



City of Caribou, Maine

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

AGENDA Caribou Planning Board Regular Meeting

Thursday November 13, 2025, at 6:00 p.m.

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, November 13, 2025, will be read during the meeting. Send comments to Economic & Community Development Specialist, Eric Sanderson at esanderson@cariboumaine.org.

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MINUTES Caribou Planning Board Regular Meeting Thursday October 9, 2025, at 6:00 p.m.

- I. Call Meeting to Order, Determine Quorum, disclosure of conflicts of interest.
The Caribou Planning Board held a regular meeting on Thursday October 9, 2025. This meeting was called to order at 6:00 pm by Frank McElwain. Roll call: Frank McElwain Vice-Chair, Dave Corriveau, Steven Wentworth, Eric Hitchcock and Staff: Eric Sanderson and Council Liaison Daniel Bagley.
- II. Acceptance of Minutes
 - a. September 11, 2025 Caribou Planning Board

Motion to approve the minutes as written made by Eric Hitchcock, seconded by Dave Corriveau. Motion passes unanimously 4-0-0.
- III. Unfinished Business
 - a. Fort Street Bridge

The Board discussed forming an approach or group to represent the City. Frank McElwain asked if our congressional delegation or delegation in Augusta has been contacted. Eric Hitchcock noted he did reach out to the federal delegation. Dan Bagley noted MaineDOT representatives have been very receptive to our communication on additional curb cuts. We anticipate having a good relationship and dialogue with the State on this issue. Steve noted the U.S. Army Corps of Engineers builds detour bridges on the regular and it may be worth looking into that. The Board noted it would be nice to have MaineDOT come talk to us.

The City should come up with an outreach plan and have MaineDOT help us starting to plan for that to minimize impact.

We need something in writing from MaineDOT on the scale of the project.
 - b. Updates on New Planning Board Member Nominations

Put ads on the electronic sign by the Rec Center. Put something in The County/Bangor Daily News.
- IV. New Business

There is no new business.
- V. City Council Liaison Report

Dan updated the Board that the Land Bank discussion is back up for discussion with the City Council. In the Council's discussions, it was noted to fold that into existing ordinance changes. The concept will be refined and the City will reach out to the Maine Land bank to incorporate into Caribou's ordinances. One approach to funding is having rental property registries, and codes related to unoccupied buildings.

Establishment of a registry for rental properties will encourage and allow for basic inspections for healthful conditions and the licensing fees for that can fund the land bank. This would also be the same for the unoccupied buildings and businesses. The fees and standards could be waived by the City if an earnest effort is being made, so having flexibility would be important.

Dan noted Sanford's model. The Maine Land Bank now has staffing and funding to support us in our efforts. Eric Hitchcock noted he does not want to penalize owners, which is unfair. Non-operational commercial properties receive tax breaks, so anything we can do to disincentivize that use

VI. Staff Report

- a. Overview of Potential Solar System Development Standards for Chapter 13 Zoning Ordinance
 - i. Maine Department of Agriculture, Conservation & Forestry Guide for Utility Scale Solar Installation & Development On Agricultural, Forested and Natural Lands (January 8, 2021)
 - ii. City of Presque Isle Solar Electric Generation Facility Standards
 - iii. Town of Scarborough Utility Scale Solar Performance Standards

- b. Scam Alert – **The City of Caribou will never request payment via**

wire transfer

VII. Adjournment

Motion to adjourn by Eric Hitchcock, seconded by Steve Wentworth. Motion passes 4-0-0.

The meeting was adjourned at 6:35PM.

Chapter 223

PROPERTY MAINTENANCE

**ARTICLE I
General Provisions**

- § 223-1. Adoption of standards.
- § 223-2. Amendments to standards.
- § 223-3. (Reserved)
- § 223-4. Public right-of-way.

- § 223-6.
- § 223-7.
- § 223-8.
- § 223-9.
- § 223-10.
- § 223-11.
- § 223-12.

- Definitions.**
- Applicability.**
- Registration required.**
- Permit application.**
- Inspection.**
- Maintenance standards.**
- Violations and penalties.**

**ARTICLE II
Vacant Buildings**

- § 223-5. Purpose.

[HISTORY: Adopted by the City Council of the City of Bangor as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

General Provisions**[Adopted 7-14-2003 by Ord. No. 03-222¹]****§ 223-1. Adoption of standards.**

In accordance with 30-A M.R.S.A. § 3003, the International Property Maintenance Code 2003, published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City of Bangor for the purposes of:

- A. Establishing minimum standards governing the condition, maintenance and rehabilitation of all existing structures;
- B. Establishing minimum standards governing supplies, utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use;
- C. Establishing minimum standards governing the condition of dwellings offered for rent;
- D. Fixing certain responsibilities and duties of owners and occupants of structures; and
- E. The condemnation of structures unfit for human habitation and the demolition of such structures.

§ 223-2. Amendments to standards.

The International Property Maintenance Code 2003 is adopted in its published form as if fully set forth herein, except as follows:

- A. Section PM-101.1 is deleted and replaced with the following:

PM-100.1 Title: These regulations shall be known as the "Property Maintenance Code of the City of Bangor" and are herein referred to as such or as "this Code."

- B. Section PM-106.4 is deleted and replaced with the following:

PM-106.4 Penalty: The penalty for violations of this Code shall be imposed in accordance with 30-A M.R.S.A. § 4452. Each day such a violation is permitted to exist, after notification by the Code Enforcement Officer, shall constitute a separate offense.

- C. Section PM-107.3 is amended by the addition of the following sentence at the end of Subsection 3: "A copy so posted on or about the date the letter was sent is also sufficient for purposes of this subsection." **[Added 2-15-2017 by Ord. No. 17-070²]**
- D. Section PM-107.5 is amended by the addition of the following sentence: "For the purpose of this section, the terminology sell, transfer, mortgage, lease or otherwise dispose of shall include the execution of a land sales contract or similar agreement."
- E. Section PM-108.2.1 is added, which shall state the following:

1. Editor's Note: This ordinance also repealed former Ch. 223, Property Maintenance, adopted as Ch. X, as amended 11-13-2000 by Ord. No. 00-396, and was originally included as Ch. 223, Property Maintenance, but was redesignated as Art. I, General Provisions, 10-28-2013 by Ord. No. 13-344.

2. Editor's Note: This ordinance also redesignated former Subsections C through M as Subsections D through N, respectively.

