floors) as measured linearly. However, functionally water-dependent uses, maritime facilities, and marinas are exempt from a maximum front setback requirement. <u>Such Maximum Front Setbacks shall be measured from the inside edge of any park, plaza, or other exterior portion of the lot that abuts the primary street and to which the lot owner has granted the City of Rockland a public access easement in a form acceptable to the City Attorney. The inside edge shall be that point of the longest line or, in the event of a round or oval space, the curve formed by the publicly-accessible park, plaza or similar area, that is located closest to the principal facade of the proposed structure.</u>
Minimum Front Setback (Principal and Accessory Structures)	None
Minimum Side Setback (Principal and Accessory Structures)	None outside of designated scenic viewsheds. Within designated scenic viewsheds, as identified in a City-adopted Master Plan for the Tillson Ave area, see 'Preservation of Water views' standard for minimum side setbacks.

Sponsor: Mayor Isganitis
Originator: City Manager

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #44
IN CITY COUNCIL**

November 9, 2015

ORDINANCE AMENDMENT Authorizing a Municipal Quitclaim Deed – 105 First Street

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized, on behalf of the City, to issue a municipal quitclaim deed to Carla Grathwol for property located at 105 First Street, as shown on Rockland Tax Map #58-A-7-105, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If Ms. Grathwol fails to sign the Reconveyance Agreement and comply with its requirements by February 9, 2016, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor: City Council
Originator: City Manager

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #45
IN CITY COUNCIL**

November 9, 2015

ORDINANCE AMENDMENT 15 Minute Time Limit – Thorndike Parking Lot

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 17, Traffic & Vehicles, SECTION 17-802, Schedule II, Time Limits on Parking, BE AMENDED AS FOLLOWS:

Sec. 17-802 Schedule II. Time Limits on Parking

1. General Limitation. Parking time limited between 9:00 AM and 6:00 PM on Mondays, Tuesdays, Wednesdays, and Thursdays, and between 9:00 AM and 9:00 PM on Fridays and Saturdays, with the exception of Sundays and public holidays:

Street	Area Affected
F. Fifteen-Minute Limit	
(1) Main	(a) Between Pleasant Street and Rankin Street between the hours of 2:00 A.M. and 6:00 A.M., Sundays and legal holidays excepted.
(2) <u>Thorndike Parking Lot</u>	(b) <u>The first two angles parking space in the northwest corner of the parking lot.</u>

Sponsor: Mayor Isganitis
Originator: Parking Committee

Memo

To: Rockland City Council
From: PJ Walter, chair of Parking Advisory Committee
Date: October 29, 2015
Re: October 1, 2015 meeting results of the Parking Advisory Committee

The parking committee met on October 1, 2015 to continue ongoing parking discussions reflected in prior meeting minutes. A copy of the meeting minutes from October 1, 2015 is attached.

Per the request of the city manager, the 15 minute spaces in Thorndike Parking lot were discussed. The committee recommends at this time that three 15 minute spaces seems a bit excessive and recommends that only two of the spaces be designated as 15 minute parking. This issue reinforces the need for a comprehensive city-wide parking study as previously requested by the parking committee.

The parking committee also began discussion of the city's current towing ordinance and will continue discussion once complete information on current practice is received from Troy Peasley. This will be on next meeting's agenda.

There was also discussion of parking on the grass at both Harbor Park and Snow Marine Park. Ed Glaser was in attendance and advised that a potential plan is in place for a harbor park redesign which he has subsequently provided us. The committee will discuss this further at our next meeting in order to make recommendations to council.

The committee asks direction from the city on who to include for further harbor parking related discussions due to the retirement of Ed Glaser.

Our next meeting is scheduled for Monday, November 16, 2015 at 5:30 pm at Rockland City Hall board room.

