

**TOWN OF OLD ORCHARD BEACH  
ORDINANCE REVISION COMMITTEE MEETING MINUTES      November 19, 2009**

<b>Call to Order at 7:01 pm</b>	<b>Call to Order</b>
<b>Roll Call:</b> Present: Chair George Kerr, Vice Chair Linda Mailhot, Robert Scoville, William Daley, Steve Bryant. Citizen King Weinstein arrived shortly after beginning of meeting. <b>Staff:</b> Mike Nugent, Code Enforcement Officer. Gary Lamb, Town Planner. Dana Kelley, Chief of Police. Tori Geaumont, Secretary.	<b>ROLL CALL</b>
<b><u>Acceptance of Minutes</u></b> Chair Kerr moved to accept the minutes of November 10, 2009 Vice Chair Mailhot seconded. <i>Motion passes unanimously.</i>	ACCEPTANCE OF MINUTES
<b><u>REVIEW PROPOSED REVISIONS FROM 11/19/09:</u></b> Additional changes were proposed for Amusement Arcade not to exceed \$300.00; Amusement Park not to exceed \$350.00; Addition of Golf Course fee of \$100.00; Special Amusement Permit to \$80.00. The staff will look into body piercing and tattoo establishments and see if we can tie this to state statutes and take out the existing wording. The committee then discussed victualers and the fees associated with the different categories. The committee decided to have staff further look into fees in other towns. Discussion then focused on Year-Round rentals. Mr. Weinstein again voiced his disagreement with having single-family rentals being licensed. Mr. Nugent indicated that this is a life-safety issue with renting, and the program is very important. Chart below represents proposed changes:	
<b>LICENSE ORDINANCE</b>	
Business license - <i>new</i> application	\$75.00
Re-inspection fee	\$60.00 per return inspection beyond two staff inspections.
<del>Schedule—</del>	
<del>Amusement casino (pinball machines, juke boxes, coin-operated amusement devices, etc., all additional)—</del>	<del>\$100.00—</del>
Amusement Arcade	\$15.00 per unit not to exceed \$300.00
<del>Amusement Park Amusement rides including "water toys" as defined in and permitted by the Town of Old Orchard Beach, Maine Ordinance Regulating Use of Motorized and Nonmotorized Water Toys on Town Beach.</del>	First 25 rides \$30.00 per unit not to exceed \$350.00.
<del>Animal drawn vehicles—</del>	<del>\$70.00—</del>
<del>Animal farms, animal fairs, animal forest or like designations—</del>	<del>\$100.00—</del>
Auctions	\$25.00
<del>Auctioneer—</del>	<del>\$100.00—</del>
Auto body shop	\$100.00
<del>Automatic laundries—</del>	<del>\$80.00—</del>

Automobile <del>junk yards</del> —graveyard	\$225.00	
<del>More than 100 feet from highway</del>	<del>\$100.00</del>	
<del>Within 100 feet from highway</del>	<del>\$225.00</del>	
Bakeries	\$80.00	
<del>Beauty parlors and barber shops</del>	<del>\$60.00</del>	
<del>Bicycle/moped rentals</del>	<del>\$80.00</del>	
Billboards	\$10.00 (per billboard)	
<del>Billiard and/or pool parlors</del>	<del>\$100.00</del>	
<del>Billiard tables or pool tables</del>	<del>\$40.00 (per table)</del>	
Body Piercing		
Commercial Body Piercing Establishment	\$75.00	
Commercial Body Piercer	\$75.00	
<del>Bookstores</del>	<del>\$100.00</del>	
<del>Booths devoted to personal services, including but not limited to the following: Art, sketches, astrology, handwriting analysis and personality reading</del> —Personal Service	<del>\$80.00</del> \$100.00	
<del>Bottle Clubs</del>	<del>\$375.00</del>	
Bowling alleys	<del>\$40.00 (per alley)</del> \$100.00	
Boxing and wrestling shows	\$100.00 (per show)	
<del>Cabins, overnight and other seasonal rentals units</del>		
<del>1 or 2 units</del>	<del>\$20.00</del>	
<del>3 to 5 units(inclusive)</del>	<del>\$40.00</del>	
<del>6 or more units</del>	<del>\$100.00</del>	
<del>Candy store</del>	<del>\$80.00</del>	
<del>Casino (See amusement casino)</del>	<del>—</del>	
Campgrounds	\$75.00 plus \$0.50 p/site fee	
Child care facility and nursery	\$100.00	
<del>Circuses</del>	<del>\$100.00 (per day)</del>	
<del>Coal and wood dealers (See wood and coal dealers)</del>	<del>—</del>	
<del>Coin operated amusement devices within a licensed arcade</del>	<del>—</del>	
<del>First 20 devices</del>	<del>\$100.00</del>	
<del>Additional devices</del>	<del>\$200.00 (not to exceed)</del>	

