

CITY OF ROCKLAND, MAINE



*270 Pleasant Street
Rockland, Maine 04841*

CITY CLERK'S OFFICE

June 26, 2014

*YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE
ROCKLAND CITY COUNCIL WILL BE HELD IN CITY COUNCIL
CHAMBERS AT ROCKLAND CITY HALL, 270 PLEASANT STREET,
ROCKLAND, MAINE ON MONDAY, JUNE 30, 2014 AT 7:00 P.M. FOR THE
FOLLOWING PURPOSE(S):*

[Please Note Starting Time and Date]

- Resolve #28 Public Hearing/Adoption of FY 2015 Municipal Budget
- Ordinance in First Reading #18 Lease-To-Own CIP Equipment
- Order #51 Amending & Adopting Pollution Control Facility Fees
- Order #52 Amending & Adopting Solid Waste Disposal Fees
- Order #53 Adopting Land Use & Inspection Fees
- Order #54 Amending & Adopting Harbor & Waterfront Fees
- Order #55 Authorizing Cost of Living Salary Adjustments - Attorney & Clerk

*YOUR PUNCTUAL ATTENDANCE IS REQUESTED
PER ORDER OF THE MAYOR OF THE CITY OF ROCKLAND*


STUART A. SYLVESTER
CITY CLERK

CITY OF ROCKLAND, MAINE

RESOLVE #28

IN CITY COUNCIL

June 30, 2014

RESOLVE Adopting FY 2015 Municipal Budget, Authorizing Appropriations and Tax Assessment

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT, after due notice and public hearing being held, the budget for the City of Rockland for the fiscal year ending June 30, 2015 is hereby adopted as follows:

		FY 2015 Budget
8	General Fund Tax	\$ 351,773
11	Legislative	5,538
12	Executive	177,564
13	Assessment	173,260
14	Finance	584,263
15	Legal	109,014
16	City Clerk	208,264
18	General	82,750
19	City Hall	34,317
25	Engineering	25,000
30	Dispatch – Communications	188,970
31	Police	1,954,190
32	Fire	1,536,756
34	Municipal Fish Pier	101,601
35	Lights and Hydrants	610,001
36	Code Enforcement	215,849
37	Community Development	133,980
41	Public Works	1,554,379
51	Health (Contributions)	30,500
52	General Assistance	72,017
61	Harbor & Waterfront	193,738
62	Library	571,284
63	Recreation	371,153
71	Unclassified Fringe Benefits	89,000
72	Unclassified Other	200,140

81	Total Debt Service	1,190,914
91	Intergovernmental	8,780,708
	TOTAL GROSS BUDGET	\$ 19,546,923
	Less Non-Property Tax Revenues	(3,830,104)
	NET BUDGET, GENERAL FUND	\$ 15,716,819
	Capital Improvements Fund	\$ 404,500
	Sewer Fund	\$ 3,888,352
	Transfer Station Fund	\$ 1,615,064
	Emergency Medical Service Fund	\$ 596,040

The same is now hereby appropriated for the fiscal year ending June 30, 2015, and said amounts are declared not to be in excess of the estimated revenues from taxation and sources other than taxation for the fiscal year ending June 30, 2015.

AND, BE IT FURTHER RESOLVED, that the Assessor of the City of Rockland be and hereby is directed to assess a tax upon all real estate liable to be taxed therein and to assess the owner of, or such other persons as may be liable by law for, personal property liable to be taxed thereon, to the aggregate amount of \$15,716,819 and in accordance with the provisions of the Statutes of Maine in such cases made and provided make perfect lists under his hand of such assessments and commit the same to the Finance Director of the City of Rockland.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #18
IN CITY COUNCIL

June 30, 2014

ORDINANCE AMENDMENT Authorizing Lease to Own Contract – Capital Equipment

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT, pursuant to Charter Section 702(c), and Chapter 2, Section 2-105 of the City Code, the City Manager is hereby authorized to solicit competitive bids and to enter into a Lease-to-Own contract, having a term of no more than five years, in a total principal amount not to exceed \$404,500, for the acquisition of the following, approved capital equipment:

- Thermal Camera (Fire)
- 2 Police Cruisers
- 4 Video Units for Police Cruisers
- Plow for Loader (Public Works)
- Line Paint Machine (Public Works)
- 14-yard Dump Truck with Plow and Sander (Public Works)
- Compactor (Public Works)
- 3 Defibrillators (EMS)

AND, THAT the City Manager is authorized to execute on behalf of the City of Rockland such documentation as may reasonably be necessary to secure such funding, including a lease agreement for and a grant of a security interest in the property and equipment thus financed.

Sponsor: City Council
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #51

IN CITY COUNCIL

June 30, 2014

ORDER Amending Pollution Control Facility Fees

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, effective July 1, 2014, the fee schedule for the Water Pollution Control Facility be amended and adopted as follows:

POLLUTION CONTROL FACILITY FEES

GENERAL

All references to the City of Rockland’s Sewer Use Ordinance shall be understood to mean the version of this document that has most recently been passed and adopted by the City Council of the City of Rockland, Maine. Similarly, all references to the Enforcement Response Plan shall be understood to mean the current version of this document, incorporated by reference into the most recently adopted Sewer Use Ordinance.