Parking Advisory Committee meeting October 1, 2015

5:30 pm City Hall board room

Present in Attendance:

P.J. Walter, Committee Chair

Joanne Billington, Committee member

Paul Chartrand, Committee member

Leslie Spiers, Committee member

Greg Pinto, Committee member, recorded or minutes

Traffic Officer Troy Peasley, ex-officio non-voting Committee member

Guest, Doug Curtis Jr.

Guest, Rockland Harbormaster Ed Glaser

Absent:

Rockland Police Chief Bruce Boucher, ex-officio non-voting Committee member

Meeting called to order.

Doug Curtis Jr presented committee with his views of opposition to the amended shuffling ordinance. Informing the committee of his occupancy history on Rockland's Main Street in addition to his history of working with mass transit in California and serving as chair of the comprehensive planning commission for Rockland, Mr Curtis explained that "shuffling" has been occurring for as long as he has been on Main Street, that lack of accessible parking for downtown employees and business people due to congestion during times of construction and festival season is the root cause of this issue. Mr Curtis told the committee that as far back as when the City Manager was Tom Hall the city explored the idea of creating a multi level parking garage at the train Station property, but found the option not financially feasible. Mr Curtis

contended that amending the current ordinance to increase the fines was reactionary, and does not address the problem with a solution, suggesting that the city should seek federal monies from the Department of Transportation to establish a public transit. The committee thanked Mr Curtis for sharing his views and informed him that as a committee we have already acted on this subject and did not have it on the agenda for further discussion. Mr Curtis then requested clarification on the committee 3-1 vote and whether or not we have spoken with the Chief of Police on this subject. The committee informed Mr Curtis that the vote to which he referenced was not a vote on the amended ordinance, but rather a vote as to the postponement or tabling of the issue, which the committee majority voted to not postpone or table and that to the ordinance amendment itself, the committee is unanimous in support of the amendment. In regards to communications with the Rockland Police Chief, the committee informed Mr Curtis that although not in attendance for this meeting, Chief Boucher is an ex-officio member of the committee and has, with the rest of the committee, discussed this topic at length.

The committee then moved to discussion of regular agenda items.

Agenda item #1, 15 minute parking space in the redesigned Thorndike Parking Lot. Traffic Officer Peasley informed committee members of the miscommunication that led to the installation of the signs designating three (3) spaces in the parking lot as 15 minute short term spaces. Officer Peasley informed the committee that after several days G. Page of Main Street inc complained that he and his clients hadn't been informed of this change and requested the designation be removed, at which point the signs were covered until the parking advisory committee could discuss the topic. Committee members discussed the parking availability in that lot, and how short term spaces designated could serve several of the businesses in that block. The committee came to the conclusion that the creation of 15 minute short term parking has the potential to be beneficial, and could possibly be explored in other locations, but for the

time being the spaces limited to 15 minute parking in the Thorndike lot should be limited to two (2) spaces. The committee reiterated that in regards to this type of issue, short term parking, long term unrestricted parking, overnight parking, and the possibility of permitted parking programs such as that in the Customs House Parking lot, a comprehensive parking study of the supply and demands for parking in the evolving downtown would be beneficial to guide the city in these decisions. The committee feels that until such a time when a study may be executed, it is in the interest of the city to embrace parking adjustments, in the effort to find creative solutions that with the help of businesses and organizations educating their customers and members/employees, to best serve both visitors and users of available public parking both on and surrounding Main Street.

Regular agenda item #2 is the towing ordinance for the city of Rockland. Committee members are in agreement that the wording of the current ordinance limits the City of Rockland from proper authorization to tow vehicles unless they can be proven to be abandoned or are directly impeding traffic. The committee concluded that adjusting the wording of the ordinance is needed to properly authorize the Police Department to have vehicles towed if said vehicles are illegally parked for multiple days. The committee requested more information and suggestion for adjustments from the Police Department, Traffic Officer Peasley agreed to provide the committee members with current language of the ordinance along with suggested revisions.

