

NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on January 16th, 2018, at 6:30 p.m. to consider the following:

Be it hereby ordained, by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that Chapter 78 (Zoning): 78-1 (Definitions); 78-717 (Downtown District 1, Permitted Uses, Primary Uses); 78-747 (Downtown District 2, Permitted Uses); 78-748 (Downtown District 2, Prohibited Uses); 78-1083 (Amusement Overlay District, Complimentary Uses); 78-1223 (Campground Overlay District, Accessory Uses); and 78-1382 (Buildings and Structures, Temporary Structures, Exemption), of the Town of Old Orchard Beach Code of Ordinances is amended by adding the underscored language and removing the strikethrough language:

Ch. 78, Food Business Amendments

1. Chapter 78 – Zoning, Article I – In General, Section 78-1 – Definitions, shall be amended by adding the underscore language and deleting the ~~strikethrough~~ language as follows:

~~Food stand means any business not qualifying as a restaurant or a convenience store as defined in this section, and offering for sale foodstuffs to be consumed by the public off premises.~~

Food Cart means a non-permanent food and beverage service establishment that is a non-motorized vehicle self-propelled by the operator. This definition shall also include food and beverage service establishments pulled by a motorized vehicle.

Food Stand means a non-permanent structure used to sell prepared and/or pre-packaged food and beverages.

Food Truck means a motorized vehicle that is completely mobile from which prepared and/or pre-packaged food and beverages are sold. The term “food truck” shall not include ice cream trucks.

Take-Out Food Business means a permanent structure whose primary use is to prepare and sell food and beverages to be consumed away from its place of sale. The term “take-out food business” shall not include restaurants, convenience stores, ice cream trucks, food trucks, food stands, and food carts.

2. Chapter 78 – Zoning, Article VI – Districts, Division 2 – Downtown Business Districts, Subdivision III – Downtown District I, Section 78-717 – Permitted Uses, (1) Primary Uses, shall be amended by adding the underscore language and deleting the ~~strikethrough~~ language as follows:

g. Take-out food business

~~g. Food stands (located between First Street/Milliken Street and the beach) with a minimum ten-foot setback from the front property line.~~

3. Chapter 78 – Zoning, Article VI – Districts, Division 2 – Downtown Business Districts, Subdivision IV – Downtown District 2, Section 78-747 – Permitted Uses, shall be amended by adding the underscore language as follows:

s. Take-out food business

4. Chapter 78 – Zoning, Article VI – Districts, Division 2 – Downtown Business Districts, Subdivision IV – Downtown District 2, Section 78-748 – Prohibited Uses, shall be amended by adding the underscore language as follows:

(5) Food carts, food trucks, food stands, drinking establishments, and game arcades.

5. Chapter 78 – Zoning, Article VI – Districts, Division 15 – Amusement Overlay District, Section 78-1083 – Permitted Uses, (2) Complimentary Uses, shall be amended by adding the underscore language as follows:

d. Food carts, food trucks, and food stands with a minimum of a ten-foot setback from the front property line.

f. Take-out food business.

6. Chapter 78 – Zoning, Article VI – Districts, Division 18 – Campground Overlay District, Section 78-1223 – Accessory Uses, shall be amended by adding the underscore language as follows:

(12) Food carts, food trucks, and food stands serving only registered occupants, guests of registered occupants, and employees of the campground and not the general public.

7. Chapter 78 – Zoning, Article VIII – Performance Standards, Division 2 – Buildings and Structures, Section 78-1382 – Temporary structures, (b) Exemption, shall be amended by adding the underscore language and deleting the strikethrough language as follows:

(b) *Exemption.* Temporary construction trailers for approved construction projects, ~~and~~ temporary structures for events sponsored or otherwise authorized by the town council, ~~and these temporary structures which are otherwise permitted in the amusement overlay district (AO), and food carts, food trucks, and food stands which are permitted in the amusement overlay district, campground overlay district and for events sponsored or otherwise authorized~~ by the town council shall be exempt from subsection (a) of this section.

Per Order of the Municipal Officers this 2nd day of January, 2018.

A True Copy

Attest:

s/Kim M. McLaughlin

Kim M. McLaughlin, Town Clerk