PM-108.2.1 Minimum standards for securing a building:

1. Prior to securing any building, all combustibles and/or personal property must be removed from the building.
2. All basement, first- and second-floor windows and other openings must be made inaccessible to entry in keeping with these standards.
3. Windows, doors and other openings above the third floor must be closed and locked and, if glazed, replaced or boarded if broken.
4. All window openings shall be closed through application of a minimum five-eighths-inch plywood cut to fit the size of the opening and recessed into the opening; the board shall be nailed from the outside to supports on the inside of the opening. A minimum of eight penny nails shall be employed at twelve-inch intervals.
5. All plywood used for board-up purposes shall be painted to match the color of the building or building trim.
6. All doors and other openings shall be locked, barricaded from the inside and secured with wooden boards at least 5/8 inch in thickness, nailed across such opening with not fewer than eight penny nails at twelve-inch intervals.
7. Holes in the foundation shall either be patched or boarded. When boards are to be employed, it shall be accomplished by excavation and placement of the board in a trench two feet deep covered over with earth, and said boards shall be attached to the wall with either nails or masonry nails, as appropriate. Board size and nailing should be in accordance with Subsection 4 above.
8. Openings unprovided for in these standards shall be closed in accordance with the specifications of the inspector.
9. Acceptance by the Code Enforcement Division shall be required. A call for inspection at 945-4400, Extension 124, is required upon completion.
10. Periodic maintenance of the grounds and inspection of the adequacy of steps taken to secure the building are required.

- F. Section PM-109.1 is deleted and replaced with the following: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

PM-109.1 Imminent danger: In addition to the enumerated circumstances in the International Property Maintenance Code 2003, or subsequent amendments thereto, the Code Enforcement Officer may order an immediate vacating of any part of, or all of, a structure which loses its source of heat, cooling, hot water, water supply or sewer service or has malfunctioning electrical service or has been substantially damaged due to fire or natural disaster.

1. When, in the opinion of the Code Official, there is actual and immediate danger of failure or collapse of a structure which would endanger life, or when any structure has fallen and life is endangered by the occupancy of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials or use of defective or dangerous equipment, the Code Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. They shall cause to be posted at the main entrance to such structure a notice reading as follows: "This structure is unsafe and its use or occupancy has been prohibited by the Code Official."
2. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or demolishing the structure.

- G. Sections 110.1, 110.2 and 110.3 are deleted and replaced with the following: **[Added 5-23-2016 by Ord. No. 16-186³; amended 1-8-2018 by Ord. No. 18-065]**

PM-110.1 General: The Code Enforcement Officer or their designee may order the owner of any premises upon which is located any structure, which in the judgment of the Code Enforcement Officer or their designee is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove the structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or, where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure; provided that in each case all required permits and approvals for repair or for demolition and removal must first be obtained before repairs or demolition may take place.

PM-110.2 Notices and orders. All notices and orders shall comply with Section 107.

3. Editor's Note: This ordinance also redesignated former Subsections F through L as Subsections G through M, respectively.

PM-110.3 Failure to comply: If the owner of a premises fails to comply with a demolition order within the time prescribed, the Code Enforcement Officer or their designee may cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal may be charged against the real estate upon which the structure is located and be a lien upon such real estate. Notwithstanding Chapter 23 of this Code, no decision or order of the Code Enforcement Officer or their designee made pursuant to PM-110.1 through PM-110.3 may be appealed to the Board of Appeals; however, the Code Enforcement Officer or their designee may not cause a structure to be demolished and removed pursuant to said subsections unless the City Council has approved of said demolition after notice and hearing.

- H. Sections PM-111.1, PM-111.2., PM-111.2.1, PM 111.2.2, PM-111.2.3, PM-111.2.4, PM-111.2.5, PM-111.2.6 and PM-111.3 are deleted and replaced with the following:

PM-111.1 Appeals:

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Code may request and shall be granted a hearing on the matter before the Board of Appeals established under Chapter 23, Article I, of the Code of the City of Bangor. All procedures, fees and requirements for appeals and hearings before the Board shall be governed by the provisions of Chapter 23, Article I.
2. The Board's decision may only reverse or modify the Code Enforcement Officer's decision upon a finding that, with respect to the activity in question, this Code has been incorrectly interpreted, that the provisions of this Code do not fully apply to the contemplated activity or that the type or form of construction is the equivalent to that required by this Code.
3. An appeal filed in accordance with the provisions of this Code or any other City ordinance shall not be deemed to stay or suspend operation of any placard notice, order to quit or other order or action issued by the City's Code Enforcement Officer.

- I. Section PM-112.0 is added, which shall state the following: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

SECTION PM-112.0 APPLICABILITY

This section shall provide a method for enforcing and securing compliance with the various provisions, codes and ordinances adopted by the City of Bangor.

PM-112.1 Investigation: Upon receipt of information indicating the likelihood of a violation of any provision of this Code or ordinances adopted by the City of Bangor, the Code Enforcement Officer shall investigate the facts and may make an inspection of the premises when legally authorized to do so.

PM-112.2 Citation:

1. If the investigation reveals that a Code violation has occurred, the enforcement official may give a written citation of such violation to the person, firm or corporation (hereinafter "violator") having control of any land, building, structure, sign, licensed or permitted business or operation which is in violation and order that the violation be corrected. The citation may be served in hand to the violator or left with a person of suitable age and discretion at the residence or place of business of the violator or mailed by certified mail, return receipt requested, to their last known address. If the return receipt is not returned, the citation shall be conclusively presumed to have been served if it is also sent by regular mail, postage prepaid, which is not returned as undeliverable by the postal service.
2. In the event that the enforcement official finds that the violation is one which requires immediate correction to protect the public health or safety, they may provide the citation hereunder by means of telephone or facsimile transmission to the violator or to a person of suitable age and discretion at the residence or place of business of the violator.

PM-112.3 Content of citation: The citation shall be in writing, shall describe the nature of the violation, including the ordinance section violated, and shall state the date by which the violation must be corrected, that a civil penalty in the amount specified under Section PM-112.5 of this chapter is assessed for the violation, the date by which the penalty must be paid and to whom and the consequences of failing to pay the penalty within the period stated. The citation shall state that additional penalties will be imposed if the violation is not corrected within the time period set forth in the first citation. Any additional citation that may be issued for the same violation shall also state that all penalties are cumulative.

