

CITY OF ROCKLAND, MAINE



*270 Pleasant Street
Rockland, Maine 04841*

CITY CLERK'S OFFICE

December 31, 2015

***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, JANUARY 4, 2016 AT 5:30 P.M. FOR
THE FOLLOWING PURPOSE(S):***

[Please Note Starting Time and Date]

Set Agenda for January 11, 2016 Regular Meeting

Discussions: Main Street Lighting
Agenda-Setting Procedures
Editing and/or Substitution of Agenda Items

Executive Session: Executive Session pursuant to 1 M.R.S. §405(6)(A) that allows for the discussion of personnel matters for evaluation of personnel.

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



**STUART H. SYLVESTER
CITY CLERK**

ITEMS FOR JANUARY 11, 2016 REGULAR MEETING:

January 4, 2016

Communications:

- a. Letter from Douglas W. Curtis, Jr. – RSU #13/Education Options

Licenses and Permits:

- a. Liquor & Amusement Device Licenses – Pizza Hut
- b. Liquor License – Main Street Markets
- c. Lodging House License – The Lindsey Hotel
- d. Liquor & Entertainment Licenses – Suzuki's Sushi
- e. Liquor License (Bottle Club) – Penobscot School

Resolves:

- #49 Adopting Vision Statement (Postponed 11/14/15)
- # 1 Commendation – A. Miceli
- # 2 Commendation – C. Young
- # 3 Accepting Donation – Holiday Decorations
- # 4 Accepting Donations – Library
- # 5 Appointments to Mid-Coast Regional Planning Commission

Ordinances in Final Reading and Public Hearing:

- #41 Ch. 11, Sec. 11-210 Short Term Rentals (Postponed after Public Hearing 12/14/15)
- #42 Ch. 19, Art. III Short Term Rentals (Postponed after Public Hearing 12/14/15)
- #47 Authorizing Quit Claim Deed – Reconveyance of 258 Rankin St.
- #48 Establishing Moratorium – Grid-Scale Power Generation Facilities

Ordinances in First Reading:

- #46 Ch. 8, Sec. 8-708 GA Max Levels of Assistance (Postponed 12/14/15)
- # 1 Ch. 2, Sec. 2-1202 & 2-1203 Personnel Code
- # 2 Authorizing Quit Claim Deed – Sale of 224 Old County Road

Orders:

- # 1 Accepting Forfeited Assets – Natale/Walsh
- # 2 Establishing Ad Hoc Committee – RSU #13/Education Options
- # 3 Authorizing RFPs – Production of Government & Educational Access Channels
- # 4 Authorizing Use of Undesignated Fund Balance – Professional Service (Moratorium)

**111 Summer Street
Rockland, Maine 04841**

December 15, 2015

City of Rockland

Rockland City Council

270 Pleasant Street

Rockland, Maine 04841

Dear City Council members,

This past November we had an election in Rockland. There were two questions on the ballot about the current state of our education system in Rockland. One vote was to stay within the RSU13 school system that the council came out in public support for; and the other question was a question as to other possible alternatives that the citizens of Rockland could explore.

Both passed with overwhelming majorities. I would like to ask you some simple questions and make a few observations.

Do you think the City of Rockland and its citizens are getting a fair value for their \$9 million we raise for RSU13?

Do you believe our children are getting the best education possible?

Do you believe the State of Maine Department of Education should run our school system or do you think education decisions should be made at the local level?

Have you found the RSU 13 school board to be a functional organization?

Respectfully, don't you think you should question the RSU 13 administration figures on cost of the district? Are you willing to look at all alternatives and have the courage to implement the best ones for the City of Rockland whatever they may be?

If the answer is yes to the most of these questions, you don't need to do anything.

I have been involved with children in both MSAD #5 and RSU 13 and donated countless hours of my time to both organizations since the early 1990's, long after my children have left the school system. I even was one of the original members of the Tiger Football Committee, Inc that was formed to fund the Tiger Football program and rebuilt the whole program without public funds. I was on the committee to build the Rockland District Middle School and we did it without any state funding. The people of Rockland built that building and paid for it with local tax dollars. I was told we did the same thing for the high school.

I have been around this community for a long time. I have served on the Region 8 school board and on the Comprehensive Planning Committee to include a year and a half as chairman.

When we evaluated the MSAD #5 and MSAD#50 school systems as part of Rockland's Comprehensive Plan, we learned a few things. One of which was the school population in the City was pretty much flat. Owl's Head, a community I grew up in through elementary and junior high days was in steep decline. Thomaston was in pretty much in the same boat. South Thomaston was down slightly. Since that time, Rockland still has the bulk of the students in the RSU.

I would propose this. I would recommend you follow through with the voter's mandate. I would form an ad hoc committee, similar to what was done to build the middle school that would be well represented. That committee consisted of four people from the school community, the Superintendent (a nonvoting member) the principal and two teachers as well as about 11 other members of the community. I would like to see a member from the school system on the committee and either a member of council or a representative from the city and a group of citizens that will take a serious hard look at all alternatives to include what we have now.

I would put a timeline on it and make it as transparent as possible. This is not something that would take years to do. As I circulated the petition around Rockland, the overwhelming response was one of frustration and cost. When you can buy a house in Camden for \$350,000 and pay a \$1,000 less in property taxes than you can on a home in Rockland valued at \$250,000, you have to question what is going on? We have the poorest community in terms of income in Knox County, yet we are paying exorbitant amounts of money for our schools. Would it be wise to see if there are reasonable alternatives?

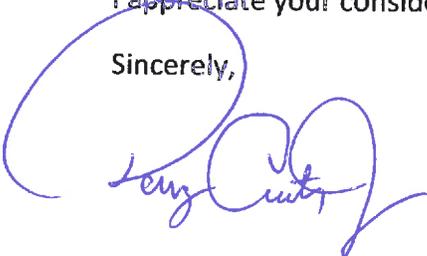
What I would not want to see would be for a committee to spend 9 months on this project and if they came up with some other alternative(s) other than the status quo the council would have no desire to implement it. Clearly it would be a vote of the citizens.

There is an old saying, if you don't know what direction you are going, any road will get you there. That pretty much sums up the last 5 plus years of the RSU 13 school system.

We have more administrators than you had before consolidation. We have had numerous superintendents that have come and gone during its history with full pay. We have seen a new grading system that nobody understands. We continue to spend mandatory days of testing instead of instruction in our school system **even when the State Legislature eliminated the test!** We have a bus garage that we pay over \$30,000 a year in rent and then we have to pay to snowplow the driveway as well. I personally think we have lost all control and perspective.

I appreciate your consideration.

