

Mary

TOWN COUNCIL MEETING #10-98

JUNE 2, 1998 - 7:00 P.M.

TOWN COUNCIL CHAMBERS

SUMMARY AGENDA

- ITEM #109-98** To consider action relative to an amendment to the Solid Waste Disposal Ordinance concerning the separation of demolition materials (Chapter 28). (Public Hearing).
- ITEM #110-98** To consider action relative to accepting a bid for a new dump truck chassis.
- ITEM #111-98** To consider action relative to the approval of street lights.
- ITEM #112-98** To consider action relative to the adoption of a summer meeting schedule.
- ITEM #113-98** To consider action relative to the adoption of a policy on competitive quotes for the purchase of items costing between \$5,000 and \$10,000 dollars.
- ITEM #114-98** To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning a drop off area in front of South Freeport Church (Chapter 48).
- ITEM #115-98** To consider action relative to the adoption of an ordinance regulating the Manner and Sale of Tobacco Products (Chapter 41).
- ITEM #116-98** To consider action relative to the acceptance of items resulting from Criminal Forfeiture.
- ITEM #117-98** To consider action relative to Regional Vocational Budget as approved by the Cooperative Board for the year 1998-1999.
- ITEM #118-98** To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 1998-1999.
- ITEM #119-98** To consider action relative to an appropriation from the Foundation Allocation for school purposes.
- ITEM #120-98** To consider action relative to an appropriation from Debt Service Allocation for school purposes.
- ITEM #121-98** To consider action relative to an appropriation of additional local funds for school purposes under the provision of 20-A MRSA 15614.
- ITEM #122-98** To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1, 1998 and ending June 30, 1999 from the Foundation Allocation, Debt Service Allocation, Unexpended Balances, Tuition Receipt, Local Appropriations, State Subsidy and other receipts for the support of schools.

ITEM #123-98 To consider action relative to an appropriation for Adult Education for fiscal year 1998-1999.

ITEM #124-98 To consider action relative to the acceptance of State Funds for fiscal year 1999.

ITEM #125-98 To consider action relative to the proposed fiscal year 1999 Municipal Budget.

ITEM #126-98 To consider action relative to the operating budget for Winslow Park.

ITEM #127-98 To consider action relative to proposed amendments to the Shellfish Conservation Ordinance concerning license fees (Chapter 32).

ITEM #128-98 To consider action relative to casting Freeport's vote for Maine Municipal Association's Legislative Policy Committee.

ITEM #129-98 To consider action relative to the acceptance of donations for the Restoration of the 1939 Fire Truck.

ITEM #98-98 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street Parking (Chapter 21).

ITEM #99-98 Tabled May 19, 1998.

To consider action relative to proposed amendments to the Sign Ordinance concerning sign standards relating to size (Chapter 23).

ITEM #100-98 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Administrative Code concerning duties of the Purchasing Agent (Chapter 2).

ITEM #101-98 Tabled May 19, 1998.

To consider action relative to an amendment to the Shellfish Conservation Ordinance concerning the availability of commercial licenses (Chapter 32).

OTHER BUSINESS:

1. Discussion on nominations to the Maine Municipal Association Executive Committee and Maine Municipal Association Advisory Committee.
2. Discussion on request for Town sponsorship for a generic lodging sign.
3. Discussion on perambulation of the Freeport/Pownal boundary line.
4. Update on Mallet Intersection Traffic Light.

COMMITTEE REPORTS:

Adjourn.

AGENDA
FREEPORT TOWN COUNCIL MEETING #10-98
TOWN HALL COUNCIL CHAMBERS
JUNE 2, 1998 - 7:00 P.M.

FROM: Dale C. Olmstead, Jr.

TO: Genie Beaulieu, Chairperson, Larue Drive
David Soley, Vice Chairperson, Arnold Road
Edward Campbell, Gay Drive
Alan Hindley, Wardtown Road
Kenneth Mann, Mann Road
Stafford Soule, Arnold Road
Gloria Fogg DeGrandpre, Wolf Neck Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #8-98 May 5, 1998 Meeting and the Minutes of #9-98 May 19, 1998 Meeting and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes
(Non-Agenda Items Only)

- Citizen of the Year Award Presentation

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

**COUNCIL MEETING #10-98
JUNE 2, 1998**

ITEM #109-98 To consider action relative to an amendment to the Solid Waste Disposal Ordinance concerning the separation of demolition materials (Chapter 28). (Public Hearing).

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

MOTION: That Item #109-98 be tabled until June 16, 1998.

ITEM #110-98 To consider action relative to accepting a bid for a new dump truck chassis.

MOTION: That the Town Manager report on bids.

BE IT ORDERED: That the bid from Freightliner of Maine, Inc. in the amount of \$44,421 be accepted.

ITEM #111-98 To consider action relative to the approval of street lights.

BE IT ORDERED: That the installation of three street lights be approved in the following locations:

1. U.S. Route 1 and Old South Freeport Road.
2. U.S. Route 1 and South Freeport Road.
3. South Freeport Road and Old South Freeport Road.

ITEM #112-98 To consider action relative to the adoption of a summer meeting schedule.

BE IT ORDERED: That the Town Council Rules and Procedures be waived and the proposed summer meeting schedule for June-September, 1998 be approved.

ITEM #113-98 To consider action relative to the adoption of a policy on competitive quotes for the purchase of items costing between \$5,000 and \$10,000 dollars.

BE IT ORDERED: That the proposed policy on competitive quotes be adopted.

ITEM #114-98 To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning a drop off area in front of South Freeport Church (Chapter 48).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Traffic and Parking Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ITEM #115-98 To consider action relative to the adoption of an ordinance regulating the Manner and Sale of Tobacco Products (Chapter 41).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of an ordinance regulating the Manner of Sale of Tobacco Products.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ITEM #116-98 To consider action relative to the acceptance of items resulting from Criminal Forfeiture.

BE IT ORDERED: That a 1996 Ford Taurus and \$1,104 in U.S. Currency which is available resulting from Criminal Forfeiture, State v. Norman Ducharme, be accepted by the Town of Freeport in accordance with 15 MRSA Section 5823(c).

ITEM #117-98 To consider action relative to Regional Vocational Budget as approved by the Cooperative Board for the year 1998-1999.

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for the year 1998-1999 be approved in the amount of \$1,498,531 and that \$225,079 be appropriated as Freeport's local share.

ITEM #118-98 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 1998-1999.

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for the year be approved in the amount of \$52,000 and that \$3,304 be appropriated as Freeport's local share.

ITEM #119-98 To consider action relative to an appropriation from the Foundation Allocation for school purposes.

BE IT ORDERED: That \$6,056,181 be appropriated from the Foundation Allocation for school purposes and that \$4,823,215 be appropriated as Freeport's local share of the Foundation Allocation.

ITEM #120-98 To consider action relative to an appropriation from Debt Service Allocation for school purposes.

BE IT ORDERED: That \$610,950 be appropriated from Debt Service Allocation for school purposes and that \$331,300 be appropriated as the local share of debt service.