Regular agenda item #3 is parking on the grass at Harbor Park. Harbor Master Ed Glaser informed committee that while it is not an encouraged policy to allow parking under the trees at Harbor Park he feels that the city cannot enforce a no parking policy there unless it is addressed in ordinance and designated with signage. Committee members noted that as this issue amongst many others seems to amplify during the summer, perhaps notifying the boat owners currently leaving their vehicles parked on the grass that parking is available at the high school

parking lots would be appropriate rather than using the only shade space available in Harbor Park. Mr Glaser informed the committee members that as part of the redesign effort for Harbor Park, a parking lot for users of the Harbor is to be included, so as to provide boaters with parking availability during the festival season uninterrupted. Part of the problem, as noted by Mr Glaser is that Harbor Park isn't always viewed as a designated park as much as it is often viewed as a parking lot with grass, this due to the prime summer months the park is most utilized as being occupied by the various festivals. The committee noted that during the festivals, campers use the available space in Harbor Park as well as other municipal lots, including beach parking. Mr Glaser informed the committee that he would instruct boaters to use parking in front of the stage at harbor park or Snow Marine Park, to preserve access to the shaded area under the trees for park users, with the goal being in the long term to have parking available for boat owners in the redesign effort of Harbor Park. Mr Glaser suggested that a possible source of funding for such parking might be found available through grants in relation to the federal B.I.P. (Boating Infrastructure Program). The committee members along with Mr Glaser felt that parking provided for boating users of the Harbor should be made available with the appropriate permitting fee. As to whether that fee is tied into the mooring fee, or dingy dock usage or a part of a larger city wide overnight parking permit system is something that will need to be determined. Until such a time when that program of permits and establishing parking availability for boat owners can be achieved, the committee recommends that the Harbor Master instructs boat owners not to utilize the shaded area under the trees in Harbor Park for parking, and the city consider installation of signs designating that parking on the grass is prohibited, with further consideration for codifying it in ordinance if deemed necessary. The committee requested to see the design plan for the Harbor Park redesign to look more into the parking

options for boating harbor users. Harbor Master Glaser agreed to make them available. Committee members thanked Mr Glaser for his time.

Parking Advisory committee set its next meeting date for Monday November 16th at 5:30 pm in the city hall board room with intentions to review the towing ordinance, review parking plans in the Harbor redesign plan and continue the discussion on these topics. Meeting adjourned.

CITY OF ROCKLAND, MAINE

ORDER #82

IN CITY COUNCIL

November 9, 2015

ORDER Use of City Property – Holiday Season

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT Rockland Main Street, Inc. is hereby authorized to utilize City properties and rights of way to mark the beginning of the 2015 Holiday Season, in substantial compliance with the schedule outlined in the letter from Rockland Main Street, Inc., attached hereto, as follows:

- Hanging of decorations on Park and Main Streets on November 17, 2015, and hang a banner across Main Street promoting the Festival of Lights;
- Construction of “Lobster Trap Tree”, November 18, 2015;
- Installation of “Santa’s Workshop” in Winslow Holbrook Memorial Park on November 23, 2015;
- Main, Union and Park Streets at or after 12:00 noon on Friday, November 27, 2015, for a brief ceremony and procession marking the arrival of “Santa” and the opening of the Holiday Season on Main Street, which shall not require the closing of Main Street, and Mildred Merrill Park for the lighting of the “Lobster Trap Tree” at 6:00 p.m.;
- Main Street, between the entrance to the Maine State Ferry Terminal and the entrance to Harbor Park, on Saturday, November 28, 2015, from 5:00 p.m. to 9:00 p.m. for the annual Festival of Lights Parade (Main Street to be closed to vehicular traffic and parking on Main Street prohibited beginning at 4:00 p.m.).

The organizer of these events shall be responsible for setting up for and cleaning up after the events, shall provide proof of liability insurance to the City prior to holding the events, and shall coordinate with the Rockland Police and Fire & EMS Departments for any necessary traffic control and/or public safety measures. Any fees associated with these activities are hereby waived.

Sponsor: City Council

Originator: Rockland Main Street, Inc.



Rockland Main Street, Inc.