Sincerely,



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

Name of Applicant Capital Pizza Huts Phone _____

Address of Applicant 3445 N Webb Road
Wichita, KS 67226-8190

Name of Business Pizza Hut Phone (207) 947-6915

Address of Business 190 Camden Street, Rockland, ME 04841

Name of Property Owner (if different) William Bird

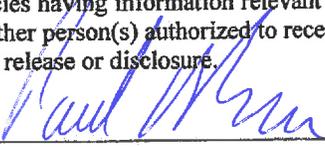
Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Merchant Other (Specify) Amuse Device (1)

Type of Business Restaurant

Expiration of Current License 2/12/16

Fee(s) Paid \$275.00 Date 12/28/15

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  Date 12/21/15

Approved By: Paul R. Brown, Registered Agent
License # _____

Code Officer _____ Date _____
 Approved Inspected; See Report

Fire Inspector _____ Date _____
 Approved Inspected; See Report

Police Chief _____ Date _____

City Clerk _____ Date _____

4/6/18

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 2/12/16

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTINONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)

- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Capital Pizza Huts		2. Business Name (D/B/A) Pizza Hut	
DOB:		DOB:	
DOB:		Location (Street Address) 190 Camden Street	
Address		City/Town Rockland	State ME
		Zip Code 04841	
		Mailing Address P.O. Box 919	
City/Town	State	Zip Code	
			City/Town Bangor
			State ME
			Zip Code 04402-0919
Telephone Number	Fax Number	Business Telephone Number	Fax Number
Federal I.D. #		Seller Certificate #	

- 3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
- 4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 914,500 LIQUOR \$ 9,180
- 5. Is applicant a corporation, limited liability company or limited partnership? YES NO
- If YES, complete Supplementary Questionnaire
- 6. Do you permit dancing or entertainment on the licensed premises? YES NO
- 7. If manager is to be employed, give name: Kelli H. Fifield
- 8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: Sun-Thurs: 11AM-11PM/Fri-Sat: 11AM-12AM
- 9. Business records are located at: 3445 N. Webb Road, Wichita, KS

10. Is/are applicants(s) citizens of the United States? YES NO
11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Kelli H. Fifield	1/20/67	Bridgton, ME
SCOTT A. BERGET	1/21/88	ROCKPORT, ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
W. Baldwin, ME CAMDEN, ME		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____
 William Bird, 191 Park Street, Rockland, ME 04841

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
 43' x 94' brick building

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1000 feet Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Wichita, KS on 1/16, 20 15
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Daniel A. Wilson
 Signature of Applicant or Corporate Officer(s)

Print Name

Daniel A. Wilson, Vice Pres.
 Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Table with 2 columns: Class Name and Fee Amount. Includes classes I through XI with detailed descriptions of permitted activities and locations.

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____

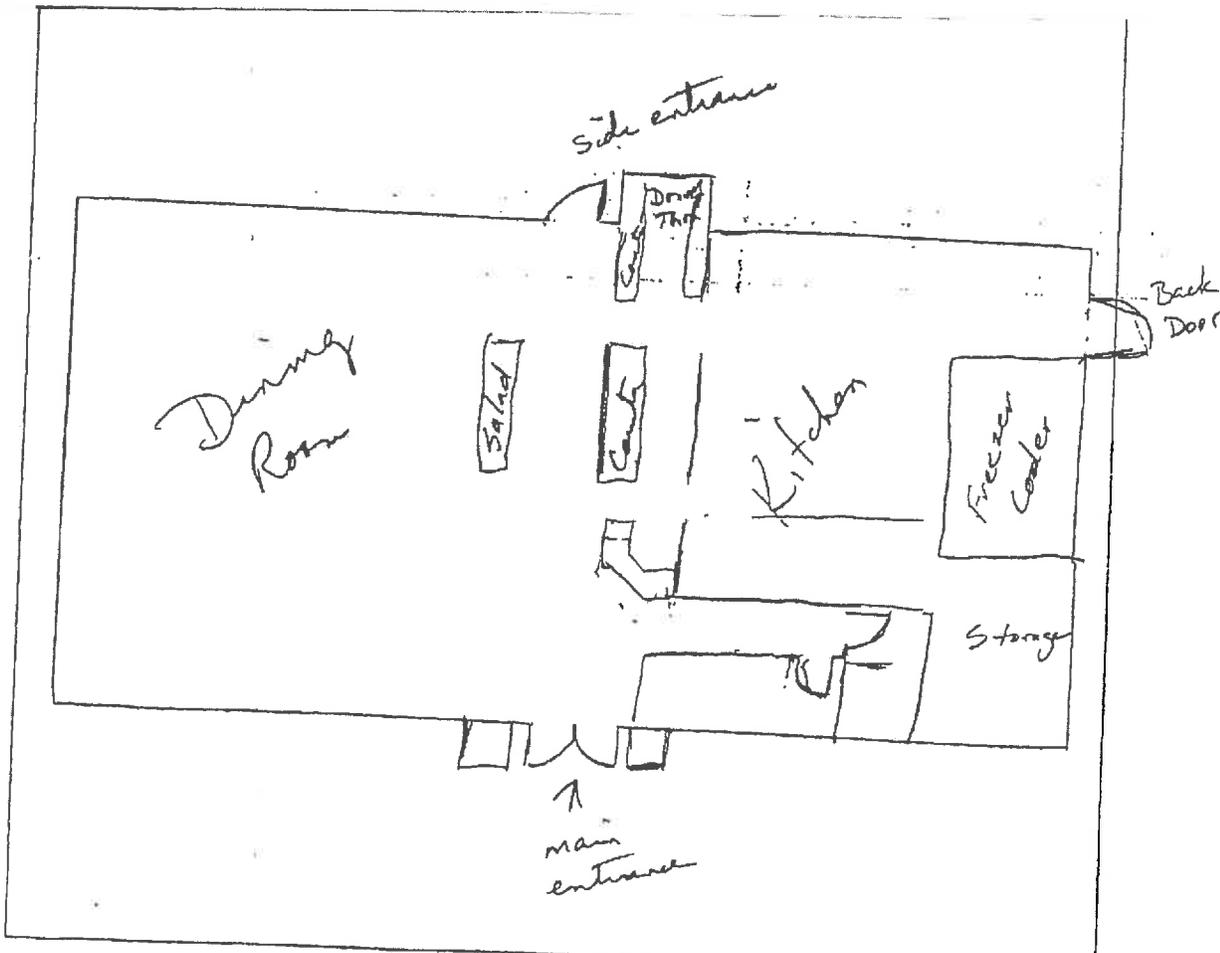


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





State of Maine
 Bureau of Alcoholic Beverages
 Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
 Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
Date Filed:	_____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:
Capital Pizza Huts, Inc.

2. Other business name for your entity (DBA), if any:
Pizza Hut

3. Date of filing with the Secretary of State: 06/15/1972

4. State in which you are formed: Colorado

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 12/20/1982

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Kenneth J. Wagon	Wichitas, KS	05/23/1938	85%
Sharol B. Raspberry, Pres.	Wichita, KS	10/15/1947	15%
Daniel N. Wiese, VP, Sec, Treas	Wichitas, KS	12/26/1954	0%

7. Is any principal person involved with the entity a law enforcement official?

Yes No

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

Daniel N. Wiese

Signature of Duly Authorized Person

11/16/15

Date

Daniel N. Wiese, Vice President

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

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

Name of Applicant Jennifer Rockwell Phone 207.970.5333

Address of Applicant 435 Main Street
Rockland, ME 04841

Name of Business Main Street Markets Phone 207.594.8515

Address of Business 435 Main Street
Rockland, ME 04841

Name of Property Owner (if different) Richard Rockwell/Jennifer Rockwell/Main Street Markets LLC

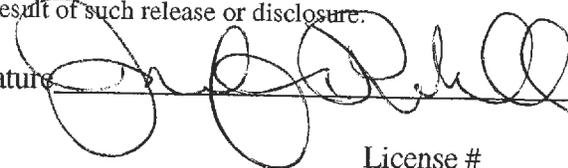
Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Specialty Retail Grocer & Cafe

Expiration of Current License NEW

Fee(s) Paid _____ 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  Date 12/12/15

Approved By: _____ License # _____

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

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

Police Chief 4/6/15 Date _____

City Clerk _____ Date _____

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input checked="" type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A) | <input checked="" type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input checked="" type="checkbox"/> CLASS A LOUNGE (Class X) | <input checked="" type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input checked="" type="checkbox"/> CLUB (Class V) | <input checked="" type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input checked="" type="checkbox"/> TAVERN (Class IV) | <input checked="" type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
Jennifer Rockwell DOB: 12.01.1989			MAIN STREET MARKETS		
Richard Rockwell DOB: 09.03.1955					
DOB:			Location (Street Address)		
Address			435 MAIN ST		
			City/Town		State
			ROCKLAND		ME
			Zip Code		
			04841		
Mailing Address					
City/Town		State	Zip Code	City/Town	
Telephone Number		Fax Number	Business Telephone Number		Fax Number
			207-594-8515		N/A
Federal I.D. #			Seller Certificate #		