ITEM #121-98 To consider action relative to an appropriation of additional local funds for school purposes under the provision of 20-A MRSA 15614.

BE IT ORDERED: That \$3,047,229 be appropriated for additional local funds for school purposes under the provision of 20-A MRSA 15614.

**COUNCIL MEETING #10-98
JUNE 2, 1998**

ITEM #122-98 To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1, 1998 and ending June 30, 1999 from the Foundation Allocation, Debt Service Allocation, Unexpended Balances, Tuition Receipt, Local Appropriations, State Subsidy and other receipts for the support of schools.

BE IT ORDERED: That the School Committee be authorized to expend \$10,154,856 for fiscal year beginning July 1, 1998 and ending June 30, 1999 from the Foundation Allocation, Debt Service Allocation, Unexpended Balances, Tuition Receipts, Local Appropriations, State Subsidy and other receipts for the support of schools.

ITEM #123-98 To consider action relative to an appropriation for Adult Education for fiscal year 1998-1999.

BE IT ORDERED: That \$95,183 be appropriated for Adult Education and that \$55,617 be approved by the Town of Freeport's local share for fiscal year 1998-1999.

ITEM #124-98 To consider action relative to the acceptance of State Funds for fiscal year 1999.

BE IT ORDERED: That the following categories of State Funds be accepted for fiscal year 1999:

1. Municipal Revenue Sharing
2. Local Road Assistance
3. State Aid to Education (including Federal pass-through funds and property pass-through funds and property tax relief)
4. Public Library State Aid per capita
5. Civil Emergency Funds (Emergency Management Assistance)
6. Snowmobile Registration Funds
7. Tree Growth Reimbursement
8. General Assistance Reimbursement
9. Veterans Exemption Reimbursement
10. Homestead Exemption Funds
11. State Grants or Other Funds (this category includes all funds received from the State that are not included in Items 1 and 9 above).

ITEM #125-98 To consider action relative to the proposed fiscal year 1999 Municipal Budget.

BE IT ORDERED: That the following appropriations be made to the several departments for purposes named, that the following revenues estimated be adopted, and that the following amounts be raised by taxation, said action for fiscal year July 1, 1998 to June 30, 1999 Municipal Budget.

APPROPRIATIONS:

General Government	1,553,503
Protection & Enforcement	1,273,325
Health & Welfare	69,505
Public Works/Solid Waste	1,064,738
Library	282,271

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Unclassified	247,394
Education/Community Education	9,272,497
Education - State Debt	869,359
Debt Service - Local	1,451,838
County Tax	552,423
Human Services Agencies	41,250
Bustins Island	145,000
Abatements	25,000
Economic Development Corporation	65,000
Capital Reserves	45,000

TOTAL APPROPRIATIONS **\$16,958,103**

ESTIMATED REVENUES:

Non-Property Tax/Tax Penalties	\$ 783,900
Intergovernmental	563,300
Charges for Services	112,500
Licenses and Permits	144,450
Fines and Forfeitures	25,900
Miscellaneous	5,500
Education/Community Education	1,402,053
Education - State Debt	869,359

TOTAL ESTIMATED **\$ 3,906,962**

Library Lease Proceeds	\$ 147,177
Amount Transferred from Undesignated Funds	85,000

Amount to be Raised by Taxation \$12,818,964

TOTAL REVENUES **\$16,958,103**

ITEM #126-98 To consider action relative to the operating budget for Winslow Park.

BE IT ORDERED: That \$130,850 be approved for the Winslow Park budget from July 1, 1998 to June 30, 1999 and \$11,500 be approved for the Harb Cottage budget from July 1, 1998 to June 30, 1999.

ITEM #127-98 To consider action relative to proposed amendments to the Shellfish Conservation Ordinance concerning license fees (Chapter 32).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Shellfish Conservation Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

**COUNCIL MEETING #10-98
JUNE 2, 1998**

NOTE: Requested by Councilor Soley.

ITEM #128-98 To consider action relative to casting Freeport's vote for Maine Municipal Association's Legislative Policy Committee.

BE IT ORDERED: That the Freeport Town Council cast its vote for Genie Beaulieu as Maine Municipal Association's Legislative Policy Committee representative for District 23.

ITEM #129-98 To consider action relative to the acceptance of donations for the Restoration of the 1939 Fire Truck.

BE IT ORDERED: That the following donations for the restoration of the 1939 Fire Truck be accepted.

<u>NAME</u>	<u>DONATED AMOUNT</u>
Patricia Warren	\$50
Ines Davis	\$35
Kim & John Shepard	\$100
John White	\$100
Litchfield Tower Corp.	\$500
Kevin & Catherine Butler	\$70
Hancock Lumber	\$100
Harold & Sylvia Estabrook	\$100
Clare Lewis	\$35
Jesseie Reighley	\$35
Bob Hartnett	\$35
Bob Smith	\$35
Bill & Liz Ruff	\$35
A Plumber	\$35
Leighton's	\$500
Freeport Variety	\$100
Virginia Holden	\$50
Darrell Fournier	\$50
Stan Jacks	\$25
Davis & Hanscom	\$500
Sally Rand	\$35
Betheda Edmonds	\$25
Jon Potter	\$45
Dave Hurd	\$35
Grace Ritchie	\$10
Fire Company	\$3010.17
Glen Austin	\$30
Rose Brale	\$30
Robert Smith, Sr.	\$38
Lois Merry	\$38

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Walter & Constance Barker	\$100
Margaret & Stephen Griswold	\$500
Conon, Deady & Cynthia Barliner	\$50
Downeast Energy	\$50
Rollerworld, Topsham	\$174
Yarmouth Fire Dept.	\$100
Village Inn	\$50
Michael & Deborah Sandahl	\$35
Lisa & Ralph Turner	\$300
Ed Bonney	\$100
Baptist Church Philathia Class	\$43
Cash Donation	\$30
Pam Winters	\$50
Ed Lane	\$35
Gladys Moon	\$35
Ken Baird	\$40
Travis Filmore	\$50
Kim Worthington	\$40
Richard O. Sylvain	\$50
Tom Bull	\$100
Stan Davis	\$400
Dexter Shoe Corp.	\$35
Bodges Sub Shop	\$35
Gloria DeGrandpre	\$35
Freeport Fire Co.	\$297
Freeport Fire & Rescue (Coastal Bank)	\$5000
Scott Stowell	\$100
Glen Davenport	\$140
Duncan Daly	\$100
Sandy Williams	\$100
Freeport Historical Society	\$324
Fire Co. (Freeport)	\$608.85
Everett, Joan Thurlow	\$38
Craig T. Marsh	\$30
Brian Hale	\$30
Barbara Markham	\$30
Nancy Stewart	\$30
David & Joan Crossman	\$38
Miriam Carle	\$30
Mary Jean Haycocil	\$30
Janice Adams	\$38
Linda Cohen	\$30
Freeport Lioness Club	\$30
Doreen Walters	\$30
Richard O. Sylvain	\$30
Sadie Morang, Reginald Marquis	\$76
Jane Benson & David Hartley	\$100
Mary Dyer	\$35