13 October 2015

Rockland City Council
c/o Mr. James Chaousis, City Manager
270 Pleasant Street
Rockland, ME 04841

Dear Council Members:

Rockland Main Street, Inc., is preparing for the annual Festival Of Lights Celebration, scheduled for Thanksgiving weekend. It has been the tradition for this seasonal event to utilize the space at Mildred Merrill Park to construct the Lobster Trap Christmas Tree, and to install a shed to serve as Santa's workshop to receive children and their families.

It has also been the tradition to orchestrate an after-dark parade that features dozens of lighted floats that will circle the downtown district before coming to rest on Main Street. The parade activity includes the closure of Main Street for a few hours, from approximately 5:00 PM through 9:00 PM, during which hundreds of families from all over the midcoast region attend and spend time in the shopping district.

The schedule for this year's events are as follows:

- 18 November – Build Lobster Trap Tree
- 23 November – Install Santa's workshop
- 27 November – Noon - Santa arrives at Middle Pier via Coast Guard vessel
- 27 November – 6:00 PM - Lighting of the Lobster Trap Tree
- 28 November – 6:00 PM - Festival of Lights Parade
- 29 November – Breakfast with Santa at Eclipse Restaurant

Attached are the appropriate application documents for Special Events.

The focus of these events is on providing a family friendly environment while celebrating our community and the beginning of the holiday season. Given that this is an event created for the enjoyment of the community and residents of Rockland, *we ask that you consider waiving all associated fees.* We will work closely with you and city staff to minimize the impact of the event on the city, just as we have done in past years.

I will make myself available to answer any questions you may have. As it is my intent to attend the council meeting that will handle this request, I ask that I be informed of the date and time of the meeting.

Thank you for your consideration,

Gordon Page, Sr.
Executive Director

Rockland Main Street, Inc.

"Working to Keep Downtown the Heart of the Community Since 2009"

PO Box 402, Rockland Maine 04841

Located at 417 Main Street # 203 ~ 207.593.6093 ~ rocklanddowntown@gmail.com

Rockland, Maine is a U. S. Coast Guard City and was named a Distinctive Destination in 2010

Member Maine Downtown Center and Maine Development Foundation

501 (c)(3)

CITY OF ROCKLAND, MAINE

ORDER #83

IN CITY COUNCIL

November 9, 2015

ORDER Authorizing Bids – City-Owned Property – 224 Old County Road (Engine Quarry)

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to solicit bids for the sale of a City-owned parcel of land located at 224 Old County Road (Tax Map #80-A-3) and known as Engine Quarry. The City reserves the right to accept or reject any and/or all bids.

Sponsor: City Manager
Originator: City Manager

From: Fred Dodd [<mailto:ize4belize@aol.com>]
Sent: Sunday, October 25, 2015 11:18 AM
To: jchaousis@ci.rockland.me.us
Subject: Engine Quarry

Dear Jim,

Thank you very much for taking the time to meet with me last week concerning the Engine Quarry. I would like to reconfirm my interest in purchasing this quarry from the City of Rockland. In this vein, please do keep me informed as to what I can do to move forward as expeditiously as possible.

At the risk of being overbearing, I would like to explain to you and the city council a little bit about who I am and what my intentions would be for the quarry.

A bit about myself.....After finishing graduate school in 1970 with degrees in biology, I started a business known as International Zoological Expeditions (IZE). The mission of IZE is to introduce as many students and laypeople alike as possible, to the biological wonders of our planet. Now with our field stations based in the country of Belize, IZE has introduced tens of thousands of students over the last four and a half decades to the ecology of tropical rain forests and tropical marine environments. Many now famous biologists and scientists have arisen from this introduction with IZE. The University of Maine, Colby College, Bowdoin, Unity College, are just a few of the institutions within the state of Maine that have participated in our programs over the years. For more information on IZE, please visit our website at www.izebelize.com.

