

TOWN COUNCIL WORKSHOP MEETING AGENDA

NOTE: The regularly scheduled Town Council workshop meeting will begin at the conclusion of the preceding special Town Council meeting and FY26 budget public hearing.

I. ANNOUNCEMENTS & INFORMATION EXCHANGE

II. PUBLIC COMMENT PERIOD

Item No. 1: To hear the reports of the Council Chair, committees, delegates, liaisons, and the Town Manager.

Item No. 2: To receive a report from the Economic Development Advisory Board (EDAB) regarding the ongoing economic development market analysis and details related to the Town's Development Fund budget.

Item No. 3: To consider a resolution enacting an ordinance banning citizen firearms in Yarmouth's municipal and school buildings and public proceedings, upon a judicial declaration that such an ordinance is constitutionally allowed.

Item No. 4: To consider the establishment of shellfish harvesting licenses for 2026 and to schedule a public hearing and action thereon.

Item No. 5: To consider amendments to Chapter 401 (Fees) of the Yarmouth Town Code, and to schedule a public hearing and action thereon.

Item No. 6: To consider a Resolution declaring June as Pride Month.


Item No. 7: To consider adopting a resolution recognizing Friday, May 15, 2026, as Arbor Day in the Town of Yarmouth.

Item No. 8: To consider or make Committee, Board, and Delegate appointments as may be needed.

Item No. 9: To consider or schedule other Council initiatives and requests as may be offered or introduced.

Item No. 10: To hold an executive session, pursuant to 1 M.R.S. § 405(6)(F), to review Latchstring Award and Spirit of America Award nominations.

Item No. 2: To receive a report from the Economic Development Advisory Board (EDAB) regarding the ongoing economic development market analysis and details related to the Town’s Development Fund budget.

Contact	Economic Development Advisory Board
Recommended Action	This item is informational
Electronic Attachment	No Attachment
Process	

Background:

Members of the Town’s Economic Development Advisory Board (EDAB) will be providing the Town Council with a brief overview of the community’s ongoing Market Analysis and Action Plan. This update will highlight key findings, emerging opportunities, and recommended strategies to support economic vitality and sustainable growth. In addition, the EDAB will offer further detail on the TIF Development Fund budget, including current allocations, priorities, and how these resources align with the Town’s broader economic development goals.

Recommended Action: This item is informational. No action is required.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff’s report and initial Council questions, prior to Town Council discussion.

Item No. 3: To consider a resolution enacting an ordinance banning citizen firearms in Yarmouth’s municipal and school buildings and public proceedings, upon a judicial declaration that such an ordinance is constitutionally allowed.

Contact	Yarmouth Town Council
Recommended Action	If appropriate, advance item to the April 30 th Town Council meeting.
Electronic Attachment	No Attachments
Process	

Background:

The Town Council has been approached by members of the Maine Gun Safety Coalition to consider a proposed resolution supporting a local ordinance that would prohibit civilian firearms in municipal and school buildings, as well as during public meetings and proceedings. The proposal outlines the legal context, including existing state preemption of firearm regulation, and asserts the Town’s interest in enhancing public safety within its facilities.

The Council will review the proposed language, which is structured to take effect only if a court determines that municipalities have the legal authority to enact such regulations despite state law. The resolution also clarifies that it does not commit the Town to initiating legal action, but signals support for the concept should enabling judicial guidance be provided.

Recommended Action: If appropriate, advance item to the April 30th Town Council meeting.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff’s report and initial Council questions, prior to Town Council discussion.

Item No. __: To hold a public hearing and consider a resolution in favor of enacting an ordinance banning citizen firearms in Yarmouth’s municipal and school buildings and public proceedings, upon a judicial declaration that such an ordinance is constitutionally allowed.