PM-112.4 Time limits for corrective action: The time period specified in a citation within which a violation must be corrected shall be reasonable taking into consideration the following factors:

1. The threat posed by said violation to the health, safety and welfare of the public;
2. The nature of the work required to correct the violation; and
3. Any notice period given to the violator in a previous citation for the same violation.

PM-112.5 Interest and enforcement of fines: All civil penalties assessed by citation shall be deemed due and payable within five days after the date by which the violation was ordered to be corrected. All civil penalties not paid when due shall bear interest at the same rate imposed for late payment of City property taxes. Any civil penalty assessed by citation, when paid in a timely fashion by the violator, shall bar the City from taking further legal action with respect to the violation, provided that the violation is corrected within the time specified by the Code Enforcement Officer.

PM-112.6 Further citations: If the violation has not been corrected within the time specified in the first citation, the enforcement official may issue a second citation. The second citation shall contain the same information set forth in the first citation regarding the nature of the violation but may do so by reference to the first citation. It shall also state what additional penalties have been imposed for the second citation. The second citation shall also state that the continued failure to correct the violation may result in the issuance of further citations and shall indicate the penalties provided for the issuance of subsequent citations. The time limits specified for correcting the violation may be the same as that allowed in the first citation or may be altered if there has been a change in circumstances. The same procedure shall be followed with regard to the issuance of subsequent citations.

PM-112.7 Civil proceedings: If the violation has not been corrected within the period established in the citation, the Code Enforcement Officer or City Solicitor may initiate appropriate legal proceedings to compel the violator to correct the violation and seek other relief to which the City may be entitled, including imposition and collection of fines assessed by citations pursuant to Sections 112.2 and 112.6 above. Such legal proceedings may include the initiation of a land use complaint pursuant to Rule 80K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452, as amended. The amount of any fine sought by the City in the course of such legal proceedings shall not be less than the amount of the fine specified in the original citation.

PM-112.8 Repeat violations: A violator who has been previously served with a notice of violation with regard to a specific violation shall not be entitled to receive any further notice of the same violation if it is repeated. If the enforcement official determines that a violator has repeated the same violation, they may proceed in accordance with Section PM-112.7 without further notice.

PM-112.9 Effect on other ordinances: Section PM-112.0 et seq. does not supersede or repeal any other provision of the City's ordinances or this Code. Except as provided in Section PM-112.6 above, nothing herein precludes the initiation of any other legal proceeding which may be authorized by ordinance or applicable state or federal laws.

- J. The definition of "Code Official" contained in Section PM-202.0 is deleted and replaced with the following:

CODE OFFICIAL: The Code Enforcement Officer of the City of Bangor.

- K. Section 302.4 is deleted and replaced with the following: **[Added 1-12-2009 by Ord. No. 09-028⁴; amended 3-27-2023 by Ord. No. 23-101]**

4. Editor's Note: This ordinance also redesignated former Subsections I through K as Subsections J through L, respectively.

PM-302.4 Weeds: Except during the month of May, all premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. "Weeds" shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs: provided, however, that this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with § 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

- L. Section PM-304.14 is deleted and replaced with the following:

PM-304.14 Insect screens: During the period from April 1 to November 1, every door, window and other usable outside opening used or required for ventilation purposes servicing any building containing habitable rooms, food preparation areas, food service areas or any areas where products used in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved, tightly fitting screens of not less than 16 mesh per inch, and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided that other approved means, such as air curtains or insect-repellent fans, are employed.

- M. Sections PM-602.2, 602.3 and 602.4 are deleted and replaced with the following:

PM-602.2 Residential buildings: Every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 68° F. at a level of five feet above the floor and a distance of three feet from the exterior walls at an outside temperature of -20° F.

PM-602.3 Heat supply: Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units or dormitory or guest rooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat to maintain a room temperature of not less than 68° F. in all habitable rooms, bathrooms and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60° F. during other hours. The temperature shall be measured at a point five feet above the floor and three feet from the exterior walls, When the outdoor temperature is below the outdoor design temperature required for the locality by the Mechanical Code listed in Chapter 8, the owner or operator shall not be required to maintain the minimum room temperatures, provided that the heating system is operating at full capacity, with supply valves and dampers in a full open position.

PM-602.4 Nonresidential structures: Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 65° F. (18° C.) during all working hours. The temperature shall be measured at a point three feet (914 millimeters) above the floor and three feet from the exterior walls.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

N. Section PM-704.5 is added, which shall state the following:

PM-704.5 Burglar and other emergency alarm systems: No burglar and other emergency alarm system, as described in Chapter 58, Alarm Systems, Article I, Burglar and Emergency Alarm Systems, of the Code of the City of Bangor, shall be installed and operated in any structure unless the same shall be installed and operated in compliance with the National Electrical Code in effect in the City of Bangor at that time and unless the alarm user possesses or has been issued a valid permit pursuant to Chapter 58 of the Code of the City of Bangor.

§ 223-3. (Reserved)⁵

§ 223-4. Public right-of-way. [Added 5-8-2006 by Ord. No. 06-144]

- A. The owner and occupant of real property shall be responsible for keeping the public right-of-way along the full frontage of the property to the center of the street or road free and clear of trash, debris, discarded items, and weeds and plant growth in excess of 10 inches. **[Amended 5-29-2019 by Ord. No. 19-178]**
- B. The Code Enforcement Officer shall notify the owner and/or occupant in writing if trash, debris, and discarded items must be removed from the public right-of-way, or if the height of weeds or plants exceeds 10 inches and must be mowed. Notification shall be accomplished by mailing the notice to the owner and/or occupant and leaving a copy of the same at the premises. If the condition has not been remedied within five business days, the City may remedy the condition and bill the party notified for the cost of removing and disposing of trash, debris, or discarded items or cost of mowing. **[Amended 5-29-2019 by Ord. No. 19-178]**
- C. A property owner or occupant billed under Subsection B may appeal the bill to the Director of Public Works, whose decisions shall be final. The Director may grant such appeal only for good cause.

5. Editor's Note: Former § 223-3, Uninhabitable buildings, added 9-13-2004 by Ord. No. 04-261, as amended, was repealed 2-15-2017 by Ord. No. 17-070

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. [Amended 6-23-2025 by 25-193]

- 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 article, 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.

PRIMARY RESIDENCE — A residence in which an owner receives the homestead exemption.

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 a person or occupied by unauthorized persons, or not occupied for its intended use for 60 days, excepting permitted garages or accessory buildings.