CHARGES AND FEES AT A GLANCE

Type of Charge	Current Value
Minimum Charge	
Residential and Commercial	Usage 1,000 cubic feet per ERU Rates First 1,000 cubic feet: \$40.62 <u>\$41.84</u> 1,001 cubic feet and above: \$ 4.85 <u>\$5.00</u> per 100 cubic feet
Industrial <i>Minimum Charge</i>	Usage 30% of monthly flow, BOD, and TSS in Industrial User’s current Wastewater Discharge Permit. Rates \$2.29 <u>2.38</u> per 1,000 gallons permitted (monthly) \$87.66 <u>91.17</u> per 100 pounds BOD permitted (monthly) \$118.14 <u>122.87</u> per 100 pounds TSS permitted (monthly)
<i>Monthly Charge</i>	Monthly charges will be based on actual flows and BOD and TSS loadings discharged.
Billing Charge	\$3.95 <u>4.20</u> per bill/ <u>\$1.50</u> per duplicate bill

Return Check Fees	\$35.00 <u>37.00</u> charged to account for handling
Septage Discharge Fee	\$150.00 <u>160.00</u> per 1000 gallons minimum of \$75.00 <u>100.00</u>
Recreational Vehicle Dump Fee With assistance	\$18.00 <u>20.00</u>
Coach/Charter Bus Dump Fee	<u>\$65.00</u>
Private Sewage System (Septic System) Connection Permit	As per Department of Health and Human Services Subsurface Wastewater Program
Sewer Connection Permit Residential/Commercial Connection Permit	\$50.00
Industrial Connection Permit	\$50.00
Inflow And Infiltration Development Charge	\$2.64 per gallon
Reserve Capacity Charge	\$2,400.00 per EDU
Sewer Lateral Televised Inspection Fee	<u>\$140.00</u> per occurrence
Industrial Permit Application Fee	Less than 1,000 gallons: \$ Actual Cost + 10% <u>15%</u> minimum of \$300 <u>400</u> ; Between 1,000 and 50,000 gallons: Actual Cost + 10% <u>15%</u> minimum of \$500 <u>750</u> ; Between 50,000 to 150,000 gallons: Actual Cost + 10% <u>15%</u> minimum of \$1,000 <u>1,500</u> ; More than 150,000 gallons Actual Cost + 10% <u>15%</u> minimum of \$3,000 <u>4,000</u> Appeal: \$150.00
Industrial User Inspection Fee	Actual Cost with a \$150.00 minimum charge
Decision Appeal Fee	\$150.00
Interest Charge	Same rate as set annually by Order of the City Council for past due taxes

1.0 MINIMUM CHARGE FEE

Fees

A. Residential Minimum Charge

The cost for treatment of residential wastewater shall be based on both a fixed minimum charge and on water consumption. Water consumption shall be per hundred cubic feet of water used, based on the water meter at each residential location as recorded by the Aqua Maine water company, and according to the schedule in the following table.

Typical residential unit is defined as that in which water use ranges from zero (0) to three hundred (300) gallons per day (on a maximum day basis) or zero (0) to two hundred fifty (250) gallons per day (on a maximum month basis).

Equivalent Residential Units (ERUs) are a method of defining the wastewater generated by a commercial or multi-family user location as a function of the water use in specific processes or by specific users at that location. These ERUs are developed as a ratio of the commercial or multi-family residential unit to a single-family residence. The Equivalent Residential Unit (ERU) for a single family home is 1.0. Minimum Usage shall be 1,000 cubic feet per ERU per billing quarter.

The ERU for single homes converted into apartments shall be defined as 0.5 ERU per dwelling unit. The ERU for multi-family homes (i.e., duplex) shall be defined as 1.0 ERU per dwelling unit. The ERU for a building built as an apartment complex shall be 1.0 ERU per dwelling unit. The ERU for a mobile home shall be 1.0 per unit.

Cost Per Equivalent Residential Unit
Usage 1,000 cubic feet per ERU per billing quarter
Rates First 1,000 cubic feet: \$40.62 <u>41.84</u> dollars 1,001 cubic feet and above: \$4.85 <u>5.00</u> per 100 cubic feet

Any residence that does not presently have a water meter shall install one that is approved by Maine Water Company (if the residence receives public water) or by the WPCF (if the residence has a private water source [i.e., a well]).

B. Commercial Minimum Charge

The cost for treatment of commercial wastewater shall be based on both a fixed minimum charge and on water consumption. Water consumption shall be per thousand cubic feet of water used, based on the water meter at each commercial location as recorded by the Aqua Maine water company.

Minimum Usage shall be 1,000 cubic feet per ERU per billing quarter. The ERUs applicable to commercial establishments in the City of Rockland are defined in the following table. The ERU applicable shall be the Minimum ERU (as shown) or the calculated ERU, whichever is greater.

Description of Unit	Unit Measure	Equivalent Units	Minimum ERUs
Residences (Single-Family)	(Each)	(1.0)	(1.0)
Apartments (Single home, converted)	Per Apartment	0.5	2.0