WHEREAS the citizens of Yarmouth have a right to safety under the Maine Constitution, Article I, Section 1, that states that the people have “certain natural, inherent and unalienable rights” including the right of “pursuing and obtaining safety”; and

WHEREAS the citizens of Yarmouth have a right to government that helps ensure their safety under the Maine Constitution, Article I, Section 2 that states that the people have “an unalienable and indefeasible right to institute government, and to alter, reform, or totally change the same, when their safety and happiness require it”; and

WHEREAS the Town of Yarmouth has home rule authority under the Maine Constitution, Article VIII, Part Second, Section 1, as expanded in 1987 by 30-A M.R.S.A. § 3001; and

WHEREAS in 1989, the State Legislature enacted 25 M.R.S.A. § 2011, providing that “[t]he State intends to occupy and preempt the entire field of legislation concerning the regulation of firearms, components, ammunition and supplies,” including regulating the possession or bearing of firearms, and that municipal ordinances that regulate firearms, with the exception of discharge of firearms, are “void”; and

WHEREAS since 1989, the State Legislature has enacted legislation that prohibits civilian firearms in State buildings and public proceedings, and in courthouses, correctional facilities, and schools. 17-A MRSA § 1058 (2005) (criminal possess of a firearm in a courthouse); 25 MRSA § 2904 (2009) (security at capitol area and other state-controlled locations); [Items Prohibited from the State House | Department of Public Safety](#); 17-A MRSA § 1059 (2021) (criminal possession of a firearm in a correctional facility or jail); 20-A MRSA § 6552 (2009) (ban of possession of firearm on school property or discharge near school property); and

WHEREAS increasingly, Maine municipal officials and citizens are subjected to personal threats and threatening conduct, including by the open carry of civilian firearms in public buildings and proceedings; and

WHEREAS Maine’s municipalities have repeatedly asked the State Legislature to prohibit civilian firearms in municipal buildings and public proceedings or for local authority to enact ordinances prohibiting the same, for the same reasons of safety that the Legislature has protected its own buildings and proceedings and adopted other civilian firearm prohibitions, but the Legislature has repeatedly refused to do so, including in 2017, 2019 and 2025; and

WHEREAS as the State will not extend to municipal officials and citizens the same safety protection it provides its state officials and citizens visiting its buildings and attending its public proceedings, this Council believes it should have the right to enact its own ordinance to prohibit civilian firearms in municipal and school buildings and public proceedings, despite the State’s statutory pre-emption of the field of firearm regulation; and

WHEREAS the State, having enacted laws that prohibit firearms in State buildings and public proceedings for reasons of safety, should not be able to prohibit municipalities from protecting themselves similarly if the State chooses not to protect them;

NOW THEREFORE, the Council accordingly adopts this Resolution to enact the ordinance appended to this resolution to prohibit civilian firearms in municipal and school buildings and public proceedings that will go into effect at such time as there is a judicial determination that Maine municipalities, including the Town of Yarmouth, are constitutionally allowed to enact such an ordinance despite the State's statutory preemption of firearm regulations.

This Resolution does not bind a future Council from rescinding it. Further, in adopting this Resolution, the Council does not decide or intend to initiate a legal proceeding for such a declaratory judgment, but recognizes that others with standing to initiate such a proceeding may do so, and may use this Resolution as evidence that at least one Maine municipality, Yarmouth, would enact a firearm ban if a Maine judicial decision declared it lawful to do so.

In the event that by April 30, 2031, no final judgment has been issued in a entered in a judicial action for a declaratory judgment, this resolution will terminate and the ordinance shall be of no effect.

ORDINANCE

BE IT ORDAINED that the Yarmouth Town Council adopts the following Ordinance, which shall not take effect unless and until there is a final judgment entered in a judicial action for a declaratory judgment that such Ordinance, or substantially similar Ordinance, would be lawful despite the State's preemption of firearm regulations under Title 26, Maine Revised Statutes, Section 2011:

1. Firearms prohibited in municipal and school buildings and proceedings: Except as provided in subsection 2, a person is prohibited from possessing a firearm (1) in any municipally or school owned building, or (2) at any municipal or school public proceeding regardless of the ownership of the building or space where the proceeding takes place.
2. Exemptions: The following are authorized to possess firearms in any municipally or school owned buildings or at any municipal or school public proceeding:
 - A. A federal, state, county, or local law enforcement officer.
 - B. An employee of a security service in the course and scope of employment by the security service with prior authorization by a municipal officer.
3. Notice: A notice of the firearm prohibition shall be placed in a prominent location outside all buildings to which the prohibition applies. The notice will list those who are authorized to possess a fireman in the buildings under section 2.
4. Definitions: For the purposes of this ordinance the following terms have the following meanings:

- A. "Firearm" has the same meaning as in Title 17-A M.R.S.A. § 2 (12-A).
- B. "Law enforcement officer" has the same meaning as in Title 17-A M.R.S.A. § 2 (17).
- C. "Municipal officer" has the same meaning as in Title 30-A M.R.S.A. § 2001 (10)
- D. "Municipal public proceeding" includes any public meeting of municipal elected officials; any public meeting of a municipal board or committee; and any municipal administrative business with the public that takes place within a municipal building, including polling places.
- E. "School" has the same meaning as "Municipal school unit" in Title 20-A M.R.S.A. § 1 (19).
- F. "School public proceedings" includes any public meeting of any component of the School administrative unit, and School Committee as those terms are defined in Title 20-A M.R.S.A. § 1 (26 and 29).

5. Civil Offense: Possession of a firearm in violation of subsection 1 of this Ordinance is a civil violation, subject to a civil penalty of up to \$1,000 per violation.

IT IS SO RESOLVED BY VOTE OF _____ ON THIS DATE OF APRIL 30TH, 2026.

Item No. 4: To consider the establishment of shellfish harvesting licenses for 2026 and to schedule a public hearing and action thereon.

Contact	Will Owen, Harbormaster
Recommended Action	Advance item to the April 30 th Town Council voting meeting.
Electronic Attachment	No Attachments
Process	<pre> graph LR A[Reviewed by Committee/ Staff] --> B[Town Council Workshop] B --> C[Town Council Voting] </pre>

Background:

The Town of Yarmouth administers its municipal shellfish program under a locally adopted Shellfish Conservation Ordinance, consistent with Maine’s municipal shellfish laws (Title 12, §6671). In partnership with North Yarmouth, the Town operates a regional conservation program overseen by a Shellfish Conservation Committee. Each year, the Committee reviews resource data (including clam population surveys, harvest trends, and conservation objectives outlined in the Shellfish Management Plan) and develops recommendations for the number and type of shellfish harvesting licenses to be issued for the upcoming season.

Those recommendations are forwarded to the Town Council, which formally establishes the annual license limits, subject to approval by the Maine Department of Marine Resources. Once limits are set, the Town Clerk’s Office administers the application and issuance process, including renewals, resident and nonresident allocations, and waiting lists or lotteries if demand exceeds availability. This annual process is designed to balance harvest access with long-term conservation and sustainability of Yarmouth’s shellfish resources.

Recommended Action: Advance item to the April 30th Town Council voting meeting.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff’s report and initial Council questions, prior to Town Council discussion.

Shellfish Conservation Committee Minutes

DATE 3/30/2026 TIME: 6:30 PM

MEETING LOCATION: COMMUNITY ROOM

Commission Members:

Attendance: A for absent, P for present

Attendance	Name	Town	Term
P	Rachael Whitmarsh	North Yarmouth	June 30, 2026
P	Rob Haile	North Yarmouth	June 30, 2027
P	Len Kaminow	North Yarmouth	June 30, 2028
P	Judy Colby-George	Yarmouth	December 31, 2026
P	Rick Baietti	Yarmouth	December 31, 2028
P	Peter Hubbard	Yarmouth	December 31, 2026

Staff Members:

Attendance	Name	Title/Role
A	Will Owen	Shellfish Warden
P	Janice Cooper	Town Council Liaison
A	Ari Leach	Dept. of Marine Resources

Guests/Diggers : Andrew Feeney, Kevin Oliver, Joe Delano, Jim Morrill, Fran Smith (Brunswick Town Clerk)

Votes/Quorum: All final votes of the commission shall require the affirmative vote of a majority of those members present and voting provided a quorum is present. A quorum shall be deemed present if a minimum of four (4) members are present. A CHAPTER 305 10 quorum shall be required for the transaction of all business except that a smaller number can adjourn to another time.

