



City of Caribou, Maine

AGENDA Caribou Planning Board Regular Meeting Thursday June 8, 2023, at 6:00 p.m.

*Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
Fax (207) 498-3954*

The meeting will be broadcast on Cable Channel 1301 and the City's YouTube Channel. Public Comments submitted prior to the meeting no later than 4:00 pm on Thursday, June 8, 2023, will be read during the meeting. Send comments to CEO Ken Murchison at kmurchison@cariboumaine.org or call 493-5967.

- I. Call Meeting to Order, Determine Quorum
- II. Public Hearings
- III. Approval of minutes
 - a. Review and Approval of May 11, 2023, Planning Board Meeting Minutes
- IV. Council Liaison Updates
- V. New Business
 - a. Workshop:
 - i. "Practicable Difficulty" language for possible incorporation into caribou Code Chapter 13 Sec. 13-140 Appeals and Variances. 8. Variances E.
 - b. Workshop:
 - i. Review of the Proposed Land Use Table to include the comment form the Riverfront Renaissance Committee Riverfront Development District land use table review workshop.
 - c. Vacant Buildings (Zombie Buildings)
- VI. Old Business
 - a. Schedule Comprehensive Plan Section Workshop for June.
- VII. Staff Report
- VIII. Adjournment



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Caribou Planning Board Meeting Minutes Thursday, May 11, 2023 @ 6:00 pm City Council Chambers

Members Present: Steve Wentworth, Frank McElwain, Amanda Jandreau, Justin Staples, David Corriveau

Members Absent: James Belanger, Eric Hitchcock

Others in Attendance: Ken Murchison, Liaison Dan Bagley, John Karst, Penny Thompson

I. Call Meeting to Order, Determine Quorum

Chairperson Amanda Jandreau called the meeting to order at 6:01 pm, a quorum was present.

Welcomed Justin Staples as the latest Planning Board Member.

II. Public Hearings

- a. Home Occupation Application by John Karst 461 Plante Road, Map 19 Lot 24-A, DBA Emery's Outpost, to do retail sales of sporting goods.

Public Hearing Opened at 6:04 pm. CEO Murchison introduced Mr. Karst's Home Occupation Application for a retail business for sporting supplies at his home at 461 Plante Road. The application is substantially complete and requires a Public Hearing for final approval.

Mr. Karst introduced himself and described his business plan. He plans on rolling out at a slow and measured pace and will feature sporting goods for hunting, fishing, and camping as well as a line of pet supplies and convenience items.

CEO Murchison added that there were no spoken or written concerns regarding this application and that there is a need for this type of retail application.

Public Hearing closed at 6:15 pm.

Motion by David Corriveau moved to approve the Home Occupation Application from John Karst 461 Plante Road, Map 19 Lot 24-A, DBA Emery's Outpost. Second by Frank McElwain

Roll Call Vote:

Steve Wentworth – Yes; Frank McElwain - Yes; Justin Staples – Yes, David Corriveau – Yes, Amanda Jandreau – Yes. Passed by majority vote.

III. Approval of minutes

Minutes were reviewed.

Amanda Jandreau noted that the copies note at the bottom of the minutes should reflect James Belanger, as Secretary of the Planning Board.

Motion by David Corriveau to approve minutes as amended, seconded by Steve Wentworth

Roll Call Vote:

Steve Wentworth – Yes; Frank McElwain - Yes; Justin Staples – Yes, David Corriveau – Yes, Amanda Jandreau – Yes. Passed by majority vote.

IV. Council Liaison Update

City Council Liaison update from Dan Bagley

- Caribou Development Committee Ordinance (Chapter 22) was approved at the March 13 Council Meeting but seating the committee has been table in order to review the ordinance in regards to voting privileges.
- Caribou Trailer Park redevelopment.
Caribou Community Garden
Short Term Rental Proposal in review will not be pursued at this site.
- Power Plant Clean up.
Diesel Plant Brownfield Grant approval notice by May 26.
May provide \$900,000.00 for demolition of that building.
- Summer City Council Schedule, one meeting per month.
- Thanks to Ken Murchison for your time with the City and with the Planning Board. Best wishes on your retirement.

V. New Business

- a. Scheduling for May Comprehensive Plan Elective Section Meeting, Riverfront Renaissance Section focus group, Planning Board/CRRC and stakeholders.