Apartments (Complex, built as) Mobile Homes and Parks	Per Apartment Per Dwelling Unit	1.0 1.0	2.0 2.0
Motels & Hotels Without kitchen units With kitchen units	Per Unit Per Unit	0.25 0.35	2.0 2.0
Bed and Breakfasts and Rooming Houses w/o kitchens in the individual rooms	Per Unit Plus one full unit for kitchen	.25	2.0
Churches and Service Clubs Without kitchen With kitchen	Each Each	- -	1.0 2.0
Office Use	Up to 5,000 square feet Per 1,000 square feet thereafter	1.0 0.25	2.0
Medical Office	Per exam room	0.25	2.0
Dentist Office	Per chair	1.0	2.0
Veterinary Office or Facility	Per exam room	0.25	2.0
Hospital	Per bed	0.5	2.0
Nursing Home	Per bed	0.5	2.0
Day Care	Each <i>plus</i> For first 10 children Per child thereafter	1.0 0.2 0.1	2.0
Personal Care (Beauty Salon/Barber)	Per chair	0.5	2.0
Restaurant (including Fast Food)	For every table over 10	0.1	2.0
Drive In Restaurant	Per parking space over 25	0.25	2.0
Food and Drug Retail Store	One to three water fixtures Per three water fixtures thereafter	1.0 1.0	2.0
Supermarkets (over 5,000 sq feet)	Per water fixture and drain	1.0	10.0
Bank	Up to 5,000 square feet Per 1,000 square feet thereafter	1.0 0.25	2.0
Movie Theaters	Per seat	0.05	2.0
Laundry	Per washing machine	1.0	2.0
Dry cleaner	Each	-	2.0
Car Wash	Per bay	1.0	2.0
Service Station	Each	-	2.0
Retail Sales & Service	Up to 5,000 square feet Per 1,000 square feet thereafter	1.0 0.25	2.0
Bars and Cocktail Lounges (Without restaurant)	One to fifty seats Each additional 15 seats (or portion thereof)	1.0 1.0	2.0

Bowling Alley	Per lane	0.4	2.0
Schools	Per 50 full-time students and faculty	1.0	2.0
	Per 100 part-time students and faculty	1.0	

In the event that a commercial establishment does not fall into one of these classifications *or* if categorization in one of these classifications would result in inequitable treatment cost, the WPCF has the discretion to determine the ERU that is most applicable.

Any commercial establishment that does not presently have a water meter shall install one that is approved by Maine Water Company (if the establishment receives public water) or by the WPCF (if the establishment has a private water source [i.e., a well]).

C. Industrial Minimum Charge and Monthly Charges

Minimum Charge

Charges for the treatment of industrial wastewater shall be based on operation and maintenance costs of the WPCF. Permitted monthly flow shall be used in conjunction with permitted Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) values (both in pounds per month) to minimum charges. “Flow” (in thousands of gallons) and “Permitted” BOD and TSS (in pounds) are as defined in the industrial user’s Permit. The formula used to calculate the industrial user’s Minimum Charge is as follows:

$$\text{Industrial Minimum Charge} = 30\% * (\text{Monthly Permitted Flow} * \text{Flow Unit Cost}) + (\text{Monthly Average Permitted BOD} * \text{BOD Unit Cost}) + (\text{Monthly Average Permitted TSS} * \text{TSS Unit Cost})$$

For permits containing only maximum daily allowances for any parameter, minimum monthly charge for that parameter shall be as follows:

Flow = fixed monthly cost allocated to flow times maximum daily flow allowance divided by PCF maximum daily design flow capacity

BOD = fixed monthly cost allocated to BOD times maximum daily BOD allowance divided by PCF maximum daily design BOD capacity

TSS = fixed monthly cost allocated to TSS times maximum daily TSS allowance divided by PCF maximum daily design TSS capacity

Where unit costs are as defined below

Flow unit cost: ~~\$2.29~~ 2.38 per 1,000 gallons permitted (monthly)
 BOD Unit Cost: ~~\$87.66~~ 91.17 per 100 pounds BOD permitted (monthly)
 TSS Unit Cost: ~~\$118.14~~ 122.87 per 100 pounds TSS permitted (monthly)

Domestic wastewater generated by industrial users shall be calculated according to the number of workers at the facility. Dividing total man-hours by 8-hours results in the number of domestic users at the industrial facility. Domestic wastewater generated by

the industrial facility is 30 gallons per day per domestic user. This is represented as follows:

$$\frac{\text{Total Man-hours}}{8 \text{ hours}} * \frac{30 \text{ gallons}}{\text{day} \cdot \text{user}} = \frac{\text{gallons}}{\text{day}}$$

The Minimum Charge for treatment of residential and commercial wastewater (see A and B of this section) shall be applied to gallons per day of domestic wastewater from industrial facilities, using a conversion rate of 1,000 gallons = 156 cubic feet.

Monthly Charges

All industrial users are required (by virtue of their Industrial Wastewater Discharge Permit) to install a non-settable totalizer (i.e., flowmeter) to monitor wastewater actually discharged to the Rockland WPCF. Each industrial user is required to report actual total daily and monthly flow, as measured by this device, to the Rockland WPCF on a monthly basis. Users are also required to report actual discharges of BOD and TSS to the Rockland WPCF. Treatment charges for actual flows and loadings discharged by an industrial user to the Rockland WPCF are calculated on a monthly basis as described in the following sections.

Industrial User Sulfur Fee

Industrial users (IU) shall pay a monthly sulfur fee in order to cover the cost of chemical treatment of PCF sludge. The fee shall be based on monthly total sulfur analysis carried out by the IU, and actual chemical expense for the month plus 15%. Each IU share of the cost shall be based on a mass balance ratio between individual IU sulfur loading and total sulfur loading for the month. Therefore, the individual IU monthly fee shall be calculated as follows:

$$\text{Individual IU Sulfur Fee} = \frac{\text{Individual IU Sulfur Contribution (lbs)}}{\text{Total IU Sulfur Contribution (lbs)}} * \text{Actual Treatment Chemical Expense (\$)}$$

Expense Recovery

Any discharger who discharges any waste that ~~interferes with the Pollution Control Facility's treatment process~~, requires additional treatment or chemical additives, shall be liable to the City for all costs incurred by the City as a result of the discharge plus ~~40~~ 15 percent. This includes any costs associated with additional treatment measures that are deemed necessary to ensure continued compliance with the State and Federal discharge requirements.