Minutes – Approve Meeting Minutes from March 3, 2026

Motion – Peter Second – Rachael 6 In Favor, 0 Against, 0 Abstain

1. PUBLIC COMMENT		
<p>Kevin Oliver – Is the Senior License for existing harvesters? Is it for everyone 65 and over? There are at least 3 license holders over 65. A bushel license will be difficult to enforce.</p> <p>Andrew Feeney - Attended Shellfish Day at the Fisherman’s Forum, will present next month on what he heard</p> <p>Joe Delano – We have had surveys done in the past which agree with the current surveys we had done, there are plenty of clams and we should add more commercial residential licenses.</p>		
2. WARDEN’S REPORT		
No Report this month.		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

3. DISCUSSION **Ordinance Changes-**

Fran Smith, Town Clerk in Brunswick, reviewed how their ordinance works related to addressing the last in first out issue if there is a reduction in licenses. Brunswick has classes of license holders (if you have had a license for 10 out of the last 10 years you are class A, if you have had one 9 out of the last 10 years you are class B, etc.) and licenses go to those in the higher classes first. Harvesters are required to notify the town if they wish to renew their license by a certain date.

The committee discussed this and would like to enact this or some version of this method in our ordinance next year.

There was a long discussion about the Senior License category and whether it was better to have a separate category or just offer anyone 65 or older half price on their license. The committee determined that they would prefer to automatically offer everyone in that age range and automatic reduction in price of their license.

Motion: Strike the Senior License category from the ordinance changes and add the following sentence to both the resident and non-resident commercial license categories: If a licensee is 65 years or older they are entitled to a 50% reduction in the fee for their license.

**Moved: Judy Seconded: Peter Vote: 6 in favor, 0 opposed, 0 abstained.
Motion passes.**

The town council workshop will be on April 9 at 7 pm and the voting meeting is April 30 at 7 pm. It would be good for committee members to be at both meetings to answer any questions.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Provide ordinance language to Judy	Rachael	4/1/26
Provide revised language to town	Judy	4/2/26

4. DISCUSSION **Approve License Allocation for 2026/2027**

2025 Recreational Licenses Sold:		2024/2025 Reported Trips:	
Resident	15	Razor Clams	3
Non-Resident	5	Muscles	7
3-Day	2	Oysters	8
Complimentary Resident	19	Other	1
Complimentary Non-Resident	12	Softshell	76
		Quahogs	14

The committee had a long discussion about how many licenses to add given the evidence we have been provided by the recent surveys. There was some discussion about whether or not the evidence we have really supports adding new licenses, whether a bushel license is practical from an enforcement point of view, and how we go forward with determining if increased licenses are sustainable in the long run or if we might have to reduce them again in the future.

Generally, the committee members favored an increase but there was extended discussion about what those numbers should be. They ranged from adding 1 new commercial license to adding 3 new licenses. In the end the committee added 2 new resident commercial licenses and 2 resident commercial bushel licenses.

Motion: *The shellfish commission recommends to the Town Council the following allocation of licenses and fees for 2026. The board reserves the right to remove a license due to attrition of an active license holder because of death, malfeasance, or non-renewal.*

Class	Subclass	Amount	Cost
Commercial*	Resident	6	\$600
Commercial*	Non-resident	1	\$900
Commercial-Bushel	Resident	2	\$300
Recreational	Resident	50	\$50
Recreational	Non-resident	5	\$100
Recreational	Senior Resident	Unlimited	0
Recreational	Senior Non-resident	Unlimited	0
Recreational	3-Day	20/month	\$40

**Any non bushel commercial license holder 65 years or older is entitled to a 50% reduction in the fee for their license.*

**Moved: Rick Secoded: Rob Vote: 5 in favor, 1 opposed, 0 abstained.
Motion passes.**

The town council workshop will be on April 9 at 7 pm and the voting meeting is April 30 at 7 pm. It would be good for committee members to be at both meetings to answer any questions.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Provide license allocation to State and Town	Judy	4/2/26

5. SET SURVEY DATES

Date	Low Tide	Tide Level	Meeting Time	Meeting Location	Survey Location
05/21/26	9:31 am	-0.8	8:30 am		Broad Cove
06/20/26	10:10 am	-0.5	9:00 am		Upper Cousins

Motion: Accept the surveys as presented.