The Concept for May Comprehensive Plan Section Workshop is to conduct a “elective section” in a “Focus Group” format for the Caribou Riverfront Renaissance Section due to the need for public input for the 2024 Comprehensive Plan, the Riverfront Renaissance Master Plan, and the Northern Border Regional Commission Catalyst Grant.

Meeting Scheduled for May 25, 2023, at 6:00 pm at the Caribou Wellness Center in the Activities Room.

- b. Review “Practicable Difficulty” for possible incorporation into caribou Code.

As a follow up to a discussion during the April 13, 2023, Planning Board/ZBA workshop, CEO Murchison presented draft “Practicable Difficulty” language that could be incorporated into our Chapter 13 (Sec. 13-140 Appeals and Variances. 8. Variances E.) allowing the Zoning Board of Appeals some latitude in allowing for variances in certain circumstances and thus making Caribou Code a bit more user friendly.

The introduced language should be reviewed for completeness and compatibility with our code. A public hearing would be held at the Planning Board level and then recommendations would be sent to the City Council for review and a public hearing for final approval by act of ordinance. A workshop will be scheduled for the June 8, 2023, Planning Board Meeting.

VI. Old Business

- a. Proposed Zoning and Land Use Table.
 - Review Proposed Zoning Map and Mixed-Use Districts
The Planning Board conducted a review of the Proposed Land Use Map focusing on recent concerns for rezoning and the proposed “Mixed Use” (MU) Zoning district. It was noted that the Mixed-Use concept would allow for the application of historical land uses and eliminate confusion in those areas of the City that have been traditionally a mix of primarily Commercial and Residential land use. Problem areas were sited on Main Street, High Street, Bennett Drive, and Sweden Street. The new Teague Park area on Bennett would remain Commercial while rezoning concerns were reviewed at York Street and Solman Street. Spot Zoning on Washburn Street that was inadvertently caused by the rezoning on York Street from I-1 to R-3 was observed and corrected. See the Updated Urban Area Proposed Zoning Map (attached).
- b. Planning Board Meeting Review Proposed Land Use Table
 - A workshop will be scheduled for June 8, 2023, for review of the Proposed Land Use Table to include the comment form the Riverfront Renaissance Committee Riverfront Development District land use table review workshop.

VII. Staff Report

- a. Caribou Trailer Park Closure, eviction at Lot 87 April 30, 2023, ultimate Park closure July 2023.
- b. 15 Prospect Street
- c. Next Riverfront Renaissance Committee Meeting May25, 2023/Comprehensive Plan Focus Group
- d. Norther Border Regional Commission (NBRC) Catalyst Grant.
- e. Dangerous Buildings and Blight,
 - 24 Park Street
 - 7 Water Street

VIII. Next Meeting

- a. June 8, 2023, at 6:00 pm at the Caribou City Council Chambers

Planning Board Chair Amanda Jandreau extended and Thank You and Best Wishes from the entire Planning Board on CEO Murchison's retirement.

IX. Adjournment

Motion by Frank McElwain to adjourn, seconded by Steve Wentworth

Roll Call Vote:

Steve Wentworth –Yes; Frank McElwain - Yes; Justin Staples – Yes, David Corriveau – Yes, Amanda Jandreau – Yes. Passed by majority vote.

Meeting Adjourned 7:40 pm.

Respectfully Submitted,

James Belanger
Planning Board Secretary

JRB/KM

Comprehensive Plan Required Sections

Historic and Archaeological Resources

Water Resources

Natural Resources

Agricultural and Forest Resources

Population and Demographics

Economy

Housing

Recreation

Transportation

Public Facilities and Services

Fiscal Capacity and Capital Investment Plan

Existing Land Use

Future Land Use Plan

Facilitator

Ken M.

Eric Hitchcock

Eric Hitchcock

Eric Hitchcock

Jay Kamm

J.R. Belanger

Steve Wentworth

Justin Staples

Jay Kamm

Frank McElwain

Dave Corriveau

Planning Board

Planning Board

Staff

Ken M.

Ken M.

Ken M.

Ken M.

Ken M.

Ken M.

Ken M.

Gary Marquis

Ken M.

Ken M.

Ken M.

Ken M.

Ken M.

Sec. 13-140 Appeals and Variances.