My intentions.....My intentions for the Engine Quarry would be to protect it from the eminent degradation that it now faces. I would like to stop the illegal dumping, clean out the quarry, and make it available for those who wish to study such a different and unique self-contained ecosystem. I have already done this in the City of Rockland by purchasing and restoring the quarry on Mountain Road. I have also purchased and protected Oak Island, Oak is a 17 acre island located off the north coast of North Haven. I have made the island open to the public and set up nature trails throughout the island to protect the vegetation. I would plan to do the same at the Engine Quarry.

I have also been in continuous contact with one of the abutters on the west side of the quarry, Dan Hestad, who just purchased this 8 acre parcel. He has also indicated that he would like to work with me to protect the land and set it up as a wildlife preserve.

Thank you for considering my purchase and if for any reason you would like to meet with me or have any questions, please do not hesitate to contact me.

Warm Regards,

Fred Dodd
Frederick J Dodd
International Zoological
izebelize.com
ize4belize@aol.com Email
508-654-5252 Cell

CITY OF ROCKLAND, MAINE

ORDER #84

IN CITY COUNCIL

September 14, 2015

ORDER Authorizing License Agreement – Snow Marine Park

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a license agreement with the Mid-Coast Chapter of the Maine Society of Land Surveyors to allow the installation of a survey “base line” needed for annual testing, at Snow Marine Park, substantially in conformance with the license agreement incorporated herein by reference.

Sponsor: Councilor Clayton

Originator: City Manager

LICENSE AGREEMENT

THIS License Agreement (the "Agreement") by and between the City of Rockland, Maine, a municipal corporation situated in the County of Knox and State of Maine (the "City" or "Licensor") and the Midcoast Chapter of the Maine Society of Land Surveyors, a Maine non-profit corporation with its principal place of business in Augusta, Maine (collectively, the "Licensee"), is effective November 10, 2015.

WHEREAS, surveyors at least annually calibrate their surveying equipment, utilizing known, fixed local monuments placed so as to form a surveyor's "baseline;" and

WHEREAS, Licensee's Midcoast Chapter (the "Midcoast Surveyors") currently houses its baseline along Route 17, a high-volume and high-speed arterial in Rockland, which increasingly represents a potentially unsafe location for the surveyors periodically to calibrate their surveying equipment; and

WHEREAS, as a result of said safety concerns, the Midcoast Chapter seeks to relocate its baseline, and has identified the City's Snow Marine Park at 51 Mechanic Street (Tax Map 9-A-11) as a potentially safe and convenient location for the baseline; and

WHEREAS, the City Council has agreed to grant a license to Licensee for the relocation of the Midcoast Surveyors' baseline, subject to the terms and conditions of this License Agreement,

NOW, THEREFORE, the City and Licensee agree as follows:

1. Grant of License. The City grants to Licensee a license to install and maintain approximately six flush or below-grade monuments to form a surveyor's baseline in Snow Marine Park (the "Equipment"), approximately as shown in Plan of LaBranche Land Surveys, dated November 2, 2015, and attached and incorporated herein as Exhibit A.

2. Term. The permissions granted to Licensee under this License Agreement shall be for a term of ten years, commencing as of the effective date of this License Agreement and terminating at midnight on November 10, 2025 (the "Termination Date"); provided, however, that the City Manager and Licensee may, prior to the Termination Date, extend said license in a written agreement for up to one additional ten year term.

3. Fee. The purpose of this Agreement is to provide Rockland and vicinity land surveyors with a safe and convenient location for a

surveyor's baseline with which area surveyors may calibrate and assure the accuracy of their instruments. So long as the use of the Property by Licensee is limited to and consistent with this purpose and within the terms and conditions of this Agreement, no fee shall be owed to the City for the permissions granted herein.

4. Construction; Maintenance; Default. Licensee shall be fully and solely responsible for the construction, maintenance, repair, relocation, replacement, and/or removal of the Equipment, and any other costs incurred by Licensee or the City with respect to the placement and maintenance of the Equipment in Snow Marine Park as authorized in this License Agreement, and the City shall have no responsibility or liability therefor. Licensee shall maintain the baseline monuments authorized herein in a safe and functional condition throughout the Term of this License Agreement, to the satisfaction of the Code Enforcement Officer, and shall bear the full expense thereof.