Moved: Rick Secoded: Peter Vote: 6 in favor, 0 opposed, 0 abstained. Motion passes.

The committee will pick meeting locations and may revised the meeting time at the May 5 meeting.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

OLD BUSINESS

None

NEW BUSINESS

Note: the June 2 meeting will be held at the same time as the Annual Town Meeting for Yarmouth.

Next Meeting Date: May 5, 2026
 Meeting will be held at the **Community Room in the Town Hall at 6:30 pm.** All are welcome and encouraged to attend.

To Join remotely: <https://meet.goto.com/430556389>
 You can also dial in using your phone.
 Access Code: 430-556-389
 United States: [+1 \(872\) 240-3311](tel:+18722403311)
Get the app now and be ready when your first meeting starts:
<https://meet.goto.com/install>

Agenda items	Time for discussion
1. Review minutes	4
2. Public Comment	6
3. Warden's report-	5
4. Wastewater Treatment	15
5. Discuss Ordinance changes	10
6. Survey Plans	5
7. Review Council/DMR recommendations	5
8. Old business	5
9. New business	5
10. Adjourn meeting	

TIME ADJOURNED 8:15 pm

Item No. 5: To consider amendments to Chapter 401 (Fees) of the Yarmouth Town Code, and to schedule a public hearing and action thereon.

Contact	Yarmouth Town Council Scott LaFlamme, Town Manager
Recommended Action	Advance item to the April 30 th Town Council voting meeting.
Electronic Attachment	No Attachments
Process	<pre> graph LR A[Town Council Operations Committee] --> B[Town Council Workshop] B --> C[Town Council Voting] </pre>

Background:

During its review of the draft FY27 municipal budget, the Town Council also evaluated Chapter 401 of the Yarmouth Town Code, which governs fees for municipal services. This review focused on aligning local fees more closely with the actual cost of providing services, ensuring that fee structures appropriately support municipal operations while maintaining fairness and transparency for residents and users.

Recommended Action: Advance item to the April 30th Town Council voting meeting.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff's report and initial Council questions, prior to Town Council discussion.