§ 223-7. Applicability. [Amended 6-23-2025 by 25-193]

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

- 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.
- C. Fire or other casualty event.
- (1) If an owner's primary residence has become uninhabitable and placarded due to a fire or other casualty event, the owner may obtain a temporary and conditional deferral of the payment of the vacant registration fee for a period of six months from the date of the fire or other casualty event only if:
 - (a) The fire or other casualty event was not caused by the owner or applicant's criminal acts or gross negligence;
 - (b) The owner completes and files the application for vacant building registration permit on the City's form as required by §§ 223-8 and 223-9; and
 - (c) The owner provides the City with a valid emergency contact phone number for the owner, and agrees to be and continues to be readily available to the Code Enforcement Office during the period of the deferral.
 - (2) If the property is made no longer vacant within six months, the payment of the fee required under § 223-9E shall be waived by the Code Enforcement Director. If the property remains vacant at the end of the six-month period, the fee required to be paid at the time of the filing of the application under § 223-9E must be paid, the renewal application must be completed and filed, and the fee required for the renewal application must also be paid, along with the owner's arranging for the required inspection under § 223-10A.
 - (3) The Code Enforcement Director may grant one extension to the applicant of the deferral of the registration fee for another six-month period (extension to one year from the date of the fire or other casualty event) only if the Code Enforcement Director, in their discretion, determines that adequate progress is being made in good faith by the owner toward the goal of the property becoming inhabited. In order to receive this additional deferral, the owner must complete and file the renewal application for a vacant building registration permit and comply with the inspection requirement of § 223-10A.
 - (4) If the property is made no longer vacant within the additional six-month period, the payment of the fees required by § 223-9E shall be waived by the Code Enforcement Director. If the property remains vacant one year after the fire or other casualty event when the additional deferral period expires, the original registration fee, the renewal registration fee, and the second renewal registration fee must be paid by the owner, along with the owner's completion and filing of another renewal vacant building registration application and compliance with another inspection required under § 223-10A.
 - (5) If the property owner received the six-month extension by the Code Enforcement Director and the property is made no longer vacant within one year and 90 days after the fire or other casualty

event, the Code Enforcement Director, in their discretion, may waive and/or reimburse to the owner any or all of the registration fees paid or overdue.

D. Active building permit.

- (1) The owner of a vacant building may obtain a temporary and conditional deferral of the payment of the vacant building registration fee for a period of six months only if:
 - (a) The owner has an active building permit on file with the Code Enforcement Division; and
 - (b) There is a completed and filed application for a vacant building registration permit on the City's form on file at the Code Enforcement Office as required by §§ 223-8 and 223-9.
- (2) If the property is made no longer vacant within six months of the filing of the registration, the payment of the fees required by § 223-9E shall be waived by the Code Enforcement Director. If the property remains vacant at the end of the six-month period, the fee required to be paid at the time of the filing of the application under § 223-9E must be paid, the renewal application must be completed and filed, and the fee required for the renewal application must also be paid, along with the owner's arranging for the required inspection under § 223-10A.
- (3) The Code Enforcement Director may grant one extension to the applicant of the deferral of the registration fee for another six-month period only if the Code Enforcement Director, in their discretion, determines that adequate work is being accomplished in good faith toward the goal of the property becoming inhabited. In order to receive this additional deferral, the applicant must complete and file the renewal application for a vacant building registration permit and comply with the inspection requirement of § 223-10A.
- (4) If the property is made no longer vacant within the additional six-month period, the payment of the fees required by § 223-9E shall be waived by the Code Enforcement Director. If the property remains vacant one year after the initial registration, the original registration fee, the renewal registration fee, and the second renewal registration fee must be paid by the owner, along with the applicant's completion and filing of another renewal vacant building registration application and compliance with another inspection required under § 223-10A.

§ 223-8. Registration required. [Amended 6-23-2025 by 25-193]

- 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. Vacant building registration permit.
 - (1) The Code Enforcement Division shall issue a 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 vacant building registration permit is valid for six months from the date the owner submits the permit application and pays the registration fee. Renewal registrations are valid beginning the day after the expiration of the original (or renewal) permit.

- D. 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.
- E. 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. [Amended 5-22-2023 by Ord. No. 23-140; 6-12-2023 by Ord. No. 23-154; 6-23-2025 by 25-193; 6-23-2025 by 25-193]

- 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 standards of § 223-11, 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 an 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 Division in writing within 30 days of such change.
- E. A fee as prescribed in the Schedule of Fees adopted pursuant to Chapter 109, Fees, of this Code 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. The fee for renewal of a vacant building registration permit shall also be as prescribed in the Schedule of Fees adopted pursuant to Chapter 109, Fees, of this Code. 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, unless the owner qualifies for a deferral under § 223-7. 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, including but not limited to police and fire officials. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- 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. [Amended 6-23-2025 by 25-193]

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 materials which are weather protected and tightly fitted and 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. 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.
- D. 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.
- E. 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.

- F. 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.
- G. 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.
- H. 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. [Amended 5-22-2023 by Ord. No. 23-140; 3-25-2024 by Ord. No. 24-098]

Any person who is found to be in violation of any provision or requirement of this article shall be subject to a civil penalty and the enforcement provisions 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. The Director of Community and Economic Development is authorized to sign administrative consent agreements on behalf of the City to resolve violations of this article. In the absence of said Director, the City Solicitor or the City Manager has the authority to sign administrative consent agreements on behalf of the City. The City may also enforce violations of this article in court.

1. *General.* In addition to any conditions established by the Planning Board at the time of its review, all Category II Home Occupations must comply with the following:
 - a. All Category II Home Occupations shall be conducted only from single-family dwellings.
 - b. Proposed uses may be determined to be appropriate as Home Occupations only if they are judged to be compatible with residential neighborhoods by the Planning Board conditional use review.
 - c. Vehicular traffic from business-related visitors and customers shall not exceed that which normally and reasonably occurs in the neighborhood, except as provided for in Item 2. “Child Day Care and Other Group Child Activities” below. Traffic from Category II Home Occupations shall not produce excessive noise or parking nuisances and may be serviced by occasional delivery vehicles, limited to the shipment or receipt of merchandise, goods, or supplies, so long as the frequency of those deliveries do not become a nuisance to surrounding residents.
2. *Child Day Care and Other Child Group Activities.* Refer to Section 13-760 “Daycare Facilities” of the City of Caribou Code and 10-148 CODE OF MAINE RULES CHAPTER 32 to comply with State of Maine licensing requirements. All home-based child day care and group activities licensed by the State of Maine are considered Category II, Conditional Use Home Occupations.
3. *Adult Day Care.* Refer to MRS Title 22 Chapter 1679 Adult Day Care Program Subsections 8601-8606. Any home-based Adult Day Care that exceeds two individuals 60 years of age or older, or more than 12 hours per day of operation requires State of Maine licensure, and is therefore considered a Category II, Conditional Use Home Occupation.
4. *Dangerous Home Occupations.* Any proposed Home Occupation that uses explosives, incendiary products and devices, flammable materials, or hazardous chemicals in amounts greater than typical household quantities is considered a Category II, Conditional Use Home Occupation.