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Fire Dept. Auxiliary	\$100
Mike Luna	\$40
Leonard Larrabee, Jr.	\$25
Rick Pierce	\$35
Roger Hanna	\$35
Philip Harriman	\$100
George Earle	\$50
John Davis	\$35
Steve & Barbara McPheters	\$35
Richard E. Sylvain	\$35
Lawrence Worden	\$100
Helen & Sarah Hatch	\$35
Karen Majewski	\$35
John & Candace Boyne	\$35
Jonthan Robinson	\$35
Rachel Relin	\$5
Helen Garrison	\$15
Pownal Fire Dept.	\$100
Al & Francis Thompson	\$50
Joe & Susie Saunders	\$100
William Griffin	\$25
Genie & Gerard Beaulieu	\$120
Yarmouth Fire Dept.	\$250
Marjorie Libby	\$25
David & Sandra Rowe	\$35
Harold & Sylvia Estabrook	\$100
Mari Smith	\$35
Philip & Elizabeth Marston	\$35
Nancy Clark	\$10
Anne Bass	\$35
Randall Thomas	\$35
Jan & Steve Oransky	\$50
Kimball Page & John Webster	\$25
Andy Kirwan	\$1
James & Natica Satterthwaite	\$30
Sally Rand	\$50
Joyce Lagasse	\$95
Francis Farnum	\$35
George Brockman	\$35
Charles Gould	\$50
Frank Small	\$35
Ester O'Brien	\$35
Judith Elfring	\$35
James Gwilyn	\$35
A. Jan Barcin	\$35
Paul & Kevin Kelley	\$100
Margaret Soule	\$35
Raymond Smith	\$100

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Barry Bernard	\$100
50/50 Raffle (Fire Co.)	\$59
Fire Co. (Boot donations)	\$451.20
Helen Clarkson	\$15
Jane Benson	\$100
Martin Friedman	\$113.75
Fire Co.	\$1444.45
Fire Co.	\$605
Bruce Libby	\$100
Darrel Fournier	\$50
Stan Davis	\$400
Harold & Sylvia Estabrook	\$100
Dale & Barbara Olmstead	\$100
Rollerworld, Topsham	\$555.50
Anonymous	\$5
Davis & Hanscom	\$100
Anonymous	\$23.60
L.L. Bean	\$2500

ITEM #98-98 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street Parking (Chapter 21).

BE IT ORDERED: That the proposed amendment to the Traffic and Parking Ordinance, as submitted to Public Hearing on May 19, 1998, be approved.

ITEM #99-98 Tabled May 19, 1998.

To consider action relative to proposed amendments to the Sign Ordinance concerning sign standards relating to size (Chapter 23).

BE IT ORDERED: That the proposed amendment to the Sign Ordinance, as submitted to Public Hearing on May 19, 1998, be approved.

ITEM #100 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Administrative Code concerning duties of the Purchasing Agent (Chapter 2).

BE IT ORDERED: That the proposed amendment to the Administrative Code, as submitted to Public Hearing on May 19, 1998, be approved.

ITEM #101-98 Tabled May 19, 1998.

To consider action relative to an amendment to the Shellfish Conservation Ordinance concerning the availability of commercial licenses (Chapter 32).

COUNCIL MEETING #10-98
JUNE 2, 1998

BE IT ORDERED: That the proposed amendment to the Shellfish Conservation Ordinance, as submitted to Public Hearing on May 19, 1998, be approved.

OTHER BUSINESS:

1. Discussion on nominations to the Maine Municipal Association Executive Committee and Maine Municipal Association Advisory Committee.
2. Discussion on request for Town sponsorship for a generic lodging sign.
3. Discussion on perambulation of the Freeport/Pownal boundary line.
4. Update on Mallet Intersection Traffic Light.

COMMITTEE REPORTS:

Adjourn.

MINUTES
FREEPORT TOWN COUNCIL MEETING #10-98
JUNE 2, 1998 - 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Chairperson Larue Drive	X		
David Soley, Vice-Chairperson Arnold Road	X		
Edward Campbell Gay Drive	X		
Alan Hindley Wardtown Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X (arrived 7:35 P.M.)		
Stafford Soule Arnold Drive	X		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #8-98 HELD ON MAY 5, 1998 AND MEETING #9-98 HELD ON MAY 19, 1998 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #8-98 HELD ON MAY 5, 1998 AND MEETING #9-98 HELD ON MAY 19, 1998 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Campbell & Soule) (6 Ayes) 1 Excused-DeGrandpre)

CITIZEN OF THE YEAR AWARD:

Chairperson Beaulieu explained that five nominations had been received for this year's award. She added that the members of the Committee were Councilors DeGrandpre, Hindley and Beaulieu. After review and discussion of each nomination, the Committee unanimously voted for Frank Garland III as Citizen of the Year for 1997-98. She then reviewed some of Mr. Garland's accomplishments over the years, such as membership on the School Board, Board of Selectmen, Little League, etc. She presented Mr. Garland with a plaque of appreciation.

Various citizens added their appreciation of the contributions Mr. Garland made to the Town of Freeport.

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD. (none)

MOVED AND SECONDED: THAT THE PUBLIC COMMENT PERIOD BE CLOSED.
(Councilors Campbell & Hindley) (6 Ayes) (1 Excused-DeGrandpre)

THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING ITEMS OF
BUSINESS AS READ BY THE COUNCIL CHAIRPERSON

ITEM #109-98 To consider action relative to an amendment to the Solid Waste Disposal Ordinance concerning the separation of demolition materials (Chapter 28). (Public Hearing).

MOVED AND SECONDED: That the Public Hearing be opened. (Councilors Campbell & Hindley) (6 Ayes) (1 Excused-DeGrandpre)

Manager Olmstead explained the proposed the amendment.

Miscellaneous discussion followed.

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Campbell & Soule) (6 Ayes) (1 Excused-DeGrandpre)

MOVED AND SECONDED: That Item #109-98 be tabled until June 16, 1998.
(Councilors Campbell & Hindley) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #110-98 To consider action relative to accepting a bid for a new dump truck chassis.

MOVED AND SECONDED: That the Town Manager report on bids. (Councilors Hindley & Soule) (6 Ayes) (1 Excused-DeGrandpre)

Manager Olmstead stated that the bid results were as follows:

Auburn Motors Sales	\$47,775.00
Freightline of Maine, Inc.	\$44,421.00
Peterbilt of Maine	\$51,387.00

Miscellaneous discussion followed re: maintenance, Fords being selected in the past, service, etc.

BE IT ORDERED: That the bid from Freightliner of Maine, Inc. in the amount of \$44,421 be accepted. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #111-98 To consider action relative to the approval of street lights.

BE IT ORDERED: That the installation of three street lights be approved in the following locations:

1. U.S. Route 1 and Old South Freeport Road.
2. U.S. Route 1 and South Freeport Road.

3. South Freeport Road and Old South Freeport Road.

ROLL CALL VOTE (Councilors Soule & Hindley) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #112-98 To consider action relative to the adoption of a summer meeting schedule.