Sampling and Laboratory Analysis Fee: Actual cost +~~40~~ 15% minimum of \$250.00.

Industrial Users with Tier One Discharge Limits

The cost per pound for removal of BOD and TSS from industrial wastewaters for users holding "Tier One" Permit limits (i.e., Daily Maximum and Monthly Average loading limits) for these parameters shall be computed according to the schedule shown below:

Parameter	Unit Cost: Industrial
Flow	\$2.29 <u>2.38</u> per 1,000 gallons discharged
BOD	\$87.66 <u>91.17</u> (per 100 pounds treated)
TSS	\$118.14 <u>122.87</u> (per 100 pounds treated)

Industrial Users with Three-Tier Discharge Limits

The cost per pound for removal of BOD and TSS from Industrial wastewaters for users holding “three-tier” permit limits (i.e., three tiers of loading limits) for these parameters shall be computed according to the schedule shown below. The definitions of the three tiers shall be as defined in the most recent Permit issued to that user.

Parameter	Unit Cost: Industrial
Flow	\$2.29 <u>2.38</u> per 1,000 gallons discharged
BOD	Tier 1: \$87.66 <u>91.17</u> (per 100 pounds treated) Tier 2: 5% in excess of Tier 1 limit ¹ Tier 3: 5% in excess of Tier 2 limit ²
TSS	Tier 1: \$118.14 <u>122.87</u> (per 100 pounds treated) Tier 2: 5% in excess of Tier 1 limit ¹ Tier 3: 5% in excess of Tier 2 limit ²

Note 1- The Tier 2 surcharge shall be applied to loadings that exceed Tier 1 loading limits. The additional surcharge shall apply to each 100 pounds (or fraction thereof) of loading that exceeds the Tier 1 limits as calculated by the difference between the actual discharged loading and the permitted Tier 1 loading.

Note 2- The Tier 3 surcharge shall be applied to loadings that exceed Tier 2 loading limits. The additional surcharge shall apply to each 100 pounds (or fraction thereof) of loading that exceeds the Tier 2 limits as calculated by the difference between the actual discharged loading and the permitted Tier 2 loading.

Residential, Commercial or Industrial discharge of groundwater and/or stormwater to the Sanitary Sewer System shall be charged based on the industrial rates.

2.0 BILLING CHARGE

Fee: Cost per bill issued: ~~\$3.95~~4.20 / \$1.50 per duplicate bill

3.0 OPERATION AND MAINTENANCE FEES

Fee: Current Operations and Maintenance Fees are included in the charge based on water consumption.

4.0 SEPTAGE DISCHARGE FEES

Fee: The fee for septage discharge shall be three times the Minimum Charge for treatment of domestic wastewater, as calculated on a per gallon basis and as defined in Section 1.0. For purposes of conversion, a volume of 100 cubic feet is equivalent to 748 gallons.

Septage Discharge Fee: ~~\$0.12~~0.16 per gallon, ~~\$150.00~~160.00 per 1,000 gallons,
min ~~\$75.00~~ 100.00

Fees for discharge of holding tank wastewater from recreational vehicles shall be:
~~\$18.00~~20.00

Fees for discharge of holding tanks from travel/coach buses shall be \$65.00.

5.0 PRIVATE SEWAGE DISPOSAL SYSTEM CONNECTION PERMIT AND INSPECTION FEE

Fee: This applies to the connection of any new on-site subsurface wastewater disposal system (i.e., septic system).

Private Sewage System Connection Permit: As per Department of Health and Human Services Subsurface Wastewater Program.

6.0 SEWER CONNECTION PERMIT AND INSPECTION FEE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL USERS

Fee: Residential or Commercial Connection Permit: \$50.00
Industrial Connection Permit: \$50.00

7.0 INFLOW AND INFILTRATION DEVELOPMENT CHARGE

Fee: The unit cost shall be equal to **\$2.64** per gallon of estimated inflow or infiltration from the new development.

8.0 RESERVE CAPACITY CHARGE

Fees: The Reserve Capacity Charge is shall be a one-time charge, due at the time of connection *or* at the time capacity is reserved, whichever comes first. This fee is \$2,400.00 per ERU as defined previously in Section 1.0.

The Monthly Reserve Capacity Maintenance Charge has been incorporated into the Minimum Charges described in Section 1.0.

9.0 INDUSTRIAL WASTEWATER DISCHARGE PERMIT APPLICATION REVIEW FEE

Fee: Fees for review of new Permit Applications shall be based on the flow requested in the application. All flows below are on a Maximum Daily basis.

Users requesting less than 1,000 gallons: \$ 300 <u>400</u> minimum	Actual Cost + 10% <u>15%</u>
Users requesting between 1,000 and 50,000 gallons: \$ 500 <u>750</u> minimum	Actual Cost + 10% <u>15%</u>
Users requesting between 50,000 to 150,000 gallons: \$ 1,000 <u>1,500</u> minimum	Actual Cost + 10% <u>15%</u>
Users requesting more than 150,000 gallons: \$ 3,000 <u>4,000</u> minimum	Actual Cost + 10% <u>15%</u>

Appeal of Renewed Permit \$ 150.00 or Actual Cost

10.0 NEW INDUSTRIAL USER FACILITY INSPECTION FEE

Fee: Facility Inspection Fee: Actual Cost or minimum of \$150.00

11.0 DECISION APPEAL FEE

Fee: Decision Appeal Fee \$150.00

12.0 FINES AND PENALTIES

Fines and Penalties: Fines and penalties shall be issued based on the following schedule and at the discretion of the WPCF's Pretreatment Coordinator.