CHAPTER 401

FEES AND PERMIT ORDINANCE

Town of Yarmouth, Maine

Recodified: 1/15/98

Amended: 5/17/01

Amended: 4/18/02

Amended: 3/17/05

Amended: 5/24/05

Amended: 5/18/06

Amended: 2/14/08

Amended: 4/17/08

Revised with Corrections: 7/1/08

Amended: 1/15/09

Amended: 5/21/09

Amended: 6/16/11

Amended: 12/15/11

Amended: 2/16/12

Amended: 3/19/12

Amended: 5/17/12

Amended: 9/19/13

Amended: 11/21/13

Amended: 2/20/14

Amended: 8/21/14

Amended: 10/16/14

Amended: 6/18/15

Amended: 12/17/15

Amended: 05/17/18

Amended: 01/17/19

Amended: 3/21/19 – Article VI, XXI, XXIV - Effective July 1, 2019

Amended: 4/25/19 – Article XV.D - Effective January 1, 2020

Amended: 6/13/19 – Article VII Effective July 1, 2019 & Article XV.c

Amended: 11/19/2020

Amended: 01/21/2021

Amended: 06/10/2021

Amended: 08/19/2021

Amended: 10/21/21

Amended: 01/20/22

Amended: 03/17/2022

Amended: 7/24/2023

Amended: 8/24/2023

Amended: 2/15/2024

Amended: 4/17/2025

CHAPTER 401

FEES AND PERMITS ORDINANCE

Table of Contents

ARTICLE I	1
A. TITLE	1
B. PURPOSE	1
ARTICLE II	1
A. APPROVAL	1
ARTICLE III- Food Service -this section removed 5/17/12.....	1
ARTICLE IV	1
A. SPECIAL AMUSEMENT PERMIT	1
ARTICLE V	1
A. PEDDLERS FEE	1
ARTICLE VI	2
A. BUILDING PERMITS	2
B. FEE SCHEDULE	2
C. BELATED PERMITS	3
D. DISPLAY OF PERMIT	3
E. RE-INSPECTION FEE	3
ARTICLE VII	3
A. ELECTRICAL	3
B. FEE SCHEDULE	4
C. WORK NOT DESCRIBED	4
D. MINIMUM FEE	4
E. LATE PERMITS	4
F. RE-INSPECTION FEES:.....	4
ARTICLE VIII	5
A. APPEALS	5
B. FEE SCHEDULE	5
ARTICLE IX	5
A. SUBDIVISIONS	5
B. FEE SCHEDULE FOR APPLICATIONS	5
C. FEE SCHEDULE FOR INSPECTIONS	5
ARTICLE X	5
A. ADMINISTRATIVE / INSPECTION FEE.....	5
Inspections	6
ARTICLE XI	6
A. PLUMBING PERMITS	6
B. LATE PERMITS	7
ARTICLE XII	7
A. ALARM SYSTEMS PERMIT & FEES	7
B. FIRE SPRINKLER SYSTEM PERMIT FEES	7
C. FIRE PREVENTION AND LIFE SAFETY	8
ARTICLE XIII	8
A. HARBOR AND WATERFRONT	8

B. REGISTRATION.....	8
C. FEE SCHEDULE FOR OLD SHIPYARD ROAD LAUNCH AND PARKING	8
D. MOORING FEES	9
ARTICLE XIV.....	10
A. SHELLFISH LICENSE.....	10
ARTICLE XV.....	11
A. SANITARY LANDFILL	11
B. DREDGE MATERIALS.....	13 ¹³⁺²
C. VEHICLE PERMIT FEE.....	13 ¹³⁺²
ARTICLE XVI (Trailer Camp License – this section repealed on 4/17/25).....	13
ARTICLE XVI.....	13
A. TRAILER CAMP LICENSE.....	13
ARTICLE XVII.....	13
A. DOG IMPOUNDMENT.....	13
ARTICLE XVIII.....	14 ¹⁴⁺³
A. COIN OPERATED AMUSEMENT DEVICES	14 ¹⁴⁺³
ARTICLE XIX.....	14 ¹⁴⁺³
A. PUBLIC PROPERTY LICENSING ORDINANCE	14 ¹⁴⁺³
ARTICLE XX.....	14
A. LIQUOR LICENSE	14
ARTICLE XXI.....	14
A. SITE PLAN REVIEW.....	14
ARTICLE XXII.....	15 ¹⁵⁺⁴
A. SHORELAND REVIEWS	15
ARTICLE XXIII.....	15
A. OUTSIDE CONSULTING FEES	15
ARTICLE XXIV.....	16 ¹⁶⁺⁵
A. ZONING AMENDMENTS.....	16 ¹⁶⁺⁵
ARTICLE XXV.....	16
A. CHEBEAGUE TRANSPORTATION COMPANY PARKING FACILITY USER FEE	16
B. ADMINISTRATION.....	16
C. PENALTY.....	16
D. FEE WAIVER BY COUNCIL	17 ¹⁷⁺⁶
ARTICLE XXVI.....	17 ¹⁷⁺⁶
A. SEWER USER FEE.....	17 ¹⁷⁺⁶
ARTICLE XXVII.....	18
A. Rental Dwelling unit Annual Registration fee pursuant to Chapter 318	18
<u>ARTICLE XXVIII.....</u>	<u>18</u>
<u>A. DEMOLITION DELAY</u>	
<u>ARTICLE XXVIII.....</u>	<u>18</u>
<u>A. ANNUAL ADJUSTMENTS</u>	

CHAPTER 401

- Formatted: Font: (Default) Arial, Bold
- Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: Not at 6.49"
- Formatted: Font: 11 pt
- Formatted: Font: 12 pt
- Formatted: Font: Not Bold
- Formatted: Font: (Default) Times New Roman, Not Bold
- Formatted: Font: (Default) Arial, Bold
- Formatted: Normal, No bullets or numbering
- Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

FEES AND PERMITS ORDINANCE

ARTICLE I

A. TITLE

This ordinance shall be known and may be cited as the “Fees and Permits Ordinance of the Town of Yarmouth, Maine.”