BE IT ORDERED: That the Town Council Rules and Procedures be waived and the proposed summer meeting schedule for June-September, 1998 be approved. **ROLL CALL VOTE** (Councilors Mann & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #113-98 To consider action relative to the adoption of a policy on competitive quotes for the purchase of items costing between \$5,000 and \$10,000 dollars.

BE IT ORDERED: That the proposed policy on competitive quotes be adopted. **ROLL CALL VOTE** (Councilors Campbell & Soule) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #114-98 To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning a drop off area in front of South Freeport Church (Chapter 48).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Traffic and Parking Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ROLL CALL VOTE (Councilors. Soley & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #115-98 To consider action relative to the adoption of an ordinance regulating the Manner and Sale of Tobacco Products (Chapter 41).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of an ordinance regulating the Manner of Sale of Tobacco Products.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ROLL CALL VOTE (Councilors Campbell & Soule)

Councilor explained the proposed ordinance.

Councilor Hindley raised concerns for the proposal.

VOTE (5 Ayes) (1 Nay-Hindley) (1 Excused-DeGrandpre)

ITEM #116-98 To consider action relative to the acceptance of items resulting from Criminal Forfeiture.

BE IT ORDERED: That a 1996 Ford Taurus and \$1,104 in U.S. Currency which is available resulting from Criminal Forfeiture, State v. Norman Ducharme, be accepted by the Town of Freeport in accordance with 15 MRSA Section 5823(c). **ROLL CALL VOTE** (Councilors Hindley & Soule)

MOVED AND SECONDED: To amend Item 116-98 to read "1986 Ford Taurus".
(Councilors Hindley & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

VOTE AS AMENDED (6 Ayes) (1 Excused-DeGrandpre)

ITEM #117-98 To consider action relative to Regional Vocational Budget as approved by the Cooperative Board for the year 1998-1999.

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for the year 1998-1999 be approved in the amount of \$1,498,531 and that \$225,079 be appropriated as Freeport's local share. **ROLL CALL VOTE** (Councilors Soule & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #118-98 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 1998-1999.

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for the year be approved in the amount of \$52,000 and that \$3,304 be appropriated as Freeport's local share. **ROLL CALL VOTE** (Councilors Mann & Campbell) (6 Ayes) (1 Excused-DeGrandpre) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #119-98 To consider action relative to an appropriation from the Foundation Allocation for school purposes.

BE IT ORDERED: That \$6,056,181 be appropriated from the Foundation Allocation for school purposes and that \$4,823,215 be appropriated as Freeport's local share of the Foundation Allocation. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (6 Ayes) (1 Excused-DeGrandpre)

ITEM #120-98 To consider action relative to an appropriation from Debt Service Allocation for school purposes.

BE IT ORDERED: That \$610,950 be appropriated from Debt Service Allocation for school purposes and that \$331,300 be appropriated as the local share of debt service. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #121-98 To consider action relative to an appropriation of additional local funds for school purposes under the provision of 20-A MRSA 15614.

BE IT ORDERED: That \$3,047,229 be appropriated for additional local funds for school purposes under the provision of 20-A MRSA 15614. **ROLL CALL VOTE** (Councilors Soley & Soule) (7 Ayes) (0 Nays)

ITEM #122-98 To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1, 1998 and ending June 30, 1999 from the Foundation Allocation, Debt Service Allocation, Tuition Receipt, Local Appropriations, State Subsidy and other receipts for the support of schools.

BE IT ORDERED: That the School Committee be authorized to expend \$10,141,856 for fiscal year beginning July 1, 1998 and ending June 30, 1999 from the Foundation Allocation, Debt Service Allocation, Tuition Receipts, Local Appropriations, State Subsidy and other receipts for the support of schools. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #123-98 To consider action relative to an appropriation for Adult Education for fiscal year 1998-1999.

BE IT ORDERED: That \$95,183 be appropriated for Adult Education and that \$55,617 be approved by the Town of Freeport's local share for fiscal year 1998-1999. **ROLL CALL VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #124-98 To consider action relative to the acceptance of State Funds for fiscal year 1999.

BE IT ORDERED: That the following categories of State Funds be accepted for fiscal year 1999:

1. Municipal Revenue Sharing
2. Local Road Assistance
3. State Aid to Education (including Federal pass-through funds and property pass-through funds and property tax relief)
4. Public Library State Aid per capita
5. Civil Emergency Funds (Emergency Management Assistance)
6. Snowmobile Registration Funds
7. Tree Growth Reimbursement
8. General Assistance Reimbursement
9. Veterans Exemption Reimbursement
10. Homestead Exemption Funds
11. State Grants or Other Funds (this category includes all funds received from the State that are not included in Items 1 and 9 above).

ROLL CALL VOTE (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

ITEM #125-98 To consider action relative to the proposed fiscal year 1999 Municipal Budget.

BE IT ORDERED: That the following appropriations be made to the several departments for purposes named, that the following revenues estimated be adopted, and that the following amounts be raised by taxation, said action for fiscal year July 1, 1998 to June 30, 1999 Municipal Budget.

<u>APPROPRIATIONS:</u>		<u>AMENDED</u>
General Government	1,553,503	
Protection & Enforcement	1,273,325	
Health & Welfare	69,505	
Public Works/Solid Waste	1,064,738	
Library	282,271	
Unclassified	247,394	260,194
Education/Community Education	9,272,497	
Education - State Debt	869,359	

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Debt Service – Local	1,451,838	
County Tax	552,423	
Human Services Agencies	41,250	42,250
Bustins Island	145,000	
Abatements	25,000	
Economic Development Corporation	65,000	
Capital Reserves	45,000	
TOTAL APPROPRIATIONS	<u>\$16,958,103</u>	16,951,903
<u>ESTIMATED REVENUES:</u>		
Non-Property Tax/Tax Penalties	\$ 783,900	
Intergovernmental	563,300	
Charges for Services	112,500	
Licenses and Permits	144,450	
Fines and Forfeitures	25,900	
Miscellaneous	5,500	
Education/Community Education	1,402,053	
Education – State Debt	869,359	
TOTAL ESTIMATED	<u>\$ 3,906,962</u>	
Library Lease Proceeds	\$ 147,177	
Amount Transferred from Undesignated Funds	85,000	
Amount to be Raised by Taxation	\$12,818,964	12,812,764
TOTAL REVENUES	<u>\$16,958,103</u>	16,951,903
ROLL CALL VOTE AS AMENDED (Councilors DeGrandpre & Campbell) (6 Ayes) (1 Nay-Mann)		

ITEM #126-98 To consider action relative to the operating budget for Winslow Park.

BE IT ORDERED: That \$130,850 be approved for the Winslow Park budget from July 1, 1998 to June 30, 1999 and \$11,500 be approved for the Harb Cottage budget from July 1, 1998 to June 30, 1999. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #127-98 To consider action relative to proposed amendments to the Shellfish Conservation Ordinance concerning license fees (Chapter 32).