Type of Non-Compliance*	Fine or Penalty
Category A: Enforcement Responses Based on U.S. EPA Guidance	
A. Illegal Discharge	
1. Discharge without Permit	
a. User not aware of need; no damage to WPCF	\$100 to \$300 <u>\$150 to \$500</u>
b. User not aware of need; damage to WPCF.	\$300 to \$5,000 <u>\$500 to \$7,500</u> Plus Actual Cost
c. Failure to apply continues after notice by WPCF.	Initial fine plus \$100 <u>200</u> per day until application is received
2. Discharge with Expired Permit- Failure to apply for Permit renewal.	\$100 <u>250</u> fine plus \$100 <u>150</u> per day until application is received
B. Discharge Permit Violations	
1. Isolated exceedance, not SNC.	\$100 to \$300 <u>150 to 350</u>
2. Isolated exceedance, SNC	\$300 to \$500 <u>350 to 550</u>
3. Damage to WPCF or environment	\$5,000 <u>7,500</u> plus Actual Cost
4. Frequent, not SNC.	\$300 to \$500 <u>450 to 750</u>
5. Frequent, SNC.	\$500 to \$1,000 <u>750 to 1,500</u>

C. Sampling, Monitoring, and Reporting Violations	
1. Reporting Violations	
a. Report improperly signed, first offense	\$50 <u>100</u>
b. Report improperly signed, repeat	\$100 <u>150</u>
c. Late report; isolated and minor	\$25 <u>50</u>
d. Report more than 30 days late	\$50 <u>150</u>
e. Late report; frequent offense	\$100 <u>250</u>
f. Failure to report spill or changed discharge; no harm	\$50 <u>250</u>
g. Failure to report spill or changed discharge; harm	\$100 <u>1,000</u> plus Actual Cost
h. Repeat failure to report spills	\$100 to \$300 <u>250 to 500</u>
i. Falsification	\$100 <u>1,000</u>
2. Failure to Monitor Correctly	
a. First offense	\$100 to \$300 <u>150 to 350</u>
b. Recurring failure to monitor	\$300 to \$500 <u>400 to 600</u>
3. Improper Sampling, evidence of Intent	
	\$300 to \$500 <u>1,000</u>
4. Failure to Install Equipment	
a. Delay < 30 days	\$50 per day <u>100 per day</u>
b. Delay > 30 days	\$100 per day <u>150 per day</u>
c. Recurring; violation of Administrative Order	\$500 to \$1,000 <u>1,000 to 1,500</u>
5. Compliance Schedules	
a. Missed by < 30 days, will not affect final date	\$50 per day <u>100 per day</u>
b. Missed by >30 days, will affect final date but user shows cause	\$100 per day
c. Missed by >30 days, will affect final date, not justified	\$100 per day plus \$100 to \$300 <u>500 to 1,000</u>
d. Recurring; violation of Administrative Order	\$500 to \$1,000 <u>1,000 to 2,500</u>
D. Other Permit Violations	
1. Diluted Wastestream	
a. Initial violation	\$100
b. Recurring violation	\$500
2. Failure to Mitigate Noncompliance	
a. Does not result in harm	\$300 to \$500
b. Results in harm	\$5,000 plus Actual Cost
3. Failure to Properly Operate Facility	
a. Does not result in harm	\$300 to \$500 <u>500 to 1,000</u>
b. Results in harm	\$5,000 <u>7,500</u> plus Actual Cost
E. Violations Discovered During Inspection	

1. Denial of Entry	\$500 <u>750</u>
2. Illegal Discharge	
a. No harm to WPCF or environment	\$1,000 to \$2,500 plus \$50 per day until corrected
b. Causes harm; evidence of intent/ neglect.	\$5,000 <u>7,500</u> plus Actual Cost
c. Recurring; violation of Administrative Order	\$500 to \$1,000 <u>1,000 to 2,500</u>
3. Improper Sampling	
a. Unintentional wrong location	\$100 per occurrence
b. Unintentional sample type	\$100 per occurrence
c. Unintentional sample technique	\$100 per occurrence
4. Inadequate Recordkeeping	
a. Incomplete or missing	\$100 per violation
b. Recurring	\$250 per violation
5. Failure to Report Additional Monitoring	
a. Found during inspection	\$100 per violation
b. Recurring	\$250 per violation

B. Facility-Specific Enforcement Responses	
A. Illegal Discharge	
1. Intentional Discharge without Permit	\$1,000 to \$2,500 <u>2,500 to 5,000</u> plus \$250 per day until corrected
2. Discharge with expired Permit	\$100 to 300 <u>250 to 500</u>
B. Discharge Permit Violations	
1. WPCF was informed; no damage.	\$100 to \$500 <u>250 to 750</u>
2. WPCF was informed; damage.	\$300 to \$5,000 <u>500 to 7,500</u> plus Actual Cost
3. WPCF was not informed.	\$1,000 <u>2,500</u> plus Actual Cost
C. Spill Incidents	
1. Single instance	\$100 <u>250</u> per violation
2. Repeated spills by same user	\$250 <u>500</u> per violation
Other	
Level J: Civil Action (legal action taken)	\$1,000 to \$5,000 plus Actual Cost
Level K: Criminal Action (legal action taken)	WPCF discretion plus Actual Cost

*- Types of Non-Compliance are as defined in the City's Enforcement Response Plan.