5. Termination.

The City may terminate this Agreement without cause by giving 60 days' written notice to the Licensee. The City may terminate this agreement by giving 14 days' written notice in the event Licensee's use of the premises exceeds the scope of this Agreement, Licensee fails to maintain the Equipment in a safe and functional condition, or Licensee or one of its members, agents, invitees, or guests engages in illegal conduct on the Property, unless Licensee shall have abated and cured such act or omission to the satisfaction of the City Manager. Upon termination, Licensee at its own expense shall cause the removal of the Equipment and the restoration of the Property to its original condition to the extent disturbed or altered by the placement, construction, use, maintenance, repair, relocation, or removal of the Equipment. Termination does not release the Licensee from the terms and conditions of this Agreement during the notice period.

6. Indemnification; Hold Harmless. Licensee hereby agrees to indemnify Licensor, and shall protect and hold Licensor harmless from and against any and all liabilities, losses, claims, demands, judgments, costs, and expenses (including reasonable attorney's fees) of any nature whatsoever arising or alleged to have occurred as a result of any event, act, or omission within the term(s) of this Agreement in connection with any claim, loss, or damage arising from or connected with the construction, operation, maintenance, repair, relocation, removal, and/or any other act or thing relating to the Equipment. Nothing herein shall be deemed a waiver of any limitation of liability or immunity afforded to the City by the doctrine of sovereign immunity, the Maine Tort Claims Act, and/or other applicable law or doctrine;

9. Insurance. The Licensee shall purchase and maintain such

insurance as will protect the City from claims which may arise out of or result from the Licensee's and its members, agents, guests, or other invitees' presence on and use of the Property. For that purpose, during the term of this Agreement, Licensee shall maintain the following coverages, in at least the stated, minimum coverage amounts:

Type of Insurance	Each Occurrence	Aggregate
General Liability – Bodily Injury & Property Damage Combined	\$1,000,000	\$2,000,000

Licensee shall cause the City to be named as an additional insured on each policy of insurance required herein, and the Certificates or other evidence of such policies shall contain a statement of the insurer's obligation to notify the City at least fifteen (15) days prior to the cancellation of such policy. In the event the OWNER is required to defend itself against any claim for which insurance coverage is required by this Contract, CONTRACTOR shall pay the OWNER'S costs of defense. In any claim which may arise as a result of intentional or negligent acts or omissions of the CONTRACTOR, the comprehensive general liability insurance policy provided by CONTRACTOR shall be deemed the primary protection against such claims, and the OWNER shall not be called upon to contribute to a loss otherwise payable by the CONTRACTOR'S insurer(s) due to CONTRACTOR'S acts, errors, or omissions.

8. Miscellaneous.

A. This Agreement is contractual, and is not intended and shall not be construed as creating or conveying to Licensee, or any party, an interest in real property or right-of-way, and Licensee acknowledges for itself, its members, agents, successors, and assigns, that it or they shall have no right, title, or interest in any City property or right-of-way;

B. The limitations, obligations, and rights granted to or imposed upon Licensee in this Agreement shall alike extend to and be binding upon Licensee and its successors and assigns;

C. This Agreement and the rights and obligations of the parties thereto shall be governed by the laws of the State of Maine. The Licensee agrees that any claim, action, or proceeding arising out of this Agreement shall be instituted in, and that venue properly lies in, the Maine District Court in Rockland, or Knox County Superior Court, as such court's jurisdiction may dictate or allow.