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO
- If YES, complete Supplementary Questionnaire
6. Do you permit dancing or entertainment on the licensed premises? YES NO

7. If manager is to be employed, give name: JENNIFER ROCKWELL
8. If business is NEW or under new ownership, indicate starting date: _____
 Requested inspection date: _____ Business hours: _____
9. Business records are located at: 435 MAIN ST, ROCKLAND
10. Is/are applicants(s) citizens of the United States? YES NO
11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
 Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Jennifer Rockwell	12/01/1989	NEW YORK
Richard Rockwell	9/3/1955	NEW YORK

Residence address on all of the above for previous 5 years (Limit answer to city & state)

449 Main Street, North, Rockland 04841

371 Island Ave, Spruce Head, 04859

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
 Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) GARDEN CAFE
(DIAGRAM ATTACHED)

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? ~ 1 mile Which of the above is nearest? _____

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: ROCKLAND, ME on DECEMBER 12, 20 15
Town/City, State Date

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)
JENNIFER ROCKWELL
Print Name


Signature of Applicant or Corporate Officer(s)
RICHARD ROCKWELL
Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta, ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.



State of Maine
 Bureau of Alcoholic Beverages
 Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: _____
Date Filed: _____

**Supplemental Information Required for
 Business Entities Who Are Licensees**

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

- Exact legal name:
MAIN STREET MARKETS, LLC
- Other business name for your entity (DBA), if any:
N/A
- Date of filing with the Secretary of State: NOVEMBER 2013
- State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Jennifer Rockwell	449 Main Street Rockland, ME 04861	12/1/1989	50
Richard Rockwell	371 Island Ave Spruce Head, ME 04859	9/3/55	50

- Is any principal person involved with the entity a law enforcement official?
 Yes No
- If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person

DECEMBER 12, 2015
Date

JENNIFER ROCKWELL
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

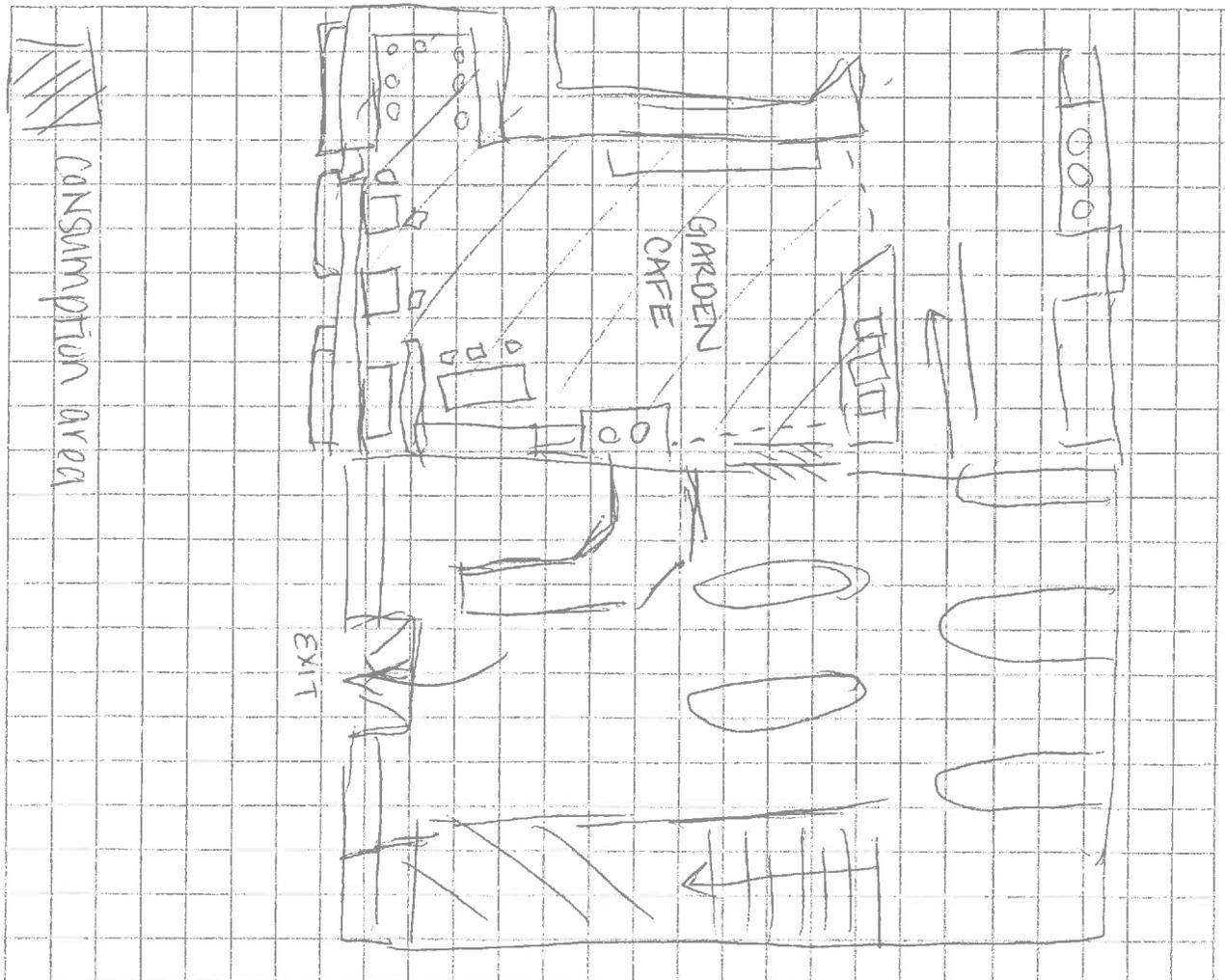


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
8 State House Station
Augusta, ME 04333-0008
Tel: (207) 624-7220 Fax: (207) 287-3434

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



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

Name of Applicant Lindsey House LLC Phone (239) 287-7593

Address of Applicant 5 Lindsey Street
Rockland, ME 04841

Name of Business The Lindsey Hotel Phone (207) 596-7950

Address of Business 5 Lindsey Street
Rockland, ME 04841

Name of Property Owner (if different) Kimberly Swan

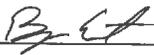
Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Hotel

Expiration of Current License NA

Fee(s) Paid \$100.00 Date 15 December 2015

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  Date 15 December 2015

Approved By: _____ License # _____

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

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

Police Chief _____ Date _____

City Clerk _____ Date _____



Bureau of Alcoholic Beverages
 Division of Liquor Licensing & Enforcement
 8 State House Station
 Augusta, ME 04333-0008
 Tel: (207) 624-7220 Fax: (207) 287-3434

BOTTLE CLUB REGISTRATION APPLICATION

\$50.00 – Check Payable: Treasurer State of Maine

PRESENT REGISTRATION EXPIRES January, 2016

BUREAU USE ONLY

Reg. # assigned:
Deposit Date:
Amt. Deposited:
CK/Mo/Cash:

ALL QUESTIONS MUST BE ANSWERED IN FULL

Please Print Clearly

1. APPLICANT (S) -(Sole Proprietor, Corporation, Limited Liability Co. <u>Penobscot School</u> DOB:	2. Business Name (DBA) <u>Penobscot School</u>
DOB:	<u>28 Gay Street</u>
DOB:	Location (Street Address)
Address: <u>28 Gay Street</u>	<u>Rockland</u> <u>ME</u> <u>04841</u>
<u>Rockland</u> <u>ME</u> <u>04841</u>	City/Town State Zip Code
City/Town State Zip Code	Mailing Address:
<u>(207) 2594.1084</u> <u>N/A</u>	<u>same</u>
Telephone Number Fax Number	City/Town State Zip Code
<u>01-0432067</u>	Business Telephone Number Fax Number
Federal I.D.#	<u>N/A</u>
	Sellers Certificate #

3. Is applicant (s) a corporation? Yes () No () If YES complete Supplementary Corporate Questionnaire.

4. Is applicant (s) a non-profit club? Yes () No () If YES complete Supplementary Club Questionnaire.

5. Does applicant (s) own the premises? Yes () No () If NO give name and address of owner.

Name: _____

Address: _____ Town/City: _____

State _____ Zip Code _____

6. What are the regular days and hours your establishment is operated as a Bottle Club ?

Days: Sun Mon Tue Wed Thurs Fri Sat

Hours: all days, 7am - 10pm

7. List name, date of birth, place of birth for all applicants and managers. Give maiden name if married:

Name in full (Print Clearly)	DOB	Place of Birth
Joan LeMole	4-14-64	Bangor, ME
Leslie Fillynow	1-25-59	Aliquippa, PA

Residence address on all of the above for previous 5 years (Limit answer to city & State)

LeMole : 39 Chestnut St, Rockland, ME 04841
 Fillynow : 151 Bayview St, Camden, ME 04843

Use a separate sheet of paper if necessary.

8. Has applicant(s) or managers(s) ever been convicted of any violation of the law, other than minor traffic violations of any State of the United States? YES () NO ()

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

9. Has any other person any interest, directly or indirectly, in your business? YES () NO ()

10. Has applicant(s) formerly held a Maine liquor license? YES () NO ()

NOTE: " I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the criminal code, punishable by confinement of up to one year or by monetary fine of up to \$2,000.00 or both.

Dated at: Rockland on 12/22/15, 2015
 City/Town Day Year

Leslie Fillynow Leslie F. Fillynow
Joan LeMole Joan LeMole

Signature(s) of Applicant(s) or Corporate Officer(s) Print Names of Applicant(s) or Corporate Officer(s)

STATE OF MAINE

Dated at: _____, Maine: _____ ss On: _____
 City/Town County Date

The undersigned being: () Municipal Officers () County Commissioners of the
 () City () Town () Plantation () Unincorporated Place of: _____, Maine

Hereby approve said application in accordance with provisions of Title 28-A, MRS Section 161A as amended.

Signature Print



Bureau of Alcoholic Beverages
 Division of Liquor Licensing & Enforcement
 8 State House Station
 Augusta, ME 04333-0008
 Tel: (207) 624-7220 Fax: (207) 287-3434

SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: Penobscot School

2. Title, name, birth date and telephone number of each principal officer of the club:

Title	Name	Birth Date	Telephone
	<u>Please see attached</u>		

3. Date Club was incorporated: 1/28/86

4. Purpose of Club: () Social () Recreational () Patriotic () Fraternal Educational

5. Date regular meetings are held: * 6/yr on second Wednesday of the month

6. Date of election of Club Officers: January mtg. yearly

7. Date elected officers are installed: same

8. Total Membership: N/A Annual Dues: _____ Payable When: _____

9. Does the Club cater to the public or to groups of non-members on the premises? Yes No

10. Excluding salaries, will any person, other than the Club, receive any of the financial profits from the sales of liquors? Yes No

11. If a manager or steward is employed, complete the following: N/A

Name: _____ Date of Birth: _____

Sign in blue ink

Signature & Title of Club Officer

Date

Print Name & Title of Club Officer

Name	Position	Address	DOB
Current Board Members			
Bombeke, Carmen	Trustee	151 Washington Street, Camden, ME	6/16/1976
Dunning, Stephanie "Penny"	Trustee	5 Alexander Drive, Rockport, ME	1/17/1943
*Fillnow, Leslie	Trustee	151 Bayview Street, Camden, ME	1/25/1959
Healy, Dennis	President & Chair	19 Cross Street, Camden, ME	2/12/1945
Ingraham, Mary Catherine	Treasurer	P.O. Box 433, Rockport, ME	7/16/1947
O'Brien, Patrick	Trustee	503 Main Street, Rockland, ME	11/14/1955
Smith, William	Trustee	81 Ingrham Drive, Owls Head, ME	3/2/1943
Toole, Frank	Trustee	125 Chestnut Street, Camden, ME	10/4/1946

Current Staff

Junge, Peg	Admin. Assistant	21 Center Street, Rockland, ME	NA
**LeMole, Joan	Exec. Director	39 Chestnut Street, Rockland, ME (previous) 354 Broadway, Rockland, ME	4/14/1964

Past Board Members (last 5 years)

Chartrand, Paul		P.O. Box 1319, Rockland, ME	NA
Deford, Thomas "Mac"		P.O. Box 426 Spruce Head, ME	NA
Hoffman, Julie		548 Common Rd, Union, ME	NA
Tesler, Ronald		P.O. Box 1286, Rockland, ME	NA
Steinberger, Joseph		7 Gay Street Place, Rockland, ME	NA
Strout, Dana		30 Dirt Road, Camden, ME	10/8/1949

* Interim President effective 1/1/16 when D. Healy will step down

** Past Board Member and current Executive Director

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

Postponed 11/9/15 to 1/11/16

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

RESOLVE # 1

IN CITY COUNCIL

January 11, 2016

RESOLVE Commendation – Adam Miceli

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Acting Fire Chief Adam Miceli is hereby commended and congratulated for 20 years of service to the City of Rockland as a member of the Rockland Fire Department.

AND, be it further Resolved that a Plaque and a Certificate of Commendation be presented to Chief Miceli as a token of the City's appreciation for his years of service to the Community.

Sponsor: City Council

Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE # 2

IN CITY COUNCIL

January 11, 2016

RESOLVE Commendation – Christopher Young

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Deputy Police Chief Christopher Young is hereby commended and congratulated for 20 years of service to the City of Rockland as a member of the Rockland Police Department.

AND, be it further Resolved that a Plaque and a Certificate of Commendation be presented to Deputy Chief Young as a token of the City's appreciation for his years of service to the Community.

Sponsor: City Council

Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE # 3

IN CITY COUNCIL

January 11, 2016

RESOLVE Accepting Donation - Holiday Decorations

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT The City of Rockland gratefully accepts the donation from George Holmes of \$200 to be used toward the cost of holiday decorations for Main Street.

AND, be it further Resolved that a letter of thanks be sent to Mr. Holmes in recognition of his generous donation.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE # 4

IN CITY COUNCIL

January 11, 2016

RESOLVE Accepting Donations - Library

WHEREAS, the Friends of the Rockland Public Library donated \$4,214.53 to the Rockland Public Library for 87 children's titles to be added to the Library's Children's collection, 6 PC's (5 public and 1 staff), PC accessories, and program supplies, to be receipted into the Library Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Catherine V. Luvisi, Waltham, MA, donated \$10 to the Library in memory of Harold Dondis, to be receipted into the Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, James Behnke, Marblehead, MA, donated \$100 to the Library in memory of Harold Dondis, to be receipted into the Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Sara J. Burns, President & CEO of Central Maine Power Company, Augusta, Maine, donated the book *Nana in the City*, valued at \$16.99, to be added to the Library's collection; and

WHEREAS, Kate Quinn from North Haven Community School, North Haven, Maine, donated 59 titles (books and DVDs), valued at \$1722, to be added to the Library's collection;

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 # 5

IN CITY COUNCIL

January 11, 2016

RESOLVE Appointment to Mid-Coast Regional Planning Commission

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT _____ and _____ are hereby appointed as Rockland representatives to the Mid-Coast Regional Planning Commission for 2016.