BE IT ORDERED: That a Public Hearing be scheduled for June 16, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Shellfish Conservation Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

NOTE: Requested by Councilor Soley.

MOVED AND SECONDED: To table Item #127-98. (Councilors Campbell & DeGrandpre) (7 Ayes) (0 Nays)

ITEM #128-98 To consider action relative to casting Freeport's vote for Maine Municipal Association's Legislative Policy Committee.

BE IT ORDERED: That the Freeport Town Council cast its vote for Genie Beaulieu as Maine Municipal Association's Legislative Policy Committee representative for District 23. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (6 Ayes) (1 Abstain-Beaulieu)

ITEM #129-98 To consider action relative to the acceptance of donations for the Restoration of the 1939 Fire Truck.

BE IT ORDERED: That the following donations for the restoration of the 1939 Fire Truck be accepted.

<u>NAME</u>	<u>DONATED AMOUNT</u>
Patricia Warren	\$50
Ines Davis	\$35
Kim & John Shepard	\$100
John White	\$100
Litchfield Tower Corp.	\$500
Kevin & Catherine Butler	\$70
Hancock Lumber	\$100
Harold & Sylvia Estabrook	\$100
Clare Lewis	\$35
Jesseie Reighley	\$35
Bob Hartnett	\$35
Bob Smith	\$35
Bill & Liz Ruff	\$35
A Plumber	\$35
Leighton's	\$500
Freeport Variety	\$100
Virginia Holden	\$50
Darrell Fournier	\$50
Stan Jacks	\$25
Davis & Hanscom	\$500
Sally Rand	\$35
Betheda Edmonds	\$25
Jon Potter	\$45
Dave Hurd	\$35
Grace Ritchie	\$10
Fire Company	\$3010.17
Glen Austin	\$30
Rose Brale	\$30
Robert Smith, Sr.	\$38
Lois Merry	\$38

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Walter & Constance Barker	\$100
Margaret & Stephen Griswold	\$500
Conon, Deady & Cynthia Barliner	\$50
Downeast Energy	\$50
Rollerworld, Topsham	\$174
Yarmouth Fire Dept.	\$100
Village Inn	\$50
Michael & Deborah Sandahl	\$35
Lisa & Ralph Turner	\$300
Ed Bonney	\$100
Baptist Church Philathia Class	\$43
Cash Donation	\$30
Pam Winters	\$50
Ed Lane	\$35
Gladys Moon	\$35
Ken Baird	\$40
Travis Filmore	\$50
Kim Worthington	\$40
Richard O. Sylvain	\$50
Tom Bull	\$100
Stan Davis	\$400
Dexter Shoe Corp.	\$35
Bodges Sub Shop	\$35
Gloria DeGrandpre	\$35
Freeport Fire Co.	\$297
Freeport Fire & Rescue (Coastal Bank)	\$5000
Scott Stowell	\$100
Glen Davenport	\$140
Duncan Daly	\$100
Sandy Williams	\$100
Freeport Historical Society	\$324
Fire Co. (Freeport)	\$608.85
Everett, Joan Thurlow	\$38
Craig T. Marsh	\$30
Brian Hale	\$30
Barbara Markham	\$30
Nancy Stewart	\$30
David & Joan Crossman	\$38
Miriam Carle	\$30
Mary Jean Haycocil	\$30
Janice Adams	\$38
Linda Cohen	\$30
Freeport Lioness Club	\$30
Doreen Walters	\$30
Richard O. Sylvain	\$30
Sadie Morang, Reginald Marquis	\$76
Jane Benson & David Hartley	\$100
Mary Dyer	\$35
Fire Dept. Auxiliary	\$100
Mike Luna	\$40

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Leonard Larrabee, Jr.	\$25
Rick Pierce	\$35
Roger Hanna	\$35
Philip Harriman	\$100
George Earle	\$50
John Davis	\$35
Steve & Barbara McPheters	\$35
Richard E. Sylvain	\$35
Lawrence Worden	\$100
Helen & Sarah Hatch	\$35
Karen Majewski	\$35
John & Candace Boyne	\$35
Jonthan Robinson	\$35
Rachel Relin	\$5
Helen Garrison	\$15
Pownal Fire Dept.	\$100
Al & Francis Thompson	\$50
Joe & Susie Saunders	\$100
William Griffin	\$25
Genie & Gerard Beaulieu	\$120
Yarmouth Fire Dept.	\$250
Marjorie Libby	\$25
David & Sandra Rowe	\$35
Harold & Sylvia Estabrook	\$100
Mari Smith	\$35
Philip & Elizabeth Marston	\$35
Nancy Clark	\$10
Anne Bass	\$35
Randall Thomas	\$35
Jan & Steve Oransky	\$50
Kimball Page & John Webster	\$25
Andy Kirwan	\$1
James & Natica Satterthwaite	\$30
Sally Rand	\$50
Joyce Lagasse	\$95
Francis Farnum	\$35
George Brockman	\$35
Charles Gould	\$50
Frank Small	\$35
Ester O'Brien	\$35
Judith Elfring	\$35
James Gwilyn	\$35
A. Jan Barcin	\$35
Paul & Kevin Kelley	\$100
Margaret Soule	\$35
Raymond Smith	\$100
Barry Bernard	\$100
50/50 Raffle (Fire Co.)	\$59
Fire Co. (Boot donations)	\$451.20
Helen Clarkson	\$15

COUNCIL MEETING #10-98
JUNE 2, 1998

Jane Benson	\$100
Martin Friedman	\$113.75
Fire Co.	\$1444.45
Fire Co.	\$605
Bruce Libby	\$100
Darrel Fournier	\$50
Stan Davis	\$400
Harold & Sylvia Estabrook	\$100
Dale & Barbara Olmstead	\$100
Rollerworld, Topsham	\$555.50
Anonymous	\$5
Davis & Hanscom	\$100
Anonymous	\$23.60
L.L. Bean	\$2500

ROLL CALL VOTE (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #130-98 To consider action relative to the authorization of a going-out-of-business sale for Leighton's.

BE IT ORDERED: That the application for a going-out-of-business permit issued to Leighton's be approved. **ROLL CALL VOTE** (Councilors Mann & Campbell)

Mr. Leighton thanked the Town Clerk and the Manager for their help regarding this item.

Councilors Soley & Mann stated that they were sorry to see the hardware store close.

VOTE (7 Ayes) (0 Nays)

ITEM #131-98 To consider action relative to the confirmation of a Warden for the June 9, 1998 election.

BE IT ORDERED: That the Town Clerk's appointment of Genie Beaulieu as Warden for the June 9, 1998 election be confirmed.

BE IT FURTHER ORDERED: That the polls open at 7:00 a.m. and close at 8:00 p.m.

ROLL CALL VOTE (Councilors DeGrandpre & Campbell) (7 Ayes) (0 Nays)

ITEM #98-98 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street Parking (Chapter 21).