Coin operated amusement devices accessory to another licensed activity	<del>\$20.00</del> \$15.00 (per unit)	
Dog kennels ( <del>3 dogs or more</del> )	\$100.00	
<del>Employment agencies—</del>	<del>\$100.00—</del>	
<del>Entertainment and dancing—</del> Function Hall	<del>\$70.00—</del> \$100.00	
<del>Flea markets and/or fairs—</del>	<del>\$100.00 (per day)—</del>	
<del>Florists—</del>	<del>\$80.00—</del>	
<del>Games of skill—</del>	<del>\$100.00(not to exceed \$400.00)—</del>	
Gasoline pumps and sidewalk tanks(the maintenance and operation of sidewalk tanks and pumps for the sale and distribution of gasoline and other volatile inflammable liquids for fuel or power)	\$40.00 (per pump)	
Golf Course	\$100.00	
<del>Go thru rides and/or go thru shows—</del>	<del>\$100.00—</del>	
<del>Grocery stores—</del>	<del>\$100.00—</del>	
<del>Hawkers and peddlers(except persons raising their own merchandise)—</del>	<del>\$80.00—</del>	
<del>Hotels (See innholders)—</del>	<del>—</del>	
<del>Ice cream stands/parlors—</del>	<del>\$70.00—</del>	
Ice cream trucks	\$75.00	
Innholders, lodging houses, hotels, motels & seasonal rentals	\$20.00 unit not to exceed \$200.00	
<del>1 or 2 rooms</del>	<del>\$20.00</del>	
<del>3 to 5 rooms inclusive—</del>	<del>\$40.00—</del>	
<del>6 or more rooms—</del>	<del>\$70.00—</del>	
<del>Jewelry stores—</del>	<del>\$100.00—</del>	
<del>Juke box—</del>	<del>\$50.00(per unit)—</del>	
Junk dealer /Junk Yards	\$100.00	
<del>Junk yards—</del>	<del>\$100.00—</del>	
Laundromat/dry cleaning establishment	\$100.00	
<del>Manufacturing business (See wholesalers)—</del>	<del>—</del>	
Massage establishments		
Therapeutic massage establishment license	\$100.00	
Massage therapist license	\$70.00	
Combined massage establishment/massage therapist license	\$100.00	
<del>Merchandise demonstration booth—</del>	<del>\$80.00—</del>	

<del>Merry go rounds—</del>	<del>\$100.00—</del>	
Miniature golf course (indoors or outdoors)	\$100.00	
<del>Motels (See cabins)—</del>	<del>—</del>	
<del>Novelty stores, including any retail establishment for which a license is not otherwise herein provided, where such establishments include linen goods, rugs, wearing apparel, electric appliances, radios, cameras, jewelry, knickknacks, giftware and souvenirs—</del>	<del>\$100.00—</del>	
<del>Organ grinders—</del>	<del>\$20.00(per day)—</del>	
<del>Outside amusements, exhibitions, vaudeville acts, stunts or public performances at which an admission is charged—</del>	<del>\$90.00—</del>	
<del>Outside displays—</del>	<del>\$100.00—</del>	
<del>Overnight cabins (See cabins)—</del>	<del>—</del>	
Parking lots	\$10.00 (Per car/\$100.00 max.)— \$200.00	
Personal service	\$100.00	
<del>Photographers—</del>	<del>\$80.00—</del>	
<del>Pony rides—</del>	<del>\$60.00—</del>	
<del>Popcorn machines—</del>	<del>\$60.00—</del>	
<del>Produce stand/flower stand—</del>	<del>\$100.00—</del>	
<del>Public dance hall—</del>	<del>\$100.00—</del>	
<del>Public shooting gallery—</del>	<del>\$80.00—</del>	
<del>Radio and television and appliance rentals—</del>	<del>\$80.00—</del>	
<del>Radio and television sales and service—</del>	<del>\$100.00—</del>	
<del>Rental of bicycles (See bicycle rentals)—</del>	<del>—</del>	
Rental of merchandise, including "water toys" as defined in and permitted by the Town of Old Orchard Beach, Maine Ordinance Regulating Use of Motorized and Non-motorized Water Toys on Town Beach, furniture, self-storage units/compartments.	\$100.00	
Retail	\$100.00	
Riding stables	\$100.00	
<del>Roller skating rinks—</del>	<del>\$100.00—</del>	
Service stations(including automotive repairs and services and automotive parts sales)	\$100.00	
Signs, erection and maintenance of signs, banners, awnings, marquees, and other temporary or permanent structures, excepting temporary or permanent structures of public utilities corporations, over the sidewalks,	\$40.00	