Sponsor: Mayor MacLellan-Ruf
Originator: Mayor MacLellan-Ruf



MID - COAST

REGIONAL PLANNING COMMISSION

166 MAIN STREET, SUITE 201, ROCKLAND, ME 04841

(207) 594-2299 ~ WWW.MIDCOASTPLANNING.ORG

November 10, 2015

Mr. James Chaousis
City Manager
City of Rockland
270 Pleasant St.
Rockland, ME 04841

Dear Mr. Chaousis,

Enclosed are the MCRPC 2016 Membership Form and a brochure of the services we offer member communities in Knox and Waldo Counties. As you know, we are a municipally based organization, serving the needs of Planning Boards, Boards of Appeal, Selectmen, Councilors, Code Enforcement Officers, and committees drafting comprehensive plans and ordinances.

MCRPC membership entitles your community to receive technical assistance on a range of land use issues including municipal ordinance explanation, subdivision and site plan review advice, and education on drafting and using comprehensive plans and land use ordinances. Member communities determine MCRPC priorities and oversee our operations. Accordingly, we ask for two representatives from your community and for nominations of officers to serve on our executive board.

Municipal dues are essential for us to continue to provide locally needed land use planning technical assistance. Since communities operate on different fiscal calendars, and dues requests may require warrant articles, we have set a dues payment deadline of September 1, 2016 for the 2016 Membership Year, which runs from January through December of 2016.

Please complete the enclosed Membership Form and return it to our office.

Contact us with any questions or for more information.

Thank you,

Eric Galant,
Executive Director

cc: Audra Bell, Assistant City Manager



MID - COAST

REGIONAL PLANNING COMMISSION
166 MAIN STREET, SUITE 201, ROCKLAND, ME 04841
(207) 594-2299 ~ WWW.MIDCOASTPLANNING.ORG

MUNICIPAL MEMBERSHIP FORM 2016

The Municipality of Rockland appoints the following two people to be representatives to the Mid-Coast Regional Planning Commission:

1. Name: _____ Mailing Address: _____
an elected official of municipal government or designee, **AND**
2. Name: _____ Mailing Address: _____
a resident of the Municipality.

The membership dues for Rockland are \$1,200 for the 2016 membership year.

Check which of the following applies:

Dues are enclosed with this membership form.

The Municipality commits to pay the dues amount shown on or before September 1, 2016.

CERTIFICATION:

I, the undersigned, authorize the submittal of this membership form on behalf of the Municipality.

Signature of Municipal Official

Date

Print Name and Title

Please return this form to: MCRPC, 166 Main Street, Suite 201, Rockland, ME 04841

Thank you

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #41
(As Amended 11/09/15)
IN CITY COUNCIL

October 14, 2015

**ORDINANCE AMENDMENT: Licensing of Lodging Houses and
Permitting of ~~Transient Residential Accommodations~~
Short Term Rentals**

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~~ short term rentals,

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~~ Short Term Rentals

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 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 locations/ 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~~ Short Term Rentals Permit.

A. Purpose. The purpose of the ~~Transient Residential Accommodations~~ Short Term Rentals Permit is to authorize the use of legally-existing single-, two-, and multi-family structures for the accommodation of ~~transient~~ short term 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~~ Short Term Rentals 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~~ short term rentals 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~~ Short Term Rental 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~~-Short Term Rental may be rented to guests. Guests may stay for less than the minimum stay period provided that the STR 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 accommodations~~ short term rental.)

(2) "Owner- or Lessee-Occupied" describes a dwelling unit that is such owner's or

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

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~~ short term rental.

(3) "~~Transient Residential Accommodation~~ Short Term Rental" ("TRA STR") 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~~ Short Term Rental – 1 ("TRA STR-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~~ Short Term Rental – 2 ("TRA STR-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~~ Short Term Rental – 3 ("TRA STR-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~~ Short Term Rental 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.

E. Notice. Within seven (7) days of receipt of a complete application for a ~~Transient~~

Residential Accommodation Short Term Rental 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 STR. 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 Short Term Rental 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 Short Term Rental 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 Short Term Rentals~~ 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 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 STR.

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

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

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

Review Level II: Applicant shall demonstrate compliance with applicable² building, fire prevention, and life safety codes upon inspection by the Code Enforcement Officer and Fire Chief

² See Chapter 4 – Buildings, Inspections & Enforcement.

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, 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 STR.

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

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 short term rental, 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 STR-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 STR-2</u>	<u>Single-Family (whole house)</u>	<u>-4- 3 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- 3 nights up to less than 1 month</u>	<u>Planning Board</u>	<u>Code Office</u>	<u>I</u>
<u>TRA STR-3</u>	<u>Multi-Family or Mixed Use</u>	<u>-4- 3 nights up to less than 1 month</u>	<u>Planning Board</u>	<u>Planning Board</u>	<u>II</u>

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 Short Term Rentals:

- (1) The occupancy classification of a single-family structure, or a unit in a two-family or multi-family structure, used as a TRA STR 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 STR 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 Short Term Rentals Permit provisions. New condominium units established after October 1, 2015, may not be used for Transient Residential Accommodations Short Term Rentals;
- (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 STR-3;:
- (6) An approved functional sprinkler system is required in any multi-family dwelling in which a single unit is used as a TRA STR-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 STR-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 STR 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 STR 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 STR, 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 STR, and, when the TRA STR 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~~ Short Term Rentals 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~~ Short Term Rental 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~~ Short Term Rentals Permit;

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

H. Complaints. Complaints regarding TRAs STRs 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 STR 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 Short Term Rental 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 STR, 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 Short Term Rental 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 short term rental 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.

B. Violation of Law, Ordinance, or Regulation. A lodging house licensee or transient residential accommodation short term rental 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 short term rental 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 short term rentals, 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 Short Term Rental 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 Short Term Rental Permits received on or before April 30, 2016; and

C. Reservations.

(1) Persons or entities who operated a ~~transient residential accommodation~~ short term rental in Rockland at any time between January 1, 2015, and December 1, 2015, which TRA STR is not of a type that may be permitted as a TRA STR-1, TRA STR-2, or TRA STR-3, and who received reservations for ~~transient residential accommodations~~ short term rentals at the same premises between December 1, 2015, and April 30, 2016, may honor such reservations and provide such ~~transient residential accommodations~~ short term rentals without a permit therefor. No new reservations for ~~transient residential accommodations~~ short term rentals may be accepted after the effective date of this ordinance unless such accommodations rentals were offered for rent in 2015 prior to December 1, and – if permitted – would fall within the definition of a TRA STR-1, TRA STR-2, or TRA STR-3.