8. Variances.

E. Practical Difficulty: The Zoning Board of Appeals may grant a variance from the dimensional standards of the Zoning Ordinance when strict application of the ordinance to the petitioner and the petitioner's property would cause a practical difficulty and when the following conditions exist:

1. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood.
2. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.
3. The practical difficulty is not the result of action taken by the petitioner or a prior owner.
4. No other feasible alternative to a variance is available to the petitioner.
5. The granting of a variance will not unreasonably adversely affect the natural environment.
6. The property is not located in whole or in part within shoreland areas as described in Sec. 13-500 Shoreland Zoning Ordinance

As used in this subsection, "dimensional standards" means and is limited to ordinance provisions relating to lot area, lot coverage, frontage and setback requirements.

As used in this subsection, "practical difficulty" means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

Use	Zones					
	RF-1	RF-2	RF-3	RF-4	RF-5	RF-6
Abattoir	N	N	N	N	N	N
Adult Entertainment	N	N	N	N	N	N
Agricultural Sales and Service	N	N	N	N	C	C
Agricultural Product Processing	N	N	N	N	C	C
Agricultural Product Storage	N	N	N	N	N	C
Agriculture - Commercial Use	N	N	N	N	C	C
Airport	N	N	N	N	N	C
Amphitheater/Concert Venue (outdoor)	C	N	N	C	C	C
Amusement Park	N	N	N	N	C	C
Animal Rescue Group	N	N	N	N	C	C
Animal Shelter	N	N	N	N	C	C
Antique Sales*	C	C	C	C	C	C
Art Gallery or Crafts Studio*	C	C	C	C	C	C
Assembly and Packaging Facility	N	N	N	N	C	C
Assisted Living Facility - Small	N	N	N	N	C	C
Assisted Living Facility - Large	N	N	N	N	C	C
Auction Barn/House	N	C	C	C	C	C
Automobile (Vehicle) Car Wash	N	N	N	N	N	N
Automobile (Vehicle) Charging Station (electrical)	C	C	C	C	C	C
Automobile (Vehicle) Commercial Storage - Indoor	N	N	N	N	C	C
Automobile (Vehicle) Graveyard	N	N	N	N	N	N
Automobile (Vehicle) Recycler	N	N	N	N	N	N
Automobile (Vehicle) Repair Garage*	N	N	N	N	N	C
Automobile (Vehicle) Sales and Service	N	N	N	N	N	C
Automobile (Vehicle) Service Station	N	N	N	N	N	C
Bakery*	N	C	C	C	C	C
Bank or Credit Union	N	C	C	N	N	N
Bar or Pub	C	C	C	C	C	C
Bed and Breakfast	C	C	C	C	C	C
Boarding - Agriculture Animals	N	N	N	N	C	C
Boarding House	N	N	C	C	C	C
Boat Launch Facility	C	N	N	C	C	C
Building Materials - Storage and Sale	N	N	N	N	C	C
Bulk Grain Storage	N	N	N	N	C	C
Bulk Oil and/or Gas Terminal	N	N	N	N	C	C

Use	Zones					
	RF-1	RF-2	RF-3	RF-4	RF-5	RF-6
Business, Medical or Professional Office*	N	C	C	C	N	C
Campground - Youth Camp	N	N	N	N	C	C
Campground or RV Park	C	N	N	N	C	C
Catering Service*	N	C	C	C	C	C
Cemetery	N	N	N	N	N	C
Cemetery - Pet	N	N	N	N	N	C
Club - Fraternal and Service	C	C	C	C	C	C
Cluster Development	C	C	C	C	C	C
Community Center	C	C	C	C	C	C
Community Shelter	N	N	N	N	N	C
Composting - Commercial Use	N	N	N	N	C	C
Composting - Personal Use*	P	P	P	P	P	P
Conference/Convention/Event Center	N	N	N	N	C	C
Confined Animal Feeding Operation	N	N	N	N	C	C
Congregate Housing	N	C	C	C	C	C
Construction Business*	N	C	C	C	C	C
Construction Trailer (temporary)	P	P	P	P	P	P
Convenience Store	C	C	C	C	C	C
Correction/Detention Facility	N	N	N	N	N	N
Data Center/Processing Facility	N	N	N	N	N	C
Day Care Facility - Adult*	N	C	C	C	C	C
Day Care Facility - Center	N	N	N	N	N	C
Day Care Facility - Family*	N	C	C	C	C	C
Day Care Facility - Group*	N	C	C	C	C	C
Demolition/Waste Disposal Facility	N	N	N	N	N	N
Drive-Up Facility	N	N	N	N	N	C
Dumpster - Roll off	P	P	P	P	P	P
Dwelling - Accessory	N	N	N	N	N	C
Dwelling - Apartment	C	C	C	C	C	C
Dwelling - Condominium/Townhome	C	C	C	C	C	C
Dwelling - Mobile Home	N	N	N	N	N	C
Dwelling - Modular Home	N	N	N	N	N	C
Dwelling - Multi-Family	C	C	C	C	C	C
Dwelling - Single-Family	N	N	N	N	N	C
Dwelling - Tiny Home	N	N	N	N	N	C