H. Prohibited Home Occupations. The following uses, by nature of the occupation, substantially impair the use and value of residentially-zoned areas for residential purposes and are, therefore, prohibited:

1. Mortuary, crematorium, columbarium, or mausoleum.
2. Animal hospital or veterinary service, except in the R-3 zone with a Category II, Conditional Use Home Occupation permit.
3. Clinic, dental office, medical office, chiropractic office, or hospital, except in the R-3 zone with a Category II, Conditional Use Home Occupation permit.
4. Junkyard, auto wrecking yard, or salvage yard within the urban compact area. Any Junkyard, auto wrecking yard, or salvage yard outside of the urban compact area must comply with separate local and state licensing procedures.
5. Stable, kennel, pet store, or any other commercial animal breeding business or similar activity, except in the R-3 zone with a Category II, Conditional Use Home Occupation permit.
6. Storage, service, repair, or sales of ambulances, tow trucks, recreational vehicles, watercraft, automobiles, ATVs, or other motorized vehicles within the urban compact area. Home Occupations desiring to conduct these types of activities in the R-3 zone may be permitted, subject to a Site Design Review by the Planning Board and must be at least 300 feet from any neighboring dwelling.

d. Buffers shall not be used for all-terrain vehicles or other vehicular traffic.

- C. **Infiltration Systems.** Individual lot owners shall be responsible for maintenance of individual infiltration systems according to the standards specified in "*Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development*", published by the Maine DEP, revised May, 1990. Requirements for maintenance shall be included in deed restrictions and as notes upon the final recording Plan. As an alternative to maintenance by individual lot owners, the applicant may designate some other entity to be contracted to take the responsibility, and shall include the above referenced maintenance provisions in any contractual agreement. Where infiltration systems serve more than one lot, a lot owners association shall be established and the above referenced maintenance provisions shall be referenced in the documentation establishing the association.
- D. **Wet Ponds.** A lot owners association shall be established to maintain wet ponds, unless the City or some other public entity agrees to assume inspection and maintenance duties. Documentation establishing the association or establishing an agreement with a public entity shall include the maintenance standards specified in the manual "*Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development*", published by the Maine DEP, revised May, 1990.
- C. Cutting or removal of vegetation along water bodies shall not increase water temperature, result in shoreline erosion, or sedimentation of water bodies.

17. Kennels.

Including Animal Shelters, Boarding Kennels, Breeding Kennels and Rescue Group facilities. This ordinance does not regulate or limit the number of domesticated privately owned household pets.

Animal Shelter, “means a facility that houses animals and operates for the purpose of providing stray, abandoned, abuses or owner-surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes.” Animal Shelters are not allowed in the R1, R2, C1 & H-1 zones. Animal Shelters are allowed in RC-2, R-3, C-2, I-1 & I-2 zones with site design review and planning board approval.

Boarding Kennel, “means any place, building, tract of land or abode in or on which 3 or more privately owned companion animals are kept any one time for their owners in return for a fee or compensation and includes a facility where 3 or more companion animals are kept for training purposes for compensation.” Boarding Kennels are not allowed in the R-1, R-2, C-1 & H-1 zones. Boarding Kennels are allowed in the RC-2, R-3, C-2, I-1 & I-2 zones with site design review and planning board approval.

Breeding Kennel, “means a location where 5 or more adult female dogs, wolf hybrids or cats capable of breeding are kept and some or all of the offspring are offered for sale, sold or exchanged for value or a location where more than 16 dogs or cats raised on the premises are sold to the public in a 12-month period. Breeding Kennel does not include a kennel licensed by a municipality under Section 3923-C when the dogs are kept primarily for hunting, show, training, sledding, competition, field trails or exhibition purposes and not more than 16 dogs are offered for sale, sold or exchanged for value within a 12-month period.” Breeding Kennels are not allowed in the R-1, R-2, C-1, C-2 & H-1 zones. Breeding Kennels are allowed in the RC-2, R-3, I-1 & I-2 zones with site design review and planning board approval.

Rescue Group, “means an organization or individual that receives animals that have been abandoned, surrendered or removed from an animal facility or that take in homeless dogs or cats and sells, gives or otherwise places the animals in private homes. Rescue group does not include a facility licensed under chapter 723.” Rescue Groups are not allowed in the R-1, R-2, C-1 & H-1 zones. Rescue Groups are allowed in the RC-2, R-3, C-2, I-1 & I-2 zones with site design review and planning board approval.

All buildings and or structures used as Kennels, Animal Shelters, Boarding Kennels, Breeding Kennels and Rescue Groups shall comply with A. through G. following:

- A. Structures or pens for housing or containing the animals shall be located not less than one hundred (100) feet from any residential property line existing at the time of permit.
- B. All pens, runs, or kennels, and other facilities shall be designed, constructed, and located on the site in a manner that will minimize the adverse effects upon the surrounding properties.
- C. The owner or operator of a kennel shall maintain the premises in a clean, orderly, and sanitary condition at all times.
- D. Temporary storage containers for any kennel wastes containing or including animal excrement, shall be kept tightly covered at all times.

- E. No owner of animals or operator of a kennel shall allow any animals to create objectionable noise disturbance, odors, or other nuisances.
- F. All other relevant standards of this ordinance shall also be observed.

Historical Note: Section 13-700 §17 Kennels was amended by the City Council on February 13, 2012.