BE IT ORDERED: That the proposed amendment to the Traffic and Parking Ordinance, as submitted to Public Hearing on May 19, 1998, be approved. **ROLL CALL VOTE** (Councilors Soley & Hindley) (3 Ayes) (4 Nays-Soule, Hindley, Campbell, Beaulieu)

ITEM #99-98 Tabled May 19, 1998.

**COUNCIL MEETING #10-98
JUNE 2, 1998**

To consider action relative to proposed amendments to the Sign Ordinance concerning sign standards relating to size (Chapter 23).

BE IT ORDERED: That the proposed amendment to the Sign Ordinance, as submitted to Public Hearing on May 19, 1998, be approved. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #100-98 Tabled May 19, 1998.

To consider action relative to a proposed amendment to the Administrative Code concerning duties of the Purchasing Agent (Chapter 2).

BE IT ORDERED: That the proposed amendment to the Administrative Code, as submitted to Public Hearing on May 19, 1998, be approved. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #101-98 Tabled May 19, 1998.

To consider action relative to an amendment to the Shellfish Conservation Ordinance concerning the availability of commercial licenses (Chapter 32).

BE IT ORDERED: That the proposed amendment to the Shellfish Conservation Ordinance, as submitted to Public Hearing on May 19, 1998, be approved. **ROLL CALL VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. Discussion on nominations to the Maine Municipal Association Executive Committee and Maine Municipal Association Advisory Committee.

Manager Olmstead explained this item.

2. Discussion on request for Town sponsorship for a generic lodging sign.

Manager Olmstead explained this item.

Miscellaneous discussion followed re: cost of a sign, location, potential for participation in costs, signage, locations of B & B's, zoning, etc. It was agreed to refer this to the Traffic and parking Committee.

3. Discussion on perambulation of the Freeport/Pownal boundary line.

Miscellaneous discussion followed regarding this item; Jim Plummer, Councilors Mann and Hindley will participate.

4. Update on Mallet Intersection Traffic Light.

Manager Olmstead reported on the meeting held with the State, saving costs on the project, ground work scheduled to be initiated on Monday, etc.

COMMITTEE REPORTS: None

COUNCIL MEETING #10-98
JUNE 2, 1998

MOVED AND SECONDED: That the meeting be adjourned at 9:50 P.M. (Councilors Mann & Hindley) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary

*Approved June 2, 1998
meeting # 10-98 ; item # 98-98
P.H. meeting # 8-98 (5-19-98)*

Adopted
**~~PROPOSED~~ AMENDMENT
TRAFFIC AND PARKING ORDINANCE
CHAPTER 48**

Section 48-303

One Hour parking Zones

6. On the westerly side of Main Street beginning 45 feet south of the southerly corner of Holbrook Street and extending in a southerly direction for 40 feet.

Approved: June 2, 1998
Meeting # 10-98; Item # ~~100~~-98
PH - meeting # 8-98 (5-19-98)

Adopted
PROPOSED

AMENDMENT TO THE ADMINISTRATIVE CODE

CHAPTER 2

504.3.3 Duties of Town Purchasing Agent

Receive sealed bids for purchases and contracts in excess of Five
Ten Thousand Dollars (~~\$5,000.00~~ 10,000), present them to the
Town Council for approval and advise the Town Council on the
advantages or disadvantages on contractual or bid proposals.

*Approved June 2, 1998
Meeting # 10-98; item # 101-98
P.H. Meeting # 8-98 (5-19-98)*

Adopted
PROPOSED

AMENDMENT TO THE SHELLFISH CONSERVATION ORDINANCE

CHAPTER 32

Section 6.I. New Commercial Licenses: New Commercial licenses, when available, will be advertised in the local newspaper(s) during the first week of May July in the year in which the license(s) become available (hereinafter called the new-license year). Applications for these licenses must be received by the Town Clerk no later than May July 15 of the new-license year and must comply with the provisions of Section 6.B of this Ordinance. Any license(s) available for the new-license year will be issued by June July 30 in accordance with the following procedure:

Approved June 2, 1998
Meeting #10-98; Item #99-98
Pl. Mtg. #9-98 (5-19-98)

Adopted
DRAFT AMENDMENTS
CHAPTER 23 - FREEPORT SIGN ORDINANCE

Section 1 - Definitions

- 1.1 Billboard - A structure designed, intended or used for advertising a product, property, business, entertainment, service, amusement or the like, and not located where the matter advertised is available or occurs. A billboard is deemed not to be a sign as otherwise defined herein.
- 1.2 Business or Establishment. A business or establishment occupying an entire building or a part of a building. A business occupying part of a building must meet the following conditions in order to be eligible for the signage described in Section 5.5 below: accessed by its own separate entrance door; surrounded by permanent floor to ceiling walls and containing a minimum of 500 square feet of interior floor area.
- 1.3 4.2 Directory Board - A wall sign erected on a building wall at the ground floor level and containing name identification for more than one activity or business located on a single premises building or a group of contiguous premises buildings. Each listing shall be no larger than one (1) square foot. A directory board shall be considered to be one wall sign.
- 1.4 4.3 Free Standing Sign - A sign supported by one or more uprights or braces permanently affixed into the ground.
- 1.5 4.4 Ground Sign - An outdoor sign which is directly and permanently supported and physically separated from any other structure and contains information on no more than two activities or businesses. A ground sign shall have a maximum height of 25' from the ground level. It shall not be erected in or project over the public right-of-way.
- 1.6 4.5 Identification Sign - A sign indicating the location of, or direction to, a separate function performed within one portion of that building. Examples of identification signs are: "entrance", "exit", "auditorium", etc. Identification signs do not name or advertise the activity conducted within or without the premises.
- 1.7 4.6 Kiosk - A free standing structure erected on a suitable foundation and designed to provide advertising space for more than two activities or businesses on a single premises or group of contiguous premises. Each business sign shall be identical in size and shape. A kiosk shall count as one sign.
- 1.8 4.7 Person - Includes a firm, association, organization, partnership, trust company, or corporation as well as an individual but does not include a governmental unit.
- 1.9 4.8 Premises - One or more parcels of land which are in the same ownership and are contiguous.