Use	Zones					
	RF-1	RF-2	RF-3	RF-4	RF-5	RF-6
Dwelling - Two Family Duplex	N	N	N	N	N	C
Farm Market	C	C	C	C	C	C
Farm Stand*	P	P	P	P	P	P
Farm	N	N	N	N	P	P
Fire, Ambulance or Police Station	N	N	N	N	C	C
Firewood Processing - Commercial Use	N	N	N	N	C	C
Flea Market	N	C	C	C	C	C
Funeral Home	N	N	N	N	C	C
General Store or Grocery Store	C	C	C	C	C	C
Golf Course	N	N	N	N	N	N
Government Facility	N	N	N	N	N	N
Group Home*	N	N	N	N	C	C
Health Care Facility - Large	C	C	C	C	C	C
Health Care Facility - Residential	C	C	C	C	C	C
Health Care Facility - Small	C	C	C	C	C	C
Hotel	C	C	C	C	C	C
Industrial Park or Development	N	N	N	N	N	C
Inn	N	N	C	C	C	C
Junkyard	N	N	N	N	N	N
Kennel - Boarding*	N	N	N	N	N	C
Kennel - Breeding*	N	N	N	N	N	C
Laundry or Dry Cleaning (onsite or offsite)	N	N	N	N	N	C
Library /Museum*	C	C	C	C	C	C
Livestock and Poultry - Commercial Use	N	N	N	N	N	C
Livestock and Poultry - Personal Use	N	N	N	N	N	P
Manufacturing - Heavy	N	N	N	N	N	C
Manufacturing - Light	N	N	N	N	N	C
Marijuana - Registered Cultivation Facility	N	N	N	N	N	C
Marijuana - Registered Manufacturing Facility	N	N	N	N	N	N
Marijuana - Registered Nonprofit Dispensary	N	N	N	N	N	N
Microbrewery	C	C	C	C	C	C
Mineral Exploration/Extraction	N	N	N	N	C	C
Mineral Storage	N	N	N	N	C	C
Mobile Food Vendor	C	C	C	C	C	C
Mobile Home Park	N	N	N	N	N	N

Use	Zones					
	RF-1	RF-2	RF-3	RF-4	RF-5	RF-6
Motel	C	C	C	C	C	C
Newspaper or Printing Plant	N	N	N	N	N	N
Park / Playground	C	C	C	C	C	C
Personal Service Business*	C	C	C	C	C	C
Pet Grooming*	C	C	C	C	C	C
Pharmacy	C	C	C	C	C	C
Professional (Business) Offices*	C	C	C	C	C	C
Public Parking Facility - Enclosed	C	C	C	C	C	C
Public Parking Facility - Open	C	C	C	C	C	C
Public Utility	C	C	C	C	C	C
Quarry	N	N	N	N	N	C
Racetrack - Indoor	N	N	N	N	N	C
Racetrack - Outdoor	N	N	N	N	C	C
Recreation - Commercial	C	C	C	C	C	C
Recreation - Mechanized	C	C	C	C	C	C
Recycling Center - Large	N	N	N	N	N	N
Recycling Center - Small	N	N	N	N	N	C
Recycling Collection Point	N	N	N	N	N	C
Religious Center	C	C	C	C	C	C
Research, Testing and Development Laboratory	C	C	C	C	C	C
Restaurant	C	C	C	C	C	C
Retail Business with Outdoor Sales or Service	C	C	C	C	C	C
Retail Business	C	C	C	C	C	C
Retreat Center	C	C	C	C	C	C
Rubbish Hauler	N	N	N	N	N	C
Sawmill - Commercial Use	N	N	N	N	N	N
Sawmill - Private Use*	N	N	N	N	N	C
School - Public or Private	C	C	C	C	C	C
Self-Service Storage Facility	N	N	N	N	N	N
Septage Spreading and/or Storage	N	N	N	N	N	N
Shopping Center	N	N	N	N	N	C
Sidewalk Vendor	C	C	C	C	C	C
Sludge Spreading and/or Storage	N	N	N	N	N	N
Solar Array - Commercial Use	N	N	N	N	N	C
Soup Kitchen	N	N	N	N	N	N