18. Lots and Density.

- A. There shall be no more than one principal building and its accessory buildings erected on any one lot.
- B. Any lot containing a residential building shall abut on a public street for a distance of not less than 75 feet.
- C. Every lot that is to be offered for sale for development shall be such that any buyer, with or without knowledge of the lots physical characteristics, shall be able to have a principal structure, adequate access, adequate water supply and quality, and adequate sewage disposal on that lot.
- D. Lot dimensions and building setback dimensions shall meet the requirements of the Zoning District in which the development is located. Any lot intended for use as a year round residence shall be connected either to the City sewer system or to an approved subsurface wastewater disposal system. Any residential lot served by an approved subsurface wastewater disposal system shall be a minimum of one acre.
- E. Wherever possible, side lot lines shall be perpendicular to the road.
- F. Depth and width of lots shall be adequate to provide for the off-road service, loading, and parking facilities for vehicles required by the type of use and development.
- G. Corner lots shall be increased in size wherever necessary in order that any structure to be placed thereon shall conform to the minimum front setback line from each road. Any new corner lots should be encouraged to have access onto the road with the least amount of traffic volume or impact.
- H. The division of parcels into lots with more than twice the required minimum lot size required by the Zoning Ordinance should be laid out in such a manner as either to provide for future legal subdivision or to allow the opening of future roads. Deed restrictions and notes on the final recording Plan shall either prohibit future divisions of the lots or specify that any future division shall constitute a revision to the plan and require approval from the Planning Board, subject to all applicable federal, state, or local ordinances or regulations, and any conditions placed on the original approval.
- I. If a lot on one side of a stream, road, or other similar barrier fails to meet the minimum requirements for lot size, it should be combined with a lot on the other side of the stream, road, or other similar barrier to meet the minimum lot size requirement.
- J. In areas served by a postal carrier, lots shall be numbered in such a manner so as to facilitate mail delivery. Even numbers shall be assigned to lots on one side of the road and odd numbers on the opposite side. Where the proposed development contains the extension of an existing road approved by the Planning Board, but not yet constructed, the lot numbers shall correspond with the existing lot numbers. The lot numbering shall be reviewed by the Postmaster and City Tax Assessor and their comments considered by the Planning Board.
- K. Double frontage lots and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A vegetative buffer strip of at least ten (10) feet wide, across which there shall be no right of access, shall be provided along each lot abutting such a traffic artery or other disadvantaged use.
- L. All lots must abut a public way, unless an access road meeting the following criteria has been constructed within a deeded right-of-way having a minimum width of fifty (50) feet. The access road shall be constructed to a minimum width of twelve (12) feet if serving one dwelling unit, and eighteen (18) feet if serving two (2) dwelling units. The access road shall contain a minimum depth of eighteen (18) inches of bank-run gravel and have drainage ditches and culverts at all appropriate points. Such an access road shall serve no more than two (2) dwelling units. Any access road serving between three (3) and five (5) dwelling units shall meet the "Private" road design and construction standards, but need not be paved. Any access road serving more than five (5) dwelling units shall meet the "Private" road design and construction standards and it shall be paved. All lots shall have adequate right-of-way access for emergency vehicles to enter, turn around, and exit.
- M. Land susceptible to flooding and land not suitable for housing or road development and land which may be hazardous to life, health, or property shall not be accepted as part of a development for residential purposes, but may be used, with the approval of the CEO or Planning Board, for parks, playgrounds, or other open-space uses.
- N. No lots created shall have a lot depth to frontage ratio of greater than 5 to 1.

Inn: A Building or group of Buildings, within which lodging, or meals and lodging is provided to the general public for compensation. An Inn contains a Dwelling Unit that is occupied by an owner or resident manager, along with six (6) to ten (10) lodging rooms, in which ingress and egress to and from the rooms are made primarily through an inside lobby, office, or other common room and interior or exterior hallways. Inns also are referred to as Guest Houses, Lodging Houses, and Tourist Houses or Hostels.

Junkyard: A yard, field, or other area used as place of storage for:

1. Discarded or worn-out, plumbing, heating supplies, household appliances, and furniture,
2. Discarded or scrap lumber and masonry materials,
3. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, plastic debris, waste, and all scrap iron, steel, and other scrap ferrous or non-ferrous material, and
4. Garbage dumps, waste dumps, and sanitary landfills.

Kennel - Boarding: Any place, Building, tract of land or abode in or on which three (3) or more privately-owned companion animals are kept at any one time for their owners, in return for a fee or compensation. Kennel - Boarding includes facilities where three (3) or more companion animals are kept for training purposes.

Kennel – Breeding: Any place, Building, tract of land or abode in or on which 1) five (5) or more adult female dogs, wolf hybrids or cats capable of breeding are kept and some or all of the offspring are offered for sale, sold or exchanged for compensation; or 2) more than sixteen (16) dogs or cats raised on the premises are sold to the public in a 12-month period. Kennel-Breeding does not include kennels licensed by a municipality under Section 3923-C when the dogs are kept primarily for hunting, show, training, sledding, competition, field trails or exhibition purposes, and not more than 16 dogs are offered for sale, sold, or exchanged for value within a 12-month period.

Land Use Permit: Any permit or authorization documentation issued by the Community Development Department. This shall include but not be limited to Building Permits, Subdivision or Site Design Approvals, Sign Permits, etc.

Laundry of Dry Cleaning: A Retail Business that provides washing, drying, and/or ironing services or machines for hire, to be used by customers on the premises. Machines are typically coin-operated, and customers generally are responsible for loading and unloading their laundry independently, without the assistance of a staff member.

Line of Sight: The unobstructed view of an object, feature, or landscape from a designated vantage point or perspective.

Litter: Any garbage, solid waste, junk, rubbish, refuse, construction debris, demolition debris, and any other waste or materials.

Livestock: Domestic hooved animals kept or raised for use or profit, such as, but not limited to, cattle, horses, sheep, elk, deer, buffalo, goats, or pigs, that are typically kept outside of the home.

Lodging House: (See: Inn)

Lot: A parcel of land created by subdivision processes with close access to public utilities and which meets the minimum standards of the city's ordinances to be occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by an ordinance, and having frontage upon a public street, right-of-way, or approved private way. Such includes corner lots, interior lots, irregular lots, cul-de-sac lots and flag lots (see Figure 1).