D. This Agreement sets forth the entire agreement between the parties relating to the subject matter hereof, and stands in the place of

Stuart

To: Jim Chaousis
Subject: RE: Proposed surveyor baseline at Snow Marine Park

From: Joseph R LaBranche [<mailto:jrl@midcoast.com>]
Sent: Wednesday, October 07, 2015 2:12 PM
To: jchaousis@ci.rockland.me.us
Subject: Proposed surveyor baseline at Snow Marine Park

Good afternoon Jim:

Professional Land Surveyors are required by the State to test their measuring equipment periodically. The Midcoast chapter of the Maine Society of Land Surveyors, of which my father and I are members, conduct this testing yearly on the stretch of Route 17 beside Chickawaukie Lake as it offers the extensive sight distance required to perform our tests. However, I am presently of the opinion that the test site, alongside said Route 17, is unsafe because of the continuous flow of vehicles passing at a high rates of speed within feet of the surveyors standing beside the road. We have recommended to our chapter that we relocate the site to a safer environment.

A potentially adequate and safe test site is Snow Marine Park in Rockland. We feel the "base line" required for the tests could be set up in a manner that allows the surveyors to stand safely in the grass near the easterly side of the park (east of Snow Street) and sight a location near the intersection of Route 73 and Gamage Lane. The test facilities are extremely unobtrusive and simply require the installation of two subsurface concrete cylinders on either end of the base line to serve as the control markers. The test site would be utilized yearly on the same day by 10-15 surveyors and would likely not interfere with any activities that may be occurring at the park at that time.

Thank you for hearing our concerns regarding this matter. We would like to proceed with the necessary steps in order to gain the Cities permission to install the control markers and access the City property in the manner outlined above. Any help you might provide regarding this matter would be greatly appreciated.

Kind regards,
Joe

Joseph R. LaBranche
Professional Land Surveyor
Certified Mapping Scientist - GIS/LIS
LaBranche Land Surveys
27 Oak Street
Rockland, ME 04841
(207) 594-4206 wk
(207) 691-3218 cl
www.labranchelandsurveys.com

LaBranche Land Surveys

27 OAK STREET
ROCKLAND, ME 04841
Ph. (207) 594-4206

www.labranchelandsurveys.com

Boundary, Construction, Topography, Land Development,
Site Evaluation, Wetland Delineation, Geographic Information Systems

Request from the City of Rockland

11/02/20154

by
Joe LaBranche (member)
for
Mid Coast Chapter
Maine Society Land Surveyors



SNOW PARK BASELINE
ROCKLAND MAINE

□ CONCRETE MONUMENT
(FLUSH OR BELOW GRADE)
TO BE SET

CITY OF ROCKLAND, MAINE
ORDER #85
IN CITY COUNCIL

November 9, 2015

ORDER Authorizing Collective Bargaining Agreement with Teamsters Local #340 – Law Enforcement Employees

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a collective bargaining agreement, in substantial conformance with the proposed agreement incorporated herein by reference, with Teamsters Local 340, with respect to wages, benefits, and other conditions of employment for Law Enforcement Employees, for Fiscal Years 2016, 2017, and 2018.

Sponsor: City Council
Originator: City Manager

CITY OF ROCKLAND, MAINE
ORDER #86
IN CITY COUNCIL

November 9, 2015

ORDER Authorizing Collective Bargaining Agreement with Teamsters Local #340 – Public Services and Water Pollution Control Employees

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a collective bargaining agreement, in substantial conformance with the proposed agreement incorporated herein by reference, with Teamsters Local 340, with respect to wages, benefits, and other conditions of employment for Public Services and Water Pollution Control Employees, for Fiscal Years 2016, 2017, and 2018.

Sponsor: City Council
Originator: City Manager

CITY OF ROCKLAND, MAINE
ORDER #87
IN CITY COUNCIL

November 9, 2015

ORDER Authorizing Collective Bargaining Agreement with Teamsters Local #340 – Clerical Employees

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a collective bargaining agreement, in substantial conformance with the proposed agreement incorporated herein by reference, with Teamsters Local 340, with respect to wages, benefits, and other conditions of employment for Clerical Employees, for Fiscal Years 2016, 2017, and 2018.

Sponsor: City Council
Originator: City Manager