[illegible]

Use	Zones					
	RF-1	RF-2	RF-3	RF-4	RF-5	RF-6
MU-1 Mixed Use District.						
The MU-1 District encompasses areas that transition between residential and commercial purposes. In this district, both residential and limited commercial uses are permitted. Most all non-residential uses require review from Planning Board and public hearing.						
C-1 Commercial District.						
The C-1 District is intended primarily for commercial uses to which the public requires easy and frequent access. Centrally located and at the center of the existing downtown business district, the C-1 District is intended to encourage the concentration of commercial development to the mutual advantage of customers and						
C-2 Commercial District.						
The C-2 District is intended primarily for commercial uses to which the public requires free and easy access and to provide for a wider range of associated activities in the business community than in the "C-1" District.						
I-1 Industrial District.						
The I-1 District is to provide land which is conveniently located to transportation and municipal services and where other conditions are favorable to the development of industry and which at the same time is so located as to prevent undesirable conflict with residential and business uses.						
H-1 Hospital District.						
The H-1 District is intended primarily for health use or uses compatible with a hospital or health-related purpose. Located in the proximity of the Cary Medical Center, the H-1 District is intended to encourage the concentration of medically related development for efficient land use.						
A-1 Airport District.						
located in the proximity of the Caribou Municipal Airport, the A-1 District is intended to encourage the concentration of aviation-related developments and manage appropriate uses of areas surrounding the Airport.						
RF-1 Riverfront Development District.						
Obtain description from CRRC						
RF-2 Riverfront Development District.						
Obtain description from CRRC						
RF-3 Riverfront Development District.						
Obtain description from CRRC						
RF-4 Riverfront Development District.						
Obtain description from CRRC						
RF-5 Riverfront Development District.						
Obtain description from CRRC						
RF-6 Riverfront Development District.						
Obtain description from CRRC						

ARTICLE II

Vacant Buildings**[Adopted 10-28-2013 by Ord. No. 13-344]****§ 223-5. Purpose.**

- A. Vacant or abandoned properties, particularly residential properties, create and pose significant and costly problems for the City. These properties often become a drain on the City budget and detract from the quality of life of the neighborhood and the City as a whole. Vacant buildings are an impediment to neighborhood redevelopment and rehabilitation, decrease property values, and prevent neighborhood stabilization. These structures are unsightly, often structurally unsound or otherwise dangerous, attract criminal activity, and otherwise create a threat to public health, safety, and welfare of neighboring properties and the general public.
- B. A significant obstacle in providing effective and prompt enforcement of the current City Codes, as they relate to vacant buildings, is the inability to contact the owners of abandoned properties. These buildings are often also the subject of foreclosure actions by lien holders, which take considerable time to resolve.
- C. Certain categories of vacant properties, such as homes of "snowbirds" or members of the armed forces on active duty deployment, are less likely to cause problems and accompanying City costs.
- D. The purpose of this article is to provide a just, equitable and practicable method for identifying, managing and responding to the numerous issues associated with vacant buildings. This article is intended to prevent or mitigate dangers to health, safety and welfare, promote responsible management, provide a safe neighborhood for residents, safeguard property values, expedite housing repairs, and provide for prompt contact with owners or managers by Police, Fire, and Code Enforcement when issues or emergencies develop.

§ 223-6. Definitions.

- A. If a term is not defined in this article or the Land Use Ordinance,⁶ it shall have its customary dictionary meaning.
- B. For the purpose of interpreting this chapter, the following terms, phrases, words and their derivations shall have following meanings:

OWNER — Any person, agent, firm, corporation or other legal entity having a legal or equitable interest in a vacant building, including but not limited to a mortgagee in possession, the beneficiary of a trust, or the holder of a life estate.

PROPERTY MANAGER — A Maine-based entity, corporation, or individual or the designee of the owner that is responsible for maintaining, securing, and inspecting vacant buildings.

VACANT BUILDING — Any building or other structure that is unoccupied by

6. Editor's Note: See Ch. 165, Land Development.

a person or occupied by unauthorized persons for 60 days, excepting permitted garages or accessory buildings.