roadways, and streets of said town.		
Special Amusement Permit	\$80.00	
Stands and/or booths for the sale or rental of merchandise or equipment	\$100.00	
Tattoo parlors-Establishment (see ordinance regulating same)	\$100.00	
<del>Taxi cab licenses—</del>	<del>—</del>	
<del>Application fee—</del>	<del>\$100.00—</del>	
<del>Application fee (each taxi)—</del>	<del>\$40.00—</del>	
<del>Application fee (each driver)</del>	<del>\$45.00</del>	
Tow trucks	\$100.00(per truck)	
Used car lots	\$100.00	
Vehicles for Hire	\$100.00	
Vending machines	<del>\$20.00</del> \$15.00 (per unit)	
Victualers ( <del>food, combined with any or all alcoholic/malt beverages</del> )		
Without Preparation	\$100.00	
With Preparation	\$150.00 (if locally inspected)	
With Beer and Wine	\$100.00	
With Beer, Wine, and Liquor (consumed on premises)	\$100.00	
With Beer, Wine, and Liquor (take-out)	\$100.00	
<del>Volatile flammable liquids (See gasoline)—</del>	<del>—</del>	
<del>Wholesaler/manufacturer business—</del>	<del>\$100.00—</del>	
<del>Wood and coal dealers—</del>	<del>\$80.00—</del>	
Year round rentals	\$20.00(per unit)	
<del>Tattoo Establishments—</del>		
<del>Application Fee</del>	<del>\$100.00—</del>	
<del>License Fee</del>	<del>\$75.00 (per annum)</del>	

**CHAPTER 18: BUSINESS LICENSES**

**Chair Kerr** began discussions concerning Article II. Licenses. Discussion ensued regarding “documented disturbance” definition and how to incorporate the Police Chief’s discretion. More discussion and thought will need to be put into this section and will be addressed at a later meeting. Discussion next focused on the Year-round Rental definition and defining this more in-depth. Suggestions were made to change this to March 1<sup>st</sup> through December 1<sup>st</sup>. Vice Chair Mailhot thought this should be for campgrounds as well. Staff would research this.

**Chair Kerr** moved on to section 18-28. Vice Chair Mailhot questioned the amount of money involved with violation and penalties and felt it was exorbitant. Mr. Nugent explained this is a

**CHAPTER  
18-  
BUSINESS  
LICENSES**

<p>“last resort” scenario and is very rarely an issue.  <b>Police Chief Kelley</b> gave some examples of situations and how this may or may not be relevant to certain situations.  <b>Mr. Nugent</b> felt that in very extreme situations this is necessary to have in place. He explained the legal process and civil penalties.  <b>Vice Chair Mailhot</b> suggested to change the wording from shall to may in certain places of the ordinance.  <b>Chair Kerr</b> felt this was appropriate to soften the ordinance. All committee members concurred.  <b>Mr. Nugent</b> suggested moving and including subsections (1) through (5) to the section regarding police purview which will be created. Sections (b) and (c) will stay in section 18-28.  <b>Mr. Weinstein</b> questioned whether Section 18-30 was necessary.  <b>Mr. Nugent</b> stated it was, but could be changed to be more general.                      The committee agreed.  <b>Mr. Lamb</b> moved on to Section 18-31 and felt this was an important section to go over. He suggested that under subsection (a) an addition of “or license administration” for staff to be allowed to approve routine licenses. Subsection (b) prompted discussion as to the time frame of renewals.  <b>Mr. Weinstein</b> suggested that maybe a simple rental could be changed to 2 years from the 1 year now.  <b>Mr. Nugent</b> felt this could be done, but the licenses would need to be broken up to represent ½ of the licenses expire on alternating years. This would need to be worked on. At this point, Mr. Nugent suggested stopping here for the evening, as it was 9:00 p.m.</p> <p><b>Mr. Daley</b> motioned to adjourn.  <b>Vice Chair Mailhot</b> seconded.  <i>Motion passes unanimously</i></p>	<p><b>Motion</b></p> <p><b>Vote</b></p>
<b>MEETING ADJOURNED AT 9:03 P.M.</b>	

*I, Tori Geaumont, Secretary to the Ordinance Revision Committee of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of six (6) pages is a true copy of the original minutes of the Ordinance Revision Committee Meeting on November 19, 2009*