13.0 RECOVERY OF COSTS

Fee: Actual, as defined above.

Sponsor: City Manager
Originator: Pollution Control Director

CITY OF ROCKLAND, MAINE

ORDER #52

IN CITY COUNCIL

June 30, 2014

ORDER Amending and Adopting Solid Waste Disposal Facility Fee Schedule

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, effective July 1, 2014, the fee schedule for the City's Solid Waste Disposal Facility be amended and adopted as follows:

SOLID WASTE DISPOSAL FACILITY FEES

ITEMS TO BE DISPOSED OF IN LANDFILL:

Construction & Demolition Debris (C&DD) Rockland Residents and Approved Sources:

½ cubic yard per day	no fee
½ to 3 cubic yards	\$20.00 per yard
Processed C&DD (pre-pay volume rate)	\$31.00 per ton
Processed C&DD (non-prepay volume rate)	\$33.00 per ton
Unprocessed C&DD (volume contractual rate)	\$40.00 per ton
All other C&DD (other than mixed loads)	\$42.00 per ton
Mixed Loads (items other than building materials mixed into the load)	\$57.00 per ton

Furniture:

Small Furniture Items	\$3.00 per item
Larger Furniture Items (sofa, couch, mattress, box spring, etc)	\$5.00 per item

Yard Green Wastes:

Residents	no fee
Commercial	\$65.00 per ton

Special Wastes:

Bulky Special Waste	\$55.00 per ton
Other Special Waste (i.e. dredge spoils, algefiber-associated wastes, etc.)	\$75.00 per ton
Inert Fill	

Analytical testing as determined on a case by case basis \$0

ITEMS ACCEPTED AT TRANSFER STATION

Municipal Solid Waste:

Per Bag:

12 gallon bags	\$0.75 each
22 gallon bags	\$1.50 each
33 gallon bags	\$2.25 each

Per Ton: \$115.00, from 07/01/14 through 05/01/15;
\$125.00, from 05/02/15 on

Items to be Discarded Separately:

Tires (off rim)	\$1.50 each
Tires (on rim)	\$3.00 each
Wooden Pallets	\$1.00 each or \$55.00 per ton
Car Batteries	\$2.00 each
White Goods	\$10.00 each
Appliances with Refrigerant	\$20.00 each
Consumer Electronics (anything with a cord & plug)	\$3.00 each
Bulky Plastic	\$5.00 each or \$10.00 per cubic yard
Brush (less than 1/2 cubic yard per day)	no fee
Brush (over 1/2 cubic yard)	\$2.00 per cubic yard
Metal	no fee
Cardboard	no fee
Paper	no fee
Tin Cans	no fee
No. 2 Plastic	no fee

UNIVERSAL WASTE

Universal Waste to be Recycled:

Fluorescent Lamps (straight)	\$0.05 per linear foot
Fluorescent Lamps (other intact)	\$0.25 each
Fluorescent Lamps (broken)	Call DEP
High Intensity Discharge Lamps	\$0.50 each
PCB Lamp Ballasts (intact)	\$0.25 each

CRT's & TV's	\$10.00 per unit
Batteries containing mercury	\$1.00 each per pound
Devices containing mercury	\$1.00 each per pound
Liquid Mercury	Call DEP

MISCELLANEOUS

Scale Use (incidental, at user's request):

Per weighing	\$15.00 each time
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Landscape Material:

Woodchips	\$20.00 per cubic yard
Compost	\$0.50 per 5 gallons or \$20.00 per cubic yard

PERMIT AND LICENSE FEES

Resident Permit	<u>\$135.00</u> \$65.00 per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; <u>no fee thereafter</u>
Per Bag Fee:	
12 gallon bags	\$0.50 each
22 gallon bags	\$1.00 each
32 gallon bags	\$1.50 each
Commercial Permit	<u>\$no fee</u> 110.00 per ton
Recycling Permit	\$0 per year (to be <u>discontinued on 05/01/15</u>)
Seasonal Permit	<u>\$135.00</u> 72.00 per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; <u>no fee thereafter</u>
Commercial Hauler (disposal)	\$110.00 per ton
Commercial Hauler License Fee	\$250.00 per year

Non-Resident Contractor Permit (each job)	\$20.00 per job permit fee and \$110.00 per ton
Non-Resident Landscape Contractor Permit	\$72.00 per year
Temporary General Permit	<u>no fee</u> \$110.00 per ton

PENALTIES

Failure to Separate Recyclable Material	\$15.00 per bag
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Violations of Rockland Code Chapter 14, Article I, are subject to permit suspension or revocation, and/or other penalties set forth in Sec. 14-113

SALES OF MATERIALS

Landscape Material:

Woodchips	\$20.00 per cubic yard
Compost	\$0.50 per 5 gallons or \$20.00 per cubic yard

Sponsor: City Manager
Originator: Solid Waste Director

CITY OF ROCKLAND, MAINE

ORDER #53

IN CITY COUNCIL

June 30, 2014

ORDER Adopting Land Use Permit and Inspection Fee Schedule

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, effective July 1, 2014, the fee schedule for Land Use Permits and Inspections shall be adopted as follows:

Land Use Permit & Inspection Fees

Building Permit Fees:	All fees rounded to the nearest dollar.
Residential (1 and 2 family dwellings)	
Application Fee (non-refundable)	\$50 except for residential fences; \$35
Permit Fees	Cost in addition to Application Fees (Beginning work without a permit subject to double permit fee)
New construction or addition that creates habitable floor area, other than attached or unattached accessory buildings and decks (see below) ¹	\$.24 per square foot of total floor area (excluding unfinished non-daylight basements and uninhabitable attics) ²
Renovations and repairs involving structural alterations	\$3.30 per \$1000 value of construction ³
Residential garages, sheds and other accessory buildings ⁴	\$.20 per square foot of building footprint.
Decks, porches, stairs, ramps, etc.	\$.17 per square foot
Fences (residential only)	\$35 flat fee
Flag Lots (requiring PB review)	\$100
Flag Lots (not requiring PB review)	\$ 50
Home Occupation (not requiring Planning Board (PB) review)	\$60 (plus any fees required above)
Home Occupation (requiring PB review)	\$135
¹ Additions such as dormers calculated by area of room(s) affected	
² It is assumed that all habitable areas will eventually be finished.	
³ Value of construction includes cost of all materials and labor after subtracting cost of electrical, plumbing and other aspects permitted separately.	
⁴ For habitable spaces above or within accessory structures (i.e. game rooms, office, bedrooms, etc.) fees are calculated as new construction creating habitable floor area.	
Non-Residential & Multi-family (3 or more units)	
Application Fee (non-refundable and in addition to permit fee)	\$85
Permit Fees	Cost in addition to Application Fees (Beginning work without a permit subject to double permit fee)
New construction or additions, including decks, platforms, ramps and accessory buildings	\$.28 per square foot of total floor area (excluding unfinished/unoccupied non-daylight basements and uninhabitable attics)
Renovations and/or repairs involving structural alterations and alterations requiring Code Office plans review ⁵	\$5.50 per \$1000 value of construction ⁶ or \$25 minimum

Change of Use (not requiring Planning Board review)	\$100 (plus any fees for additions or renovations required above)
Fences	\$85
⁵ Alterations that affect Building Code and/or Life Safety Code aspects of construction (i.e. change in floor layout, new doors, new equipment, etc.	
⁶ Value of construction includes cost of all materials and labor after subtracting cost of electrical, plumbing and other aspects permitted separately.	
Other Fees: (Both residential and non-residential. No application fee)	
Contract/Conditional Zoning Application	\$750
Demolition Permit	\$60 plus deposit as provided in Section 4-304(c)
Demolition Escrow, pursuant to Ch. 4, Art. VI, Sec. 4-603(3)	<p>A. Structures not on foundations</p> <p>(1) 501-1000 feet \$ 200.00</p> <p>(2) Each additional 500 square feet \$ 100.00</p> <p>B. Structures with foundations</p> <p>(1) Volume up to 200 cubic yards \$ 600.00</p> <p>(2) Volume up to 400 cubic yards \$1,100.00</p> <p>(3) Volume up to 600 cubic yards \$1,500.00</p> <p>(4) Volume up to 800 cubic yards \$1,800.00</p> <p>(5) Volume up to 1000 cubic yards \$2,000.00</p> <p>(6) Volume up to 2000 cubic yards \$3,500.00</p>
Driveway Permit	\$40
Electrical Permit	\$50 plus \$1 per fixture outlet
Floodplain Permit Fees:	
New Structure or Substantial Improvements	\$50
Minor Development	\$25
Multi-Family Dwelling Re-inspection Fee	\$100
Moving of Building Fee (City Council approval required if over public street)	\$60 plus cost public safety services if needed (traffic direction)
Plumbing Permit	\$10 per fixture with a minimum fee of \$64
Pod & Temp Storage Containers	\$25
Sign Permit	\$60 for the first sign plus \$25 for each additional sign
Sewer Connection	\$60
Sidewalk Display Permit	\$10 per year
Sidewalk Tables & Chairs Permit	\$25 per table
Street Excavation Permit Fee (see Ch. 15, Art. IV)	\$60
Site Plan Review	
Pre-application meeting	\$60
New Buildings and additions	\$210 plus \$.03per square foot of total floor area. Maximum combined fee: \$700
Fabric Structures requiring Planning Board review in accordance with 4-604	Residential: \$50; Commercial: Same as New Building (above)
Change of Use (if PB review is required)	\$135 for uses requiring less than 15 parking spaces, otherwise \$185
Home Occupation (requiring PB review)	\$135
Public Hearing Fee	\$110
Revisions to Approved Plan	\$100
Subdivision Review	For projects involving one lot with multi-family dwellings (apartments) where both Site Plan and Subdivision Review are required, only Site Plan Review fees shall apply.
Pre-application meeting	\$60
Public Hearing Fee	\$150
Preliminary Plan, all but one lot fronting existing street ⁷	\$160 plus \$60 per lot or per dwelling unit ⁸