- 1.10 ~~4.9~~** Public Way - Any way designed for vehicular or pedestrian use and is maintained with public funds.
- 1.11 ~~4.40~~** Portable Sign - A sign not designed or intended to be permanently affixed into the ground or to a structure. Movable directional signs are not considered to be portable signs.
- 1.12 ~~4.41~~** Projecting Sign - An outdoor sign which is attached to a wall at an angle. Projecting signs must clear the ground by at least eight (8) feet and contain advertising for no more than two activities or businesses.
- 1.13 ~~4.42~~** Roof Sign - A sign located upon or over a roof of a building.
- 1.14 ~~4.43~~** Sign - A sign is an object, device or structure, or part thereof, situated outdoors or displayed in a window, visible from a public way, free standing or attached, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by any means including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each face of a sign shall constitute a separate sign except that a sign with two sign faces shall be counted as one sign.
- 1.15 ~~4.44~~** Sign Area - The area of the square, rectangle, triangle, circle, or combination thereof, which encompasses the facing of a sign, including copy, insignia, background and borders. The structural supports of a sign are to be excluded in determining the signable area. Where a supporting structure bears more than one sign, all such signs on the structure shall be considered as one sign, and so measured. The area of one face of a two-sided sign shall be considered in determining the total area of the sign.
- 1.16 ~~4.45~~** Sign Face - The surface of a sign visible from the public way. Each sign face counts as one sign. Each sign face counts as one sign except that a sign with two sign faces shall be counted as one sign.
- 1.17 ~~4.46~~** Temporary Sign - A sign or advertising display (such as a political poster) designed, intended to be displayed or displayed for a short period of time.
- 1.18 ~~4.47~~** Wall Sign - An outdoor sign which is attached flat to, painted on, or pinned away from a building wall or part thereof, and does not project more than 18 inches from the wall.
- 1.19 ~~4.48~~** Wall Sign Area - The area of the facade of a building up to the roof line. The facade includes the gable areas for pitched roofed buildings.
- 1.20 ~~4.49~~** Visible - Capable of being seen without visual aid by a person of normal visual acuity.

Section 2. General Provisions

- 2.1 Purpose** - The purpose of regulating signs is to promote and protect the public health, safety and welfare by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all

types; to protect property values; enhance and protect the physical appearance of the community; preserve the scenic and natural beauty and provide a more enjoyable and pleasing community; to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents; reduce hazards that may be caused by signs overhanging or projecting over public right of way; provide more open space, and curb the deterioration of natural beauty and community environment.

- 2.2 **Sign Permits** - Except as otherwise herein provided, no person shall erect, modify or move any signs visible from the public way without first applying for and obtaining from the Codes Enforcement Officer a sign permit. Applications shall be on forms prescribed and provided by the Codes Enforcement Officer setting forth such information as may be required by him for a complete understanding of the proposed work.
- 2.3 **Maintenance and Conformance of Signs** - No sign shall be erected or altered except in conformity with the provisions herein. The sign must be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or constitute a distraction or obstruction that may contribute to traffic accidents.
- 2.4 **General Safety Standards for Signs** - No sign, whether new or existing, shall be permitted that causes a sight, traffic, health or welfare hazard or results in a nuisance due to illumination, placement, display, or manner of construction.
- 2.5 **Exceptions** - For the purpose of this ordinance, the term "sign" does not include signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulation, nor to a "name sign" not exceeding one (1) square foot in area identifying the name(s) of the residents of the premises where such sign is located.

Section 3. - Temporary Signs

Temporary signs shall be permitted only on the hand railings located on the northernmost side of Main Street in Freeport Village upon issuance of a permit by the Codes Enforcement Officer. Such signs shall be no more than four (4) feet in height and eight (8) feet in length.

The following temporary signs are permitted and shall conform to standards within municipal, state or federal ordinances, statutes or regulations:

- 3.1 **Temporary Signs Giving Notice** - Signs of a temporary nature such as advertisements of charitable functions, notices of meetings and other non-commercial signs of a similar nature, are permitted for a period not to exceed twenty-one (21) days and shall be removed by the person(s) who posted the signs within forty-eight (48) hours after fulfilling its function. Temporary signs specified in this section shall not be attached or painted to fences, trees, or other natural features, utility poles, or the like and shall not be placed in a position that will obstruct or impair

(14) days before the election date to which the sign refers and must be removed within twenty-four (24) hours after the election has occurred. The maximum size of temporary political signs shall be 4 feet by 4 feet.

- 3.3 Temporary Political Signs Allowed - Political candidates will be limited to one (1) Temporary Political Sign on the Town Hall.**

Section 4. - Regulations Applicable to Signs in All Districts

The following provisions relating to signs are applicable in all districts.

- 4.1 One sign identifying the name, address and profession of a permitted home occupation or a lawfully existing nonconforming home occupation is allowed provided such sign does not exceed 6 sq. ft. in area.**
- 4.2 A bulletin board or similar sign in connection with any church, museum, library, school or similar public structure not exceeding 12 sq. ft. is allowed.**
- 4.3 No sign, except traditional barber poles for licensed barber shops, shall have visible moving parts, blinking, moving or glaring illumination, or any part consisting of banners, pennants, ribbons, streamers, spinners or other similar devices. This regulation does not prohibit a wall name sign consisting solely of a rectangular banner made of a flexible cloth-type material, attached at all corners either perpendicular or flat, and conforming to all provisions of Section 5.4. In addition, "Open" flags are permitted only as described in Section 5.7 below.**
- 4.4 A string of lights shall not be used for the purpose of advertising or attracting attention unless as an integral part of a permitted sign.**
- 4.5 Any sign which no longer advertises a bonafide business conducted, product sold, activity being conducted, or public notice, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or premises upon which such sign may be found within ten (10) days after the activity has ceased, or if the removal has not occurred, within thirty (30) days after written notification from the Codes Enforcement Officer. Temporary signs shall be removed in accordance with Section 3.**
- 4.6 Illuminating signs whose specific purpose is outlining any part of a building, such as a gable, roof, sidewalk or corner, are prohibited.**
- 4.7 Illumination of signs shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., except that this time restriction shall not apply to the illuminated signs of emergency facilities and retail, commercial and industrial establishments during such hours as the establishments are lawfully open to the public or work hours are regularly in effect.**
- 4.8 District setback requirements shall not apply to signs; however, no sign shall project over the public right-of-way if it is located in a District which has a front setback building requirement. No ground or portable signs shall be permitted in the public right-of-way.**

- 4.9 In addition to the maximum number and size of signs permitted, directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material, having a display area not exceeding five (5) square feet, and not extending higher than seven (7) feet above ground level, are permitted with permission of the Codes Enforcement Officer.
- 4.10 Nonconforming signs may continue but may not be altered, rebuilt or relocated on the same premises; however, non-conforming signs located on land which is acquired for governmental purposes by governmental action may be relocated on the same premises. Normal maintenance and repairs are permitted.
- 4.11 In addition to the maximum number and size of permitted signs, identification signs may be erected over or by the doorway or entrance to such portion of the building. The sign area shall not exceed ten percent (10%) of the area of such doorway or entrance to such portion of the building.
- 4.12 A sign with a double signboard or display area shall be construed to be one sign for the purpose of this Ordinance.
- 4.13 No portable signs shall be permitted.
- 4.14 There shall be no off premises signs except as are regulated by the Town of Freeport Directional Sign Ordinance.

Section 5. - Specific Standards

5.0 The standards of this Section 5 for maximum number and maximum square footage of signage are limits which cannot be exceeded, but which do not create any right or entitlement to the maximums. Signage is also regulated by the Freeport Design Review Ordinance and the site plan review provisions of the Freeport Zoning Ordinance, under which the Design Review Board or the Planning Board may impose more stringent limits.

The standards of this Section 5 apply on a per building basis. In calculating allowable signage, each principal building together with its accessory buildings or structures, if any, shall count as one building.