B. PURPOSE

The purpose of this Ordinance is to establish a schedule of fees for permits and licenses to facilitate control and/or inspection of construction work, business operations and recreational activities in the interest of the health, safety and general welfare of the community.

ARTICLE II

A. APPROVAL

Approval for issuance of any license or permit shall be at the discretion of the Town Council or Licensing Board having power to issue such license or permit, and with such restrictions and regulations as deemed necessary. The acquisition of any license or permit shall be a privilege and not a right of the applicant.

In its deliberations in reviewing applications, the Town Council or the Licensing Board, as the case may be, shall consider the record of each applicant for prior business for which the license or permit is required or relating to any other business owned by applicant in the Town. Good moral character and integrity of applicant shall be considered in determining proper qualifications and fitness so as regulations which may be pertinent.

ARTICLE III – Food Service -this section removed 5/17/12

ARTICLE IV

A. SPECIAL AMUSEMENT PERMIT

Persons making application for a Special Amusement Permit, as defined in the Special Amusement Permit Ordinance, shall pay a fee of \$~~50~~100.00.

ARTICLE V

A. PEDDLERS FEE

Persons making application for a Peddlers License as defined in the Peddlers Ordinance shall pay a fee of \$~~50~~100.00.

ARTICLE VI

A. BUILDING PERMITS

No person, firm or corporation shall erect, remodel, demolish or relocate any structure within the Town without a building permit.

B. FEE SCHEDULE

All permits shall be paid for at the time of application. Withdrawn or denied applications are eligible for a refund minus the minimum permit fee. The schedule of permit fees shall be as follows:

1. Residential: Minimum Fee \$50.00
New Construction, Additions, and Renovations:

\$10.00 per \$1,000.00 of estimated construction cost of general trades (general trades does NOT include mechanical, electrical, plumbing, and/or items not requiring a permit per the Maine Uniform Building and Energy Code)
2. Commercial: Minimum Fee \$100.00
New Construction, Additions, and Renovations:

\$10.00 per \$1,000.00 of estimated construction cost of general trades (general trades does NOT include mechanical, electrical, plumbing, and/or items not requiring a permit per the Maine Uniform Building and Energy Code)

Permit fees for governmental, tax-exempt non-profit organizations, churches, and schools shall be capped at \$1,000. This provision shall be retroactive to January 1, 2006.
3. Certificate of Occupancy: ~~\$50~~100.00.

A new certificate of occupancy is required for all building permits, changes of use, and changes of occupancy. There shall be no fee if issued with a building permit.
4. Temporary Certificate of Occupancy: ~~\$150~~200.00
5. Decks and Sheds: \$25.00
(up to 200 sq.ft., greater than 200 sq.ft. \$10/per \$1,000 cost of general trades)
6. Demolition Permit Minimum Fee: ~~\$50~~100.00
\$10.00 per \$1,000.00 of demolition cost

CHAPTER 401

- 7. Window Replacement Only: No Charge
- 8. Pools: \$100.00
- 9. Sign Permit: Minimum Fee: \$50.00
\$10.00 per \$1,000.00 of sign cost

10. Home Occupation: \$2550
40-11. Solar Installation Permit: \$100

C. BELATED PERMITS

Persons, firms or corporations found to be responsible for failing to obtain a building permit prior to commencement erecting, remodeling, demolishing or relocating a structure shall be required to pay double the fee set forth in Section VI.B. with a minimum amount of \$100.00.

Any persons, firms or corporations found to be commencing erection, remodeling, demolishing, or re-locating a structure without having first obtained a permit as required, on three or more occasions in any 12-month period, may be subject to a fine of not less than \$2,500.00 plus double the permit fee amount due, plus court expenses, said sums to be recovered to the use of the Town upon complaint or upon other appropriate action before an appropriate court.