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

Sponsor: City Council
Originator: Code Enforcement Officer

(Postponed 10/14/15 to 11/9/15)
(Postponed 12/14/15 to 1/11/16)

First Reading 11/9/15
First Publication 11/19/15
Public Hearing 12/14/15
Final Passage _____
Second Publication _____
Effective Date _____

MEMORANDUM

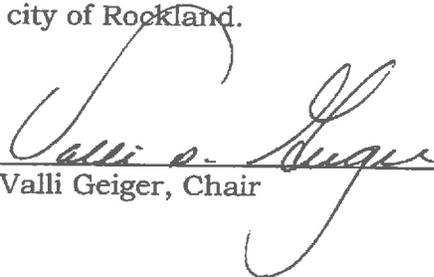
To: Mayor MacLellan-Ruf & City Councilors
Cc: City Manager, Code Enforcement Officer, City Attorney
From: Valli Geiger, Chair, Comprehensive Planning Commission
Date: 12/09/15
Re: Ordinance Amendment 2015-41

Mayor MacLellan-Ruf and Members of the City Council:

The Comprehensive Planning Commission met on both November 12, 2015, and November 19, 2015, and pursuant to Ch. 19, Art. IV, Sec. 19-404 discussed and formulated recommendations regarding the proposed establishment of short-term rentals as a special use class in all zones. The following is a list of the Commission's recommendations on this subject:

1. That only the property owners – not renters - be granted permits for short-term rentals;
2. That occupancy levels for short-term rentals be based upon life safety code limitations per bedroom;
3. That short-term rentals of legitimate, detached guest houses be allowed;
4. That the Council study limiting the total number of Tier 2 and Tier 3 short-term rental units, on the basis of geographical distribution, to achieve a fair and equitable permitting process for the purpose of preserving year round livable neighborhoods;

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


Valli Geiger, Chair

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #42
(As Amended 11/09/15)
IN CITY COUNCIL

October 14, 2015

**ORDINANCE AMENDMENT: Zoning Provisions for ~~Transient~~
Residential Accommodations Short Term Rentals**

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 short term rentals.

~~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 Short Term Rental ("TRA STR"). 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~~ Short Term Rentals.

A. Permitted ~~Transient Residential Accommodations~~ Short Term Rentals. In any zone, existing single-, two-, and multi-family structures may be used as ~~Transient Residential Accommodations~~ Short Term Rentals upon the issuance of a ~~Transient Residential Accommodations~~ Short Term Rentals 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~~ Short Term Rentals 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~~ Short Term Rentals. No person may offer for rent, rent, operate, or otherwise use any parcel in the City of Rockland for ~~Transient Residential Accommodations~~ Short Term Rentals if:

(1) Such person has not secured or maintained a valid ~~Transient Residential Accommodations Permit~~ Short Term Rentals 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: City Council
Originator: Code Enforcement Officer

First Reading 11/9/15
First Publication 11/19/15
Public Hearing 12/14/15
Final Passage _____
Second Publication _____
Effective Date _____

Postponed 10/14/15 to 11/9/15
Postponed 12/14/15 to 1/11/16

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #47
IN CITY COUNCIL**

December 14, 2015

ORDINANCE AMENDMENT Authorizing a Municipal Quitclaim Deed – 258 Rankin 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 Michael Faller for property located at 258 Rankin Street, as shown on Rockland Tax Map #68-B-5-2, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If Mr. Faller fails to sign the Reconveyance Agreement and comply with its requirements by March 10, 2016, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor: City Council
Originator: City Manager

First Reading 12/14/15
First Publication 12/24/15
Public Hearing 1/11/16
Final Passage _____
Second Publication _____
Effective Date _____

RECONVEYANCE AGREEMENT
258 Rankin Street (Tax Map 68-B-5-2)

The City of Rockland (the "City") and **Michael Faller** (the "Grantee") hereby agree to the City's reconveyance of real property and fixtures located at **258 Rankin Street** in the City of Rockland, County of Knox, and State of Maine, Rockland Tax Map 68, Block B, Lot 5-2 (the "Premises"), pursuant to the City of Rockland Code of Ordinances ("Rockland Code"), Chapter 2, Article V, Section 2-509(15) as follows:

WHEREAS, on April 16, 2014, the City filed a Certificate of Sewer Lien on the Knox County Registry of Deeds in Book 4790, Page 10, to secure the payment of overdue sewer charges, pursuant to 30-A M.R.S. § 5405(2) and 38 M.R.S. § 1208;

WHEREAS, on October 16, 2015, any equitable right the Grantee or its predecessor(s) in title may have had to redeem title to the Premises by paying the overdue sewer charges expired, and title to the Premises passed to the City of Rockland pursuant to 38 M.R.S. § 1208;

WHEREAS, Maine law and Section 2-509(15) of the Rockland Code authorizes the City Council to convey property acquired by statutory lien foreclosure; and

WHEREAS, on January 11, 2016, the City Council authorized the City Manager to enter into this Reconveyance Agreement and, upon the effective date of Ordinance Amendment #2015-47, to issue a quitclaim deed to the Grantee for the Premises;

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements herein, the parties hereto agree as follows:

1. Payment of Delinquent And New Sewer Charges. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(1), the Grantee shall, by no later than **March 31, 2016** (the "Reconveyance Deadline") pay or cause to be paid to the City of Rockland all delinquent sewer charges for the Premises, and associated lien and service costs, and all water and sewer charges incurred by the City for the Premises, in the amount of **\$768.08 (as of December 4, 2015)**, together with interest accrued on unpaid charges thereafter, at the rate of 7% *per annum*, and together with any and all additional charges incurred or billed on or after December 4, 2015, through the Reconveyance Deadline;

2. Insurance. The Grantee shall pay or cause to be paid to the City the actual cost to insure the Premises during the period of its ownership, in the approximate amount of \$100.00 (actual amount may vary), on or before the Reconveyance Deadline;

3. Registry Filing Fee. Grantee shall pay to the City the actual cost to the City for all filing fees imposed by the Knox County Registry of Deeds, if any, for the filing of the Quit Claim Deed issued by the City upon full compliance by the Grantee with the requirements of this Reconveyance Agreement, and of any other document or discharge triggered thereby;

4. Repairs. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(4), the Former Owner shall effect the following repairs of Property Maintenance or other Code violations at the Premises, on or before the Reconveyance Deadline unless otherwise stated below:

A.

B.

[Inspection not yet performed.]

All repairs undertaken in compliance with this paragraph and applicable codes shall be performed by qualified personnel, who have sufficient liability insurance and/or other security to protect the value of the Property, and to compensate the owner in the event of, damage during the course of description. All such repairs are subject to inspection and approval by the Code Enforcement Officer. Neither this Agreement, nor compliance with this paragraph, shall relieve the Grantee and/or any subsequent owner of the obligation to repair all code issues identified by the Code Enforcement Officer upon inspection, including subsequent inspections, and to fully comply with the Property Maintenance Code and other codes as may be applicable following the reconveyance of the Premises;

5. Reconveyance. The City shall release to the Grantee or its assign the City's right, title, and interest in the Premises, without warranty or covenant, upon the payment and/or performance of the charges, fees, interest, other payments, and repairs required by this Agreement within the applicable deadline(s);

6. Extension. The City Manager may extend the Reconveyance Deadline, for cause, but for no longer than sixty (60) days. In the event the Reconveyance Deadline is extended to or after April 1, 2016, then Grantee, in addition to other amounts identified herein, shall make payment in lieu of tax for Fiscal Year ending June 30, 2017, in full, on or before such extended Reconveyance Deadline;

7. Representations; Indemnification. The undersigned represents that he is the former owner of the Property; that, prior to the aforementioned statutory lien foreclosure, he neither encumbered, conveyed, released, alienated, or otherwise granted his interest in the Property to any other party; and that he is authorized and has the capacity to perform the undertakings set forth in this Reconveyance Agreement. The Grantee shall defend, indemnify, and hold the City of Rockland harmless from any and all liabilities, losses, claims, demands, judgments, costs, and expenses (including reasonable attorney's fees) of any nature arising from or in connection with the occupancy, maintenance, and repair of the Property by the Grantee, their guest(s), invitee(s), or permittee(s), or by any trespasser(s), during the period of the City's ownership of the Property;

