

**TOWN OF OLD ORCHARD BEACH
ORDINANCE REVISION COMMITTEE MEETING MINUTES January 13, 2010**

Call to Order at 7:05 pm	Call to Order
<p>Roll Call: Present: Chair George Kerr, Vice Chair Linda Mailhot, Robert Scoville, William Daley, and Steve Bryant. Chief John Glass arrived in the middle of the meeting.</p> <p>Staff: Mike Nugent, Code Enforcement Officer. Gary Lamb, Town Planner.</p>	<p>ROLL CALL</p>
<p><u>Review of Chapters 18 and Chapter 2, Article III</u></p> <p>Chairman Kerr briefly explained his visit to the Chamber of Commerce and how the businesses represented there felt about proposed changes. He stated there was concern about the campground ordinance and if this is the same as the states. If so, they wanted to just reference the state.</p> <p>Mr. Nugent explained that it is the same, but it is spelled out in the ordinance for the staff's benefit and ease of relevant information that is often needed. It is a better reference for staff, as staff is the ones who inspect the campgrounds, but do not inspect tattoo parlors, etc.</p> <p>Chairman Kerr mentioned that the business people were very interested in signage and felt that the ordinances are too restrictive concerning signage. He understood we would be getting to that in chapter 78.</p> <p>Vice Chair Mailhot asked concerning 18-389; the chamber wondered why ice cream trucks were restricted in certain areas</p> <p>Chairman Kerr felt this was to protect the vendors in that area.</p> <p>Vice Chair Mailhot suggested adding the word "permanent" to the tattoo definition. She went on to 18-35. There was discussion about having "relevant" in each section. She also questioned the number of complaints and if the committee wanted to keep that.</p> <p>Mr. Nugent stated that yes the number should stay, and staff will make sure that the "relevant" wording is in each section as needed.</p> <p>Vice Chair Mailhot asked about procedure regarding someone buying a property, asking staff if there are code violations and when there is none on record, finding out afterwards during a licensing inspection that there are deficiencies. She inquired as to how this could be changed.</p> <p>Mr. Nugent answered that this is now done. When a business owner comes in to apply for a license and has a purchase and sales agreement, we do an inspection and all updates can then be contingent upon the sale.</p> <p>Chair Kerr asked for clarification about the relevant wording.</p> <p>Mr. Nugent stated will be changed and updated, as will the tattoo wording to reflect permanent tattoos tomorrow morning, as this will be going to council at the next meeting. Essentially, Chapter 18 is done.</p> <p>Mr. Bryant found in 18-31, section (a) there are two "grants."</p> <p>Mr. Nugent clarified the wording was correct.</p> <p>Mr. Scoville inquired about dog licensing as opposed to cat licensing and why the state does not license cats.</p> <p>Mr. Nugent stated he does not know why; maybe because it is very difficult.</p> <p>Vice Chair Mailhot stated that as many committee members as possible will be attending the council meeting to explain and back-up the committees desires.</p> <p>Mr. Nugent stated that given all neighboring towns do licensing by staff it should be the same here. He stated he will create a memo outlining the changes for the committee members and the council.</p> <p>Mr. Lamb reminded the committee to make sure they emphasize this is only</p>	<p><u>Review of Chapters 18 and Chapter 2, Article III</u></p>

<i>Motion passes unanimously.</i>	Vote
<p>Mr. Nugent stated that the Police Chief agreed that the littering ordinance can go away. We talked at the last meeting about this, and he agreed. The draft shows that stricken.</p> <p>Chairman Kerr asked about the Fire Chief.</p> <p>Mr. Nugent stated that he had a memo from Chief Glass indicating he did not have any changes. Under 30-76, we talked about having automatic updates from the state, and he supports that. With regards to residential sprinklers, he has a good point that the state is working toward that. We can not require them for one and two family homes.</p> <p>Chairman Kerr asked if the chief had a problem with that.</p> <p>Chief Glass said no, he did not.</p> <p>Mr. Nugent felt this was a stay execution, as eventually this will be state mandated. When the time comes we will adopt what the state is requiring.</p> <p>Chairman Kerr asked what happens when a home is sold and it does not meet the code; either single family or two family.</p> <p>Mr. Nugent posed the question of a three-story, single family home being built with no intent to rent that would not need to be sprinkled. If the home was sold and then the owner wishes to rent it, today it would be a problem because of the third floor. It would need to be retro-fitted with sprinklers. If have an old existing, single-family home, and you sell it we are not going to have them do that.</p> <p>Chairman Kerr stated it should be consistent.</p> <p>Mr. Nugent stated that today it states on the certificate of occupancy, built by today's standards.</p> <p>Mr. Daley thought that could potentially limit new home construction.</p> <p>Mr. Nugent stated it normally does not because it is usually higher end properties, and the builders/owners do not care about the cost.</p> <p>Chief Glass stated it was not really that much more expensive. For example, if you build a house for \$300,000.00, it is really not that much of expenditure to spend another \$5,000.00, especially to safeguard your home and get better insurance rates.</p> <p>Mr. Daley felt that was incorrect, and he did not have the perspective of a builder.</p> <p>Mr. Nugent explained that the town ordinances require doing some stupid stuff to keep the code, such as sealing off the third floor, etc. to meet the rental code. Where the rest of the world exempts them we should too. When the rest of the world requires it his opinion was the town should.</p> <p>Chairman Kerr wanted to make sure the chief was comfortable with this.</p> <p>Chief Glass stated yes.</p> <p>Mr. Nugent stated there may be certain exemptions regarding different circumstances which could be addressed by such bodies as Planning Board. We will bring those ordinances back to the next meeting with the edits. The last thing is to preliminary talk about noise.</p> <p>Mr. Lamb explained the noise committee had done a lot of work 2+ years ago, but the levels they came up with were really way too low to work. It was put to the council, and they wanted an ambient noise study which takes over a year. We need to get the consultants here for a workshop.</p> <p>Chairman Kerr suggested we delete the noise ordinance all together, and if the council decides they need one then to adopt one at that time. It makes no</p>	<p><u>Review of Chapter 22, 26, and 30.</u></p>