Lot Area: The land area enclosed within the legally described boundary lines of the lot or parcel

Lot, Buildable Area: The largest, contiguous land area on a lot or parcel that is within required setbacks, not encumbered by construction limiting easements,

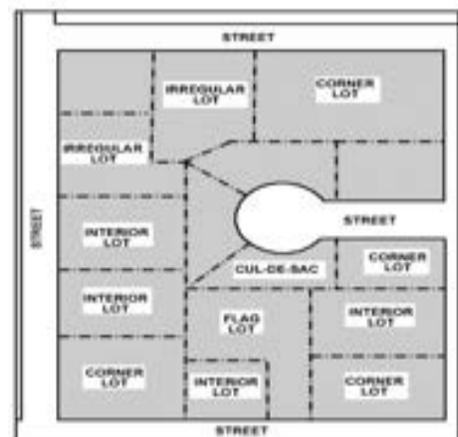


Figure 3: Illustration of various lot types

1. *General.* In addition to any conditions established by the Planning Board at the time of its review, all Category II Home Occupations must comply with the following:
 - a. All Category II Home Occupations shall be conducted only from single-family dwellings.
 - b. Proposed uses may be determined to be appropriate as Home Occupations only if they are judged to be compatible with residential neighborhoods by the Planning Board conditional use review.
 - c. Vehicular traffic from business-related visitors and customers shall not exceed that which normally and reasonably occurs in the neighborhood, except as provided for in Item 2. “Child Day Care and Other Group Child Activities” below. Traffic from Category II Home Occupations shall not produce excessive noise or parking nuisances and may be serviced by occasional delivery vehicles, limited to the shipment or receipt of merchandise, goods, or supplies, so long as the frequency of those deliveries do not become a nuisance to surrounding residents.
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H. Prohibited Home Occupations. The following uses, by nature of the occupation, substantially impair the use and value of residentially-zoned areas for residential purposes and are, therefore, prohibited:

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2. Animal hospital or veterinary service, except in the R-3 zone with a Category II, Conditional Use Home Occupation permit.
3. Clinic, dental office, medical office, chiropractic office, or hospital, except in the R-3 zone with a Category II, Conditional Use Home Occupation permit.
4. Junkyard, auto wrecking yard, or salvage yard within the urban compact area. Any Junkyard, auto wrecking yard, or salvage yard outside of the urban compact area must comply with separate local and state licensing procedures.
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- D. **Wet Ponds.** A lot owners association shall be established to maintain wet ponds, unless the City or some other public entity agrees to assume inspection and maintenance duties. Documentation establishing the association or establishing an agreement with a public entity shall include the maintenance standards specified in the manual "*Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development*", published by the Maine DEP, revised May, 1990.
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Rescue Group, “means an organization or individual that receives animals that have been abandoned, surrendered or removed from an animal facility or that take in homeless dogs or cats and sells, gives or otherwise places the animals in private homes. Rescue group does not include a facility licensed under chapter 723.” Rescue Groups are not allowed in the R-1, R-2, C-1 & H-1 zones. Rescue Groups are allowed in the RC-2, R-3, C-2, I-1 & I-2 zones with site design review and planning board approval.

All buildings and or structures used as Kennels, Animal Shelters, Boarding Kennels, Breeding Kennels and Rescue Groups shall comply with A. through G. following:

- A. Structures or pens for housing or containing the animals shall be located not less than one hundred (100) feet from any residential property line existing at the time of permit.
- B. All pens, runs, or kennels, and other facilities shall be designed, constructed, and located on the site in a manner that will minimize the adverse effects upon the surrounding properties.
- C. The owner or operator of a kennel shall maintain the premises in a clean, orderly, and sanitary condition at all times.
- D. Temporary storage containers for any kennel wastes containing or including animal excrement, shall be kept tightly covered at all times.

- E. No owner of animals or operator of a kennel shall allow any animals to create objectionable noise disturbance, odors, or other nuisances.
- F. All other relevant standards of this ordinance shall also be observed.

Historical Note: Section 13-700 §17 Kennels was amended by the City Council on February 13, 2012.

18. Lots and Density.

- A. There shall be no more than one principal building and its accessory buildings erected on any one lot.
- B. Any lot containing a residential building shall abut on a public street for a distance of not less than 75 feet.
- C. Every lot that is to be offered for sale for development shall be such that any buyer, with or without knowledge of the lots physical characteristics, shall be able to have a principal structure, adequate access, adequate water supply and quality, and adequate sewage disposal on that lot.
- D. Lot dimensions and building setback dimensions shall meet the requirements of the Zoning District in which the development is located. Any lot intended for use as a year round residence shall be connected either to the City sewer system or to an approved subsurface wastewater disposal system. Any residential lot served by an approved subsurface wastewater disposal system shall be a minimum of one acre.
- E. Wherever possible, side lot lines shall be perpendicular to the road.
- F. Depth and width of lots shall be adequate to provide for the off-road service, loading, and parking facilities for vehicles required by the type of use and development.
- G. Corner lots shall be increased in size wherever necessary in order that any structure to be placed thereon shall conform to the minimum front setback line from each road. Any new corner lots should be encouraged to have access onto the road with the least amount of traffic volume or impact.
- H. The division of parcels into lots with more than twice the required minimum lot size required by the Zoning Ordinance should be laid out in such a manner as either to provide for future legal subdivision or to allow the opening of future roads. Deed restrictions and notes on the final recording Plan shall either prohibit future divisions of the lots or specify that any future division shall constitute a revision to the plan and require approval from the Planning Board, subject to all applicable federal, state, or local ordinances or regulations, and any conditions placed on the original approval.
- I. If a lot on one side of a stream, road, or other similar barrier fails to meet the minimum requirements for lot size, it should be combined with a lot on the other side of the stream, road, or other similar barrier to meet the minimum lot size requirement.
- J. In areas served by a postal carrier, lots shall be numbered in such a manner so as to facilitate mail delivery. Even numbers shall be assigned to lots on one side of the road and odd numbers on the opposite side. Where the proposed development contains the extension of an existing road approved by the Planning Board, but not yet constructed, the lot numbers shall correspond with the existing lot numbers. The lot numbering shall be reviewed by the Postmaster and City Tax Assessor and their comments considered by the Planning Board.
- K. Double frontage lots and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A vegetative buffer strip of at least ten (10) feet wide, across which there shall be no right of access, shall be provided along each lot abutting such a traffic artery or other disadvantaged use.
- L. All lots must abut a public way, unless an access road meeting the following criteria has been constructed within a deeded right-of-way having a minimum width of fifty (50) feet. The access road shall be constructed to a minimum width of twelve (12) feet if serving one dwelling unit, and eighteen (18) feet if serving two (2) dwelling units. The access road shall contain a minimum depth of eighteen (18) inches of bank-run gravel and have drainage ditches and culverts at all appropriate points. Such an access road shall serve no more than two (2) dwelling units. Any access road serving between three (3) and five (5) dwelling units shall meet the "Private" road design and construction standards, but need not be paved. Any access road serving more than five (5) dwelling units shall meet the "Private" road design and construction standards and it shall be paved. All lots shall have adequate right-of-way access for emergency vehicles to enter, turn around, and exit.
- M. Land susceptible to flooding and land not suitable for housing or road development and land which may be hazardous to life, health, or property shall not be accepted as part of a development for residential purposes, but may be used, with the approval of the CEO or Planning Board, for parks, playgrounds, or other open-space uses.
- N. No lots created shall have a lot depth to frontage ratio of greater than 5 to 1.