- 5.1 The following signs are not regulated by this section:
- 5.1.1. Temporary signs;
 - 5.1.2. Signs displayed within the border of a window of a building if the sign or grouping of signs does not occupy more than one-third of the surface area of such window;
 - 5.1.3. Directional signs as described in Section 4.10.
 - 5.1.4. Identification signs as described in Section 4.12.

5.2 In addition to the limitations mandated in 5.5 and 5.6 below, an off-street shopping plaza or mall may have one kiosk. Each business within the plaza or mall may have a sign within the kiosk. They shall all be equal in size and shape.

5.2.1. In the VI, VC I, VC II, VC III, MDR I, LB and MD Districts, the following requirements shall be met:

Each business sign shall not exceed three (3) square feet in size. The total kiosk size may not exceed:

**Twenty (20) square feet for five (5) or fewer businesses;
Thirty-five (35) square feet for six (6) to ten (10) businesses;
Fifty (50) square feet for more than ten (10) businesses.**

5.2.2. In the CI, II, ~~and III~~ and IV, and all Industrial zones, the following requirements shall be met:

Each business sign shall not exceed six (6) square feet in size. The total kiosk size may not exceed:

**Fifty (50) square feet for five (5) or fewer businesses;
Seventy-five (75) square feet for six (6) to ten (10) businesses;
One hundred (100) square feet for more than ten (10) businesses.**

5.2.3. The maximum height shall be twenty-five (25) feet.

5.3 Ground signs - Other Requirements.

Unless otherwise provided, all ground signs shall conform to the following:

5.3.1. The maximum gross display area of each sign face shall not exceed thirty-two (32) square feet measured from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements. However, on Route #1 where the speed limit is 40 mph or more, the maximum gross display area of each sign face shall not exceed 64 square feet.

5.3.2. Maximum height is twenty-five (25) feet.

5.3.3. Maximum side dimension is sixteen (16) feet.

5.3.4. Total maximum sign area of all ground signs ~~on a premise~~ per building is limited to 200 square feet.

5.4 Wall, Projecting and Roof Signs - Other Requirements

Unless otherwise provided, wall, projecting and roof signs shall conform to the following:

5.4.1. Maximum gross sign area shall not exceed ten percent (10%) of the wall area to which it is attached. Where two signs are utilized, the gross sign area shall be the area of both signs added together.

5.4.2. Maximum height shall be seven (7) feet above the eaves.

5.4.3. No wall or projecting sign shall extend beyond the wall to which it is attached or party wall separating occupancies into the wall area of other premises.

5.4.4. Total maximum sign area is limited to 200 square feet.

- 5.5 ~~The total number of signs displayed on the premises shall not exceed eight (8) in number. However, if more than eight (8) businesses or establishments exist on the premises, each business or establishment permitted on the premises may have one name sign. The name sign may be a sign with two sign faces and which shall be counted as one sign.~~

No more than eight signs are permitted per building, except that, if more than four businesses or establishments occupy the building, then each additional business or establishment in excess of four may have up to two name signs containing a maximum total sign area of 50 square feet.

- 5.6 ~~The total maximum sign area for all ground and projecting signs on one premises is limited to 200 square feet. The total maximum sign area per building for all ground, wall, projecting and roof signs combined on one premises is limited to 200 square feet. shall be limited as follows:~~

<u>Building Size</u>	<u>Maximum Sign area</u>
• <u>Buildings containing 10,000 square feet or less of gross floor area:</u>	<u>200 square feet</u>
• <u>Buildings containing more than 10,000 square feet but less than 20,000 square feet of gross floor area:</u>	<u>200 square feet plus an additional 35 square feet for each 1,000 square feet of gross floor area over 10,000 square feet, but not to exceed 400 square feet of total sign area</u>
• <u>Buildings containing 20,000 square feet or more of gross floor area:</u>	<u>400 square feet plus an additional 100 square feet for each 10,000 square feet of additional gross floor area over 20,000 square feet, not to exceed 700 square feet of total sign area</u>

- 5.7 In addition to the maximum number, total square footage per lot and size of permitted signs, "Open" flags are permitted in all districts except Village Commercial I and Village Commercial II Districts subject to the following conditions:

5.7.1 Only one flag per business establishment shall be permitted.

5.7.2 The flag shall be flown only during open business hours.

5.7.3 The flag area is limited to a maximum of sixteen (16) square feet.

5.7.4 Flag design shall be limited to the standard "Open" type with red, white and blue coloring only.

Section 6. - Fees

The following fee schedule shall apply to all signs except:

Temporary signs and signs displayed within the border of a window if the sign or grouping of signs does not occupy more than one-third of the surface area of such window.

6.1 Each sign up to twelve (12) square feet - \$10.

6.2 Each sign face between twelve (12) and fifty (50) square feet - \$25.

6.3 Each additional square foot of sign area over fifty (50) square feet - \$1.

Section 7. - Administration, Enforcement, Penalty and Appeals

7.1 This Ordinance shall be enforced by the Codes Enforcement Officer.

7.2 If the Codes Enforcement Officer finds that any provision of this Ordinance is being violated, he shall notify by registered or certified mail the person determined to be responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it.

7.3 The Town Council may order the removal of any sign which represents a hazard to public safety or which is found to be in such disrepair so that it fails to perform its function. The owner of a sign ordered removed shall have 30 days to conform with this Ordinance before removal of the sign by the Town.

7.4 When any violation of any provision of this Ordinance is found to exist, the Codes Enforcement Officer is hereby authorized and directed to institute any actions and proceeding that may be appropriate or necessary to enforce the provision of this Ordinance.

7.5 Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and on conviction shall be fined not more than \$100.00. Each day a violation is permitted to exist after notification constitutes a separate offense.

7.6 Any person aggrieved by a decision of the Codes Enforcement Officer may appeal to the Board of Appeals within 30 days. The Board of Appeals has the authority to interpret the provisions of the Ordinance which are called into question and to grant a variance from the required number and size of signs as described in this Ordinance when a literal enforcement of the provisions of this Ordinance would result in undue hardship as defined by Title 30, MRSA Sec. 4963.3. When an appeal is made to the Board of Appeals, the same notification requirements to abutters, as outlined in Section 602 of the Zoning Ordinance, shall apply.

Any person aggrieved by the decision of the Board of Appeals or by an order rendered by the Board of Appeals to remove a sign may appeal said decisions to the Superior Court. The appeal shall be filed within 30 days after the decision of the Board of Appeals.

Section 8. - Validity and Severability

Should any provision of this Ordinance be declared by the courts to be invalid, the decision shall not invalidate any other provision of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are severable.

Section 9. - Minimum Requirements

The provisions of this Ordinance are minimum requirements. Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted statute, rule, regulation, ordinance, deed restriction or covenant, the most restrictive or that imposing the higher standard shall govern.

Section 10. - Effective Date

This Ordinance shall become effective 30 days after December 6, 1983.

Section 11. - Waiver Provision

Sections of this Ordinance may be waived for holidays and celebrations at the discretion of the Codes Enforcement Officer.