Final Plan, all but one lot fronting existing street ⁹	\$50 per lot or per dwelling unit
Preliminary Plan, with new street(s) creating lot frontage ⁹ or serving multiple homes on commonly owned land	\$160 plus \$110 per lot or per dwelling unit
Final Plan, with new street(s) creating lot frontage ⁸	\$50 per lot or per dwelling unit
Amendment to property line(s), or other revisions in approved subdivision (not creating new lots) ¹⁰	\$110
⁷ Permits one flag (rear) lot. ⁸ Commonly owned land or duplex, \$50 each dwelling. ⁹ Streets which are likely to be accepted by the City. Not access drive to multi-family dwelling. ¹⁰ Scaled back PC review, but must be recordable plan.	
Zoning Board of Appeals	
Administrative appeals and variances	\$160
Special class or temporary structure	\$200
Renewal of temporary structure (for one additional year)	\$60

Sponsor: City Manager
Originator: Code Enforcement Officer

CITY OF ROCKLAND, MAINE

ORDER #54

IN CITY COUNCIL

June 30, 2014

ORDER Amending & Adopting Harbor & Waterfront Fees

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, effective July 1, 2014, the fee schedule for the Harbor & Waterfront Department shall be amended and adopted as follows:

HARBOR & WATERFRONT FEES

VESSEL MOORING PERMITS:

Residents:	60.00 per year for a mooring site designed for a 30' vessel or less PLUS \$1.75 per foot of designed mooring site exceeding 30'.
Non-Residents:	\$80.00 per year for a mooring site designed for a 30' vessel or less PLUS \$1.75 per foot of designed mooring site exceeding 30'.
Rental and Service Moorings:	\$120.00 per year for a mooring site designed for 30' vessel or less PLUS \$1.75 per foot of designed mooring site exceeding 30'.
Late Fees:	\$30.00 late fee per mooring permit.

PRIVATE USE DOCKING:

Public Landing:

Floating docks:	All vessels shall pay \$5.00 per hour beyond the initial two (2) hours. Overnight docking \$2.00 per foot for vessels under 50 feet (including all appendages) and \$2.50 per foot for vessels over 50 feet. Visiting school (non-profits, educational institutions) ships shall pay \$1.00 per foot per night.
Visiting cruise ships:	Shall pay \$2.50 per foot, per day and a service fee of \$175.00 per visit.
Dinghy floats:	\$50.00 per season for Rockland Residents \$175.00 per season for Non-Residents \$5.00 per day; up to two hours without charge.

Snow Marine Park:

Dinghy Storage: \$20.00 per season for Rockland Residents
\$100.00 per season for Non-Residents
\$5.00 per day.

Middle Pier Winter Dockage:

\$300.00 per month for vessels less than thirty feet, \$400.00 per month for vessels 30 feet or greater in length.

Municipal Mooring Rentals:

	May 15 – Oct 15	Oct 16 - May 14
Daily	\$30.00	Not Available
Weekly	\$155.00	Not Available

PUBLIC AMENITIES:

Electricity	\$2.00/per hr	
Showers	\$2.00	
Water	\$3.00 per day	\$30.00/season

SNOW MARINE PARK BOAT LAUNCHING FACILITIES:

Private Users:	Daily use:	\$5.00
	Annual pass:	\$20.00 Rockland Resident \$40.00 Non-resident
Commercial User:	Daily use:	\$25.00
	Annual pass:	\$250.00

COMMERCIAL VESSEL USE OF MUNICIPAL PIERS:

Dockage Fees:

\$50.00 per foot per season, \$200.00 deposited with application

Wharfage for vessels that book their use of a City facility on or before October 31, 2013, for visits to such facility on or before October 31, 2014:

Vessels owned by residents of Rockland: \$1.00 per passenger
Vessels owned by non-residents shall pay \$2.00 per passenger
Vessels requiring a USCG approved secure facility: ~~\$5.00~~ \$3.00 per passenger; with a Port Development Fee of \$2.00 \$4.00 per passenger

Launch Service Vessels:

\$50.00 per summer.

Utilities:

May 15th to October 15th - \$450.00 per month.

October 16th to May 14th - Electricity as metered, minus \$35.00/month for overhead lighting.

Boat Charter Companies:

\$50.00 per boat per visit.

UTILIZATION OF MUNICIPAL WATERFRONT PROPERTIES:

Harbor Park only:	\$1,400.00 per day
Harbor Park and Buoy Park:	\$2,250.00 per day
Buoy Park only:	\$850.00 per day
Mildred Merrill Park only:	\$250.00 per day
All Three:	\$2,500.00 per day
Snow Marine Park:	\$500.00 per day
Extra set-up days	\$250.00 per day
Vendor relocation reimbursement:	\$400.00 per event
Recurrent Park Use	\$300.00 per season.

If use of the docks at the Public Landing is also desired for an event, the rate shall be \$0.50 per foot of dock space utilized per day.

UTILIZATION OF MUNICIPAL WATERFRONT PROPERTIES BY FOOD VENDOR:

Buoy Park:	\$3,000.00 per season
Snow Park/Johnson Park:	\$1,500.00 per season

BICYCLE, SCOOTER AND KAYAK RENTAL VENDOR/TRIP ORGANIZER:

The seasonal fee for such use is \$500.00.

DEPARTMENT PERSONNEL SERVICES:

Marine Events:
\$200.00/day.

Sponsor: City Manager
Originator: Harbor Master

CITY OF ROCKLAND, MAINE

ORDER #55

IN CITY COUNCIL

June 30, 2014

ORDER Authorizing Salary Adjustments – City Attorney & City Clerk

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to make the following cost of living salary adjustments for the City Attorney and the City Clerk, effective July 1, 2014.

City Attorney Full-Time Payroll:	\$2,321.86
City Clerk Full-Time Payroll:	\$1,589.03

Sponsor: City Council
Originator: City Council