Inn: A Building or group of Buildings, within which lodging, or meals and lodging is provided to the general public for compensation. An Inn contains a Dwelling Unit that is occupied by an owner or resident manager, along with six (6) to ten (10) lodging rooms, in which ingress and egress to and from the rooms are made primarily through an inside lobby, office, or other common room and interior or exterior hallways. Inns also are referred to as Guest Houses, Lodging Houses, and Tourist Houses or Hostels.

Junkyard: A yard, field, or other area used as place of storage for:

1. Discarded or worn-out, plumbing, heating supplies, household appliances, and furniture,
2. Discarded or scrap lumber and masonry materials,
3. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, plastic debris, waste, and all scrap iron, steel, and other scrap ferrous or non-ferrous material, and
4. Garbage dumps, waste dumps, and sanitary landfills.

Kennel - Boarding: Any place, Building, tract of land or abode in or on which three (3) or more privately-owned companion animals are kept at any one time for their owners, in return for a fee or compensation. Kennel - Boarding includes facilities where three (3) or more companion animals are kept for training purposes.

Kennel – Breeding: Any place, Building, tract of land or abode in or on which 1) five (5) or more adult female dogs, wolf hybrids or cats capable of breeding are kept and some or all of the offspring are offered for sale, sold or exchanged for compensation; or 2) more than sixteen (16) dogs or cats raised on the premises are sold to the public in a 12-month period. Kennel-Breeding does not include kennels licensed by a municipality under Section 3923-C when the dogs are kept primarily for hunting, show, training, sledding, competition, field trails or exhibition purposes, and not more than 16 dogs are offered for sale, sold, or exchanged for value within a 12-month period.

Land Use Permit: Any permit or authorization documentation issued by the Community Development Department. This shall include but not be limited to Building Permits, Subdivision or Site Design Approvals, Sign Permits, etc.

Laundry of Dry Cleaning: A Retail Business that provides washing, drying, and/or ironing services or machines for hire, to be used by customers on the premises. Machines are typically coin-operated, and customers generally are responsible for loading and unloading their laundry independently, without the assistance of a staff member.

Line of Sight: The unobstructed view of an object, feature, or landscape from a designated vantage point or perspective.

Litter: Any garbage, solid waste, junk, rubbish, refuse, construction debris, demolition debris, and any other waste or materials.

Livestock: Domestic hooved animals kept or raised for use or profit, such as, but not limited to, cattle, horses, sheep, elk, deer, buffalo, goats, or pigs, that are typically kept outside of the home.

Lodging House: (See: Inn)

Lot: A parcel of land created by subdivision processes with close access to public utilities and which meets the minimum standards of the city's ordinances to be occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by an ordinance, and having frontage upon a public street, right-of-way, or approved private way. Such includes corner lots, interior lots, irregular lots, cul-de-sac lots and flag lots (see Figure 1).

Lot Area: The land area enclosed within the legally described boundary lines of the lot or parcel

Lot, Buildable Area: The largest, contiguous land area on a lot or parcel that is within required setbacks, not encumbered by construction limiting easements,

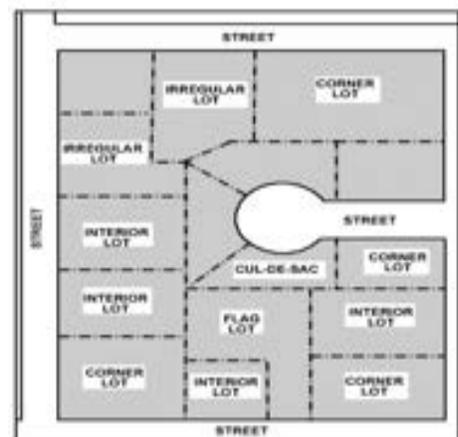


Figure 3: Illustration of various lot types

An animal control officer must attend advanced training programs as described under section 3906-B, subsection 4 to maintain certification. An animal control officer must have a minimum of 8 hours of training each year.

Upon appointment of an animal control officer, municipal clerks shall notify the commissioner of the name, address and telephone number of the animal control officer.

Sec. 27. 7 MRSA §4015, sub-§2, as amended by PL 2005, c. 340, §1, is further amended to read:

2. Outdoor standards. Minimum outdoor standards of shelter ~~shall be~~are as follows.

A. When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means ~~shall~~must be provided to protect the animal from direct sunlight. As used in this paragraph, "caged" does not include farm fencing used to confine ~~farm animals~~livestock.

B. Except as provided in subsections 5 and 6, shelter from inclement weather must be as follows.

(1) An artificial shelter, with a minimum of 3 sides and a waterproof roof, appropriate to the local climatic conditions and for the species concerned and breed of the animal must be provided as necessary for the health of the animal.

(2) If a dog is tied or confined unattended outdoors under weather conditions that adversely affect the health of the dog, a shelter ~~of suitable size with a floor above ground and waterproof roof~~ must be provided in accordance with subsection 6, paragraph A to accommodate the dog and protect it from the weather and, in particular, from severe cold. Inadequate shelter may be indicated by the shivering of the dog due to cold weather for a continuous period of ~~30~~10 minutes or by symptoms of frostbite or hypothermia. A metal barrel is not adequate shelter for a dog.

C. ~~No~~An animal may not be confined in a building, enclosure, car, boat, vehicle or vessel of any kind when extreme heat or extreme cold will be harmful to its health.

Sec. 28. 7 MRSA §4015, sub-§6, as enacted by PL 2005, c. 340, §2, is amended to read:

6. Dogs confined by tethering for long time periods. In addition to the requirements of subsection 2, paragraph B, subparagraph (2), when tethering is the primary means of confinement for a dog, the standards for shelter and tethering are as follows:

A. A shelter must be provided that is fully enclosed except for a portal. The portal must be of a sufficient size to allow the dog unimpeded passage into and out of the structure. For dogs other than arctic breeds, the portal must be constructed ~~in a manner that keeps~~with a baffle or other means of