§ 223-7. Applicability.

- A. This article applies to all vacant buildings located within the URD-1, URD-2, M&SD, NSD, DDD, LDR, HDR, and RR&A Zoning Districts in the City of Bangor.
- B. Notwithstanding Subsection A, §§ 223-8 through 223-10 of this article do not apply to primary residences of members of the armed forces on active duty, vacation or resort facilities, or residences of persons on extended vacations or alternative living arrangements with the intention to return to the property and live (e.g., "snowbirds"). Owners of vacant buildings qualifying under one of these exemptions are required to have the property maintained by a property manager and to provide the City with a valid emergency contact number for the owner or the property manager.

§ 223-8. Registration required.

- A. The owner of a vacant building must obtain a vacant building registration permit for the period during which it is vacant.
- B. When a building or structure becomes vacant, the owner of the building must apply for and obtain a vacant building registration permit and pay the fee within 60 days of the building becoming vacant.
- C. Standard vacant building registration permit.
 - (1) The Code Enforcement Division shall issue a standard vacant building registration permit upon being satisfied that the building has been inspected and is in compliance with the vacant building maintenance standards set forth in this article, and is adequately protected from intrusion by trespassers and from deterioration by the weather.
 - (2) A standard vacant building registration permit is valid for six months from the date of approval.
- D. Interim vacant building inspection permit.
 - (1) If a vacant building is inspected and determined not to meet one or more of the maintenance standards listed in § 223-11, the Code Enforcement Division shall issue an order for any work needed to:
 - (a) Adequately protect the building from intrusion by trespassers and from deterioration by weather by bringing it into compliance with the vacant building maintenance standards set forth in this article; and
 - (b) Ensure that allowing the building to remain will not be detrimental to the public health, safety and welfare, will not unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the neighborhood, and will not pose an extraordinary hazard to police officers or firefighters entering the premises in times of emergency.

- (2) When issuing orders under Subsection D(1), the Code Enforcement Division shall specify the time for completion of the work. The order will act as an interim vacant building registration permit, the duration of which will be for the time set forth in the order. No interim registration permit may be effective for a period of more than 90 days.
 - (3) All work done pursuant to this article must be done in compliance with the applicable building, fire prevention, life safety, and zoning codes.
- E. After the vacant building registration permit is issued, a placard provided by the Code Enforcement Division shall be posted on the property by the owner or its agent or property manager. This placard shall be posted on the front door and shall include, but not be limited to, the name, address and phone number of the owner or its agent, and the twenty-four-hour-a-day contact information of the property management company.
- F. Upon the expiration of a vacant building registration permit, if the building or structure is still vacant, the owner must arrange for an inspection of the building and premises with the appropriate Code Enforcement, Police and Fire Officials, and renew the permit within 10 days of expiration. All permit renewals shall be subject to all conditions and obligations imposed by this article and any previous permits unless expressly exempted therefrom.

§ 223-9. Permit application.

- A. Application by the owner of a vacant building or structure for a vacant building registration permit must be made on a form provided by the Code Enforcement Division. Applicants must disclose all measures to be taken to ensure that the building will be kept weathertight and secure from trespassers, safe for entry of police officers and firefighters in times of exigent circumstances or emergency, and together with its premises be free from nuisance and in good order in conformance with vacant building maintenance standards, and other codes adopted by the City of Bangor.
- B. The application shall include a "statement of intent." The statement of intent shall include information as to the expected period of vacancy (including the date of vacancy), the plan for regular maintenance during the vacancy to comply with the maintenance safety requirements of this subsection, and a plan and timeline for the lawful occupancy, rehabilitation, or removal or demolition of the structure.
- C. The application shall include a list of persons authorized to be present in the building, along with a statement that any persons not listed shall be considered trespassers. The owner shall update the authorized person list as needed.
- D. Contact information. The application shall include the following:
- (1) The name, street address, telephone number, and e-mail address of a designated individual designated by the owner or owners of the vacant building as their authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding in connection with the enforcement of this Code regarding the vacant building.