8. Remedies.

A. City of Rockland's Remedies. In the event that the Grantee shall fail to perform any

term, condition, or obligation set forth in this Agreement within the deadline imposed therefor, the City shall not be obligated to reconvey the Premises to the Grantee, may sell and convey the Premises to another party, and shall not be obligated to repay any payment or partial payment made by or on behalf of the Grantee to the City; provided, however, that if the City shall sell the Premises within one year of the effective date of this Agreement, the City shall repay to Grantee any payment by or on behalf of the Grantee to the City for taxes, sewer charges, finance charges, insurance coverage, or document preparation to the extent the proceeds of such sale of the Premises, less any real estate broker or agent fee or charge, transaction costs, and additional carrying costs incurred by the City, permit;

B. Grantee's Remedies. In the event that the Grantee shall sign this Agreement and fully perform all obligations imposed herein, and the City of Rockland shall have authorized the reconveyance but fail to release its interest in the Premises for reasons other than a breach of this Agreement by the Grantee, or the destruction of the Premises, the City shall either reconvey the Premises to the Grantee, or pay to the Grantee any sums realized from the sale of the Premises, less any amounts owed to the City pursuant to this Agreement and/or incurred by the City with respect to the Premises. Notwithstanding anything to the contrary in this Agreement or in the ordinance amendment authorizing the reconveyance, the City shall not be obligated to reconvey the Premises to the Grantee in the event she and/or her guest(s) engage in any criminal activity at the Premises during the period of the City's ownership.

IN WITNESS WHEREOF, the parties have executed this Reconveyance Agreement as of the day and year first above written.

WITNESS:

CITY OF ROCKLAND, MAINE:

by: Stuart H. Sylvester, City Clerk

By: James D. Chaousis II
Its: City Manager

As to Form:

Kevin J. Beal, City Attorney

WITNESS:

MICHAEL FALLER:

Print: _____

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #48

IN CITY COUNCIL

December 14, 2015

**ORDINANCE AMENDMENT: Establishing Moratorium On
Site Plan Applications For New
Grid-Scale Power Generation Facilities**

WHEREAS, properties within the City of Rockland have become a focus for a proposal to construct a gas-fired, combined-cycle electric power generation facility; and

WHEREAS, if not properly sited and designed and regulated, grid-scale power generation facilities can be a source of considerable air, water and noise pollution that can adversely impact the neighborhoods and communities where these facilities are located, thereby endangering public health, safety, and welfare; and

WHEREAS, public and professional comments have raised questions as to whether the City's current noise standards are an appropriate tool for addressing the specific types of sounds originating from grid scale combined cycle power generation facilities; and

WHEREAS, the City has no specific ordinance provisions governing acceptable sources or disposal options for the potentially large volumes of water needed for cooling grid scale combined cycled power generation facilities; and

WHEREAS, the City has no specific regulations governing potential impacts from the air emissions associated with large volume open cooling water towers that are utilized at many grid scale power generation facilities; and

WHEREAS, community members have questioned whether the City's commercial and industrial ordinance standards, which were developed for large volume retail and specialty manufacturing, provide appropriate regulation for a grid scale power generation facility when this type of generation facility is located on parcels abutting residential zones or historic districts; and

WHEREAS, appropriate zoning limitations, site plan and performance standards, and other municipal regulations can ameliorate the impacts of grid-scale power generation facilities by requiring their location in industrial areas; by limiting noise, vibration, and emissions; and by requiring appropriate buffering and screening from public ways, residential areas, and other incompatible uses; and

WHEREAS; the development of natural gas fired combined cycle power generation facility would require the construction of a natural gas distribution line into the City to provide fuel; and

WHEREAS; the City's street opening ordinances do not include provisions that provide for adequate inspection of natural gas piping as it is being installed to insure leaks are avoided; and

WHEREAS, the City Council hereby finds that, to avoid the serious public harms that reasonably may ensue from the unregulated siting and development of grid-scale power generation facilities in the City, a moratorium is needed while the City studies, drafts, and adopts one or more zoning or other ordinance amendments to establish reasonable municipal regulations for grid-scale power generation facilities to avoid and/or ameliorate such public harms,

NOW, THEREFORE, THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT, pursuant to Title 30-A, Maine Revised Statutes, Section 4356, a moratorium is hereby established barring the acceptance of new site plan applications, and the processing of and action upon site plan applications filed with the City on or after December 14, 2015, for the construction of electrical power generation facilities having a capacity in excess of 10 megawatts in the City of Rockland for 180 days. The provisions of this moratorium do not apply to businesses constructing heating or power generation systems to meet on-site heating and/or power needs; and

THAT, within 14 days of the Council's adoption of this ordinance in second reading the City's Energy Committee is directed to convey to the Planning Board a summary of any issues that the Committee recommends be considered by the Planning Board based on the forums held by the Committee and the Energy Committee is also directed to provide advice or assistance to the Planning Board as may be requested by the Board's Chairman; and

THAT, within 30 days of the Council's adoption of this ordinance in second reading the City Manager is directed to provide options to Planning Board for technical experts to advise the Board as the Board may choose; and

THAT, no later than March 4, 2016, the City Manager is directed to bring before Council for its consideration a draft of a street opening ordinance that addresses the technical questions, inspection requirements, and responsibility for costs related to the installation of natural gas distribution lines and any other infrastructure changes that should be made in tandem with this work; and

THAT, the Planning Board is directed, no later than March 4, 2016, to draft for City Council consideration, an ordinance or ordinances regulating the siting and development of grid-scale power generation facilities in the City of Rockland.

First Reading 12/14/15
First Publication 12/24/15
Public Hearing 1/11/16
Final Passage _____
Second Publication _____
Effective Date _____

Sponsor: Councilor Jillson
Originator: Councilor Jillson

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #46
IN CITY COUNCIL**

December 14, 2015

ORDINANCE AMENDMENT: General Assistance – Maximum Levels of Assistance

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 8, General Assistance, SECTION 8-708, Maximum Levels of Assistance, BE AMENDED AS FOLLOWS:

Section 8-708—Basic Necessities; Maximum Levels of Assistance

Overall Maximum Levels of Assistance.

Number in Household	Monthly
1	\$709 <u>\$736</u>
2	\$719 <u>\$741</u>
3	\$877 <u>\$913</u>
4	\$1124 <u>\$1170</u>
5	\$1344 <u>\$1298</u>
6	<u>\$1373</u>

*Add ~~\$69.00~~ \$75.00 a month for each additional person

Maximum Levels of Assistance for Specific Basic Necessities.

A) Food.

The maximum amounts allowed for food are:

Number in Household	Weekly	Monthly
1	\$46.51 <u>\$45.12</u>	\$200 <u>\$194</u>
2	\$85.35 <u>\$83.02</u>	\$367 <u>\$357</u>
3	\$122.33 <u>\$118.84</u>	\$526 <u>\$511</u>
4	\$155.35 <u>\$150.93</u>	\$668 <u>\$649</u>
5	\$184.42 <u>\$179.30</u>	\$793 <u>\$771</u>
6	\$221.40 <u>\$215.12</u>	\$952 <u>\$925</u>
7	\$244.65 <u>\$237.67</u>	\$1052 <u>\$1022</u>
8	\$279.53 <u>\$271.86</u>	\$1202 <u>\$1169</u>

*Add \$150 a month for each additional person

B) Housing

Number of Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	\$128 <u>\$132</u>	\$552 <u>\$569</u>	\$151 <u>\$157</u>	\$649 <u>\$673</u>
1	\$128 <u>\$132</u>	\$552 <u>\$569</u>	\$151 <u>\$157</u>	\$649 <u>\$673</u>
2	\$150 <u>\$156</u>	\$645 <u>\$671</u>	\$186 <u>\$193</u>	\$799 <u>\$831</u>
3	\$197 <u>\$204</u>	\$846 <u>\$879</u>	\$204 <u>\$250</u>	\$1032 <u>\$1075</u>
4				

C) Utilities.

Electricity Maximums for Households that Use Electrically Heated Hot Water.

Number in Household	Weekly	Monthly
1	\$19.10 <u>\$20.08</u>	\$82.00 <u>\$86.00</u>
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

*Add \$10.00 for each additional family member.

Sponsor: City Council
 Originator: General Assistance Administrator

Postponed 12/14/15 to 1/11/16

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT # 1

IN CITY COUNCIL

January 11, 2016

ORDINANCE AMENDMENT: Amending The Personnel Code

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 2, Administration, ARTICLE XII, Personnel, SECTIONS 2-1202, Purpose, and 2-1203, Duties of the Personnel Director or Designee, BE AMENDED AS FOLLOWS:

Sec. 2-1202 Purpose

The purpose of the Department of Personnel is to make job appointments for classified service with the City. Classified service positions shall be all those employee positions of the City currently existing or hereafter created by resolve of the City Council, except for the following which are to be considered unclassified positions:

1. Members of the City Council
2. Members of any Board or Commission appointed by the City Council
3. The City Manager, City Attorney and City Clerk
4. Temporary and emergency employees, including employees hired under Manpower programs
5. Health Officer.

Sec. 2-1203 Duties of the Personnel Director or Designee

The powers and duties of the Director of Personnel, or designee, are as follows:

1. Establish and administer comprehensive classification and compensation plans, enacted by ordinance by the City Council.
2. Create job descriptions with appropriate education, experience and/or other requirements.
3. Set standards for applicants for classified employment positions which may include, but not limited to, requirements for education, experience, oral and written exams, medical or physical tests or licenses.
4. Determine when a classified employee vacancy will be filled and arrange for

appropriate advertising for the position. Appropriate advertising will include, but not be limited to, public notice in a newspaper circulated widely in Rockland and will provide enough information for applicants to provide sufficient application establishing their qualifications for the position.

5. Review application for classified job openings and refer qualified job applicants to the PB for review and recommendation. A qualified job applicant is one who has the basic skills required to perform the duties of the position advertised, which are set forth in the standards in (3) above. The Personnel Director, or designee, may assist the PB by evaluating applications for the top candidates for the PB to review, however, a copy of all applications will be sent to the PB for their potential consideration.
6. Serve as the selecting official for all classified positions. This responsibility includes determining the candidate meets all requirements for the job, such as licenses, etc., and conducting background and reference checks as deemed appropriate. The Personnel Director, or designee, may conduct additional interviews, consult with department heads, or take other actions appropriate to assist in the selection decision. Any candidate certified to the Personnel Director, or designee, by the PB may be selected for the open position, but only candidates certified by the PB may be selected. If PB certified candidates are not deemed acceptable to the Personnel Director, or designee, the position may remain unfilled or may be announced again. [Classified positions that serve as assistants or deputies to positions directly appointed or confirmed by the City Council shall also be confirmed by the City Council.](#)
7. Investigate complaints and make appropriate recommendations concerning any actions related to the administration of personnel rules and procedures.
8. Maintain all employee records including, but not limited to, evaluations, overtime, sick and annual leave.
9. Develop an employee training program to be administered by department heads.
10. Develop and administer an employee Health and Safety program.
11. Take such action and perform such functions as may be required by order of the City Council to conduct and maintain an effective and efficient personnel system.

Sponsor: Councilor Jillson
Originator: Councilor Jillson

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT # 2
IN CITY COUNCIL

January 11, 2016

ORDINANCE AMENDMENT Authorizing Quit Claim Deed – 224 Old County Road (aka “Engine Quarry”)

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized to issue a municipal quit claim deed to _____ for a City-owned parcel of land located at 224 Old County Road, Rockland, Maine (Tax Map #80-A-3) and known as “Engine Quarry”, for the bid price of \$ _____, in substantial conformance with terms and conditions set forth in a purchase and sale agreement incorporated herein by reference.

Sponsor:
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER # 1

IN CITY COUNCIL

January 11, 2016

ORDER Accepting Forfeited Assets – Natale/Walsh

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to 15 M.R.S. §§ 5824(3) and 5826(6), the City of Rockland hereby grants approval of the transfer of the Defendants *in Rem* listed below, or any portion thereof, on the ground that the Rockland Police Department did make a substantial contribution to the investigation of the case:

- \$4,610.00 U.S. Currency
- \$985.00 U.S. Currency
- \$4,610.00 U.S. Currency

State of Maine v. Duane Natale, Superior Court Docket # CR-15-885.

State of Maine v. Jason Walsh, Superior Court Docket # CR-15-888.

Sponsor: City Manager

Originator: Police Department

STATE OF MAINE
Knox, ss

SUPERIOR COURT
Criminal Action
Docket No. CR-15-885

State of Maine	}	
	}	
v.	}	Municipality of Rockland
	}	Approval of Transfer
Duane Natale,	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$4,610.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Rockland, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$922.00), or any portion thereof, on the grounds that the Rockland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Rockland, Maine does hereby approve of the transfer of the Defendant(s) in Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Rockland municipal legislative body on or about

_____.

Dated: _____

Municipal Officer
Rockland, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Knox, ss

SUPERIOR COURT
Criminal Action
Docket No. CR-15-888

State of Maine	}	
	}	
v.	}	Municipality of Rockland
	}	Approval of Transfer
Jason Walsh,	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$985.00 U.S. Currency	}	
Defendant(s) In Rem #1	}	
	}	
\$4,610.00 U.S. Currency	}	
Defendant(s) In Rem #2	}	

NOW COMES the municipality of Rockland, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem #2 (\$922.00), or any portion thereof, on the grounds that the Rockland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Rockland, Maine does hereby approve of the transfer of the Defendant(s) in Rem #2, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Rockland municipal legislative body on or about

_____.

Dated: _____

Municipal Officer
Rockland, Maine
(Impress municipal legislative body seal here)

CITY OF ROCKLAND, MAINE

ORDER # 2

IN CITY COUNCIL

January 11, 2016

ORDER Establishing Ad Hoc Committee – RSU #13/Education Options

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to a Referendum Question passed by the voters of the City of Rockland at the Annual Municipal Election held on November 3, 2015 supporting the City's exploration of education options given the withdrawal of the town of St. George from RSU 13 and the steady rise in costs to Rockland since the merger of SAD 5 and SAD 50 into RSU 13, there is hereby established an Ad Hoc Education Options Committee to explore options that could potentially improve local education while minimizing costs, including, but not limited to, a municipal kindergarten through eighth grade system with students attending a multi-town regional high school, a municipal kindergarten through twelve grade system, as well as possible changes to the funding and governance structure of RSU 13. Said Committee shall consist of five members appointed by the Mayor and confirmed by the City Council, and shall report its finding to the City Council no later than April 11, 2016.

Sponsor: Mayor MacLellan-Ruf
Originator: Mayor MacLellan-Ruf

CITY OF ROCKLAND, MAINE

ORDER # 3

IN CITY COUNCIL

January 11, 2016

ORDER Authorizing RFP – Production of Government & Educational Access Channels

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to issue a Request for Proposals for the production and operations of the City's Government Access and Educational Access channels.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER # 4

IN CITY COUNCIL

January 11, 2016

ORDER Authorizing Undesignated Fund Balance Expenditure – Professional Services

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to expend up to \$20,000 from the City's Undesignated Fund Balance Account to cover the cost of professional services for the development of Site Plan standards related to the moratorium on grid-scale power generation facilities.

Sponsor: City Manager

Originator: City Manager