- (2) The name of at least one property manager responsible for management and maintenance of the property, along with their twenty-four-hour-a-day contact information.
 - (3) The name of any bank/lender/lien holder with an interest in the property and its contact information, including the mailing address of the bank/lender/lien holder.
 - (4) If any contact information required under this subsection changes or becomes out-of-date, the owner must notify the Code Enforcement Department in writing within 30 days of such change.
- E. A fee of \$250⁷ or the cost of all materials, staff time, and other expenses of the City related to administering and enforcing this article, whichever is greater, shall be charged for a vacant building registration permit or interim permit. This fee shall also be charged upon the renewal of such permits. The fee must be paid at the time of application or renewal. No permit shall be issued prior to payment of the permit or renewal fee. If an owner has secured all the duly required permits to demolish the building or structure, no fee is required if the building or structure is in fact demolished within 90 days of becoming vacant; should this ninety-day period expire, the fee becomes due immediately.

§ 223-10. Inspection.

- A. Upon and at the time of application, the owner of a vacant building or structure shall arrange for an inspection of the premises by staff of the Code Enforcement Division. The purpose of such inspections is to determine and ensure compliance with vacant building maintenance standards. The Code Enforcement Division may bring on the inspection such other government officials as it deems prudent to ensure compliance with standards and the safety of the building and the Code Enforcement Division, including but not limited to Police and Fire Officials.
- B. If Code Officials have reason to believe that an emergency or imminent danger exists tending to create an immediate danger to the health, welfare, or safety of the general public, Code, Police and Fire Officials have the authority to enter and inspect the vacant building and premises upon which it stands without notification or warrant being required.

§ 223-11. Maintenance standards.

An owner of a vacant building must adequately protect it from intrusion by trespassers and from deterioration by the weather. A vacant building shall be deemed adequately protected from intrusion by trespassers and from deterioration by the weather if it satisfies the following vacant building maintenance standards:

- A. Building openings. Doors, windows, areaways and other openings must be weathertight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and other such openings must be covered by glass or other rigid transparent materials which are weather protected and tightly fitted and

7. Editor's Note: Fees may not be current. See also Ch. 109, Fees, regarding the Schedule of Fees.

secured to the opening.

- B. Roofs. The roof and flashings shall be sound and tight, admit no moisture and have no defects which might admit moisture, rain or roof drainage, and allow for drainage to prevent dampness or deterioration in the interior walls or interior of the building.
- C. Drainage. The building storm drainage system shall be functional and installed in an approved manner, and allow discharge in an approved manner.
- D. Building structure and sanitation. The building shall be maintained in good repair, structurally sound and free from debris, rubbish and garbage, including but not limited to any combustible waste and refuse. The building shall be sanitary. The building shall not pose a threat to the public health and safety.
- E. Structural members. The structural members shall be free of deterioration and capable of safely bearing imposed dead and live loads.
- F. Foundation walls. The foundation walls shall be structurally sound and in a sanitary condition so as not to pose a threat to public health and safety, shall be capable of supporting the load which normal use may cause to be placed thereon, and shall be free from open cracks and breaks, free from leaks, and animal proof and ratproof.
- G. Exterior walls. The exterior walls shall be free of holes, breaks, and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- H. Decorative features. The cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be safe, anchored, and in good repair. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- I. Overhanging extensions. All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- J. Chimneys and towers. Chimneys, cooling towers, smokestacks, and similar appurtenances shall be structurally safe and in good repair. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- K. Walkways. Walkways shall be safe for pedestrian travel.
- L. Accessory and appurtenant structures. Accessory and appurtenant structures such as garages, sheds, and fences shall be free from safety, health, and fire hazards and shall comply with these vacant building maintenance standards.
- M. Premises. The premises upon which the structure or building is located shall be

clean, safe, and sanitary, free from waste, rubbish, debris or excessive vegetation, and shall not pose a threat to the public health or safety.

- N. The owner of a vacant building or structure must comply with all building, fire, life safety, zoning, and other applicable codes or ordinances and must apply for any building, fire prevention, and zoning permits necessary to perform work required by this article.

§ 223-12. Violations and penalties.

Any person who is found to be in violation of any provision or requirement of this article shall be subject to a civil penalty as set forth in 30-A M.R.S.A. § 4452. Each violation of a separate provision or requirement, and each day of violation, shall constitute a separate offense.

Comprehensive Plan Required Sections

Historic and Archaeological Resources

Water Resources

Natural Resources

Agricultural and Forest Resources

Population and Demographics

Economy

Housing

Recreation

Transportation

Public Facilities and Services

Fiscal Capacity and Capital Investment Plan

Existing Land Use

Future Land Use Plan

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