Notwithstanding these penalty and double fee provisions, the Director of Planning and Development, with the approval of the Town Manager, may waive such double fees and court actions if the Director shall find the failure to obtain such permits was inadvertent, or arises out of emergency circumstances, or discovery of conditions not reasonably foreseeable and for which as soon as practical upon discovery and/or securing the structure and safety of the building owners or occupants, applications for all necessary permits have been submitted.

D. DISPLAY OF PERMIT

Upon receipt of a building permit said permit is to be conspicuously posted at the work site.

E. RE-INSPECTION FEE

\$25.00 1ST
\$25.00 2ND
\$100.00 3RD or more

Note: Re-inspection fees are assessed at the discretion of the Inspector.

ARTICLE VII

A. ELECTRICAL

Commented [SL1]: Include mechanical section. Work with Nick/Erin

No person, firm or corporation shall install electrical services within the Town without an electrical permit.

B. FEE SCHEDULE

The schedule of permit fees for installation of electrical services, space heating, motors, appliances and signs as follows:

- | | |
|---|-----------------------|
| 1. New Construction/Addition/Renovations: | |
| One & Two-family Dwellings | \$.06 per sq. ft. |
| Commercial | \$.10 per sq. ft. |
| Minimum inspection fee | \$25.00 |
| 2. New Service or Upgrade Service | \$25.00 |
| 3. Swimming Pool | \$25.00 |
| 4. Administrative Fee (required on all permits) | \$25 50.00 |

C. WORK NOT DESCRIBED

All other work not described herein requires a minimum fee of \$50.00

D. MINIMUM FEE

When the work requires a fee of less than \$50.00 the minimum fee shall be \$50.00 for Residential (one and two family) and \$55.00 for Commercial.

E. LATE PERMITS

Any work which shall require a permit and is begun prior to issuance of a permit shall be subject to a fee two times the scheduled fee or \$100.00, whichever is greater.

Any persons, firms or corporations found to be commencing erection, remodeling, demolishing, or re-locating a structure without having first obtained a permit as required, on three or more occasions in any 12-month period, may be subject to a fine of not less than \$2,500.00 plus double the permit fee amount due, plus court expenses, said sums to be recovered to the use of the Town upon complaint or upon other appropriate action before an appropriate action before an appropriate court.

Notwithstanding these penalty and double fee provisions, the Director of Planning and Development, with the approval of the Town Manager, may waive such double fees and court actions if the Director shall find the failure to obtain such permits was inadvertent, or arises out of emergency circumstances, or discovery of conditions not reasonably foreseeable and for which as soon as practical upon discovery and/or securing the structure and safety of the building owners or occupants, applications for all necessary permits have been submitted.

F. RE-INSPECTION FEES:

\$25.00 1ST
\$25.00 2ND

\$100.00 3RD or more

Note: Re-inspection fees are assessed at the discretion of the Inspector.

ARTICLE VIII

A. APPEALS

Appeals to any Board or Commission must be accompanied by a fee to cover the administrative costs and advertising.

B. FEE SCHEDULE

The General Board of Appeal fee is hereby established as \$100.00

The Zoning appeal fee for Disability Variances under Chapter 701 of the Yarmouth Town Code is hereby established as \$20.00

Application fees to the General Board of Appeals for Special Exceptions under Chapter 701 are hereby established at \$~~400~~150.00, except Home Occupations which shall be \$~~2050~~2050.00

ARTICLE IX

A. SUBDIVISIONS

Persons making application for subdivision are required to pay a fee to partially defray the cost of technical, legal administrative services in reviewing and processing the plans.

B. FEE SCHEDULE FOR APPLICATIONS

\$250.00/lot or dwelling unit.

Subdivision Amendments - \$~~400~~350.00 per amended or revised lot.

Department mailing of notices: \$5.00 per addressee, payable prior to the mailing.

C. FEE SCHEDULE FOR INSPECTIONS

No person shall commence construction of a major subdivision without payment of an inspection fee at least 95 days in advance of the construction start date. This will be equal to the following:

Two (2) percent of the cost of the required improvements.

ARTICLE X

A. ADMINISTRATIVE / INSPECTION FEE

CHAPTER 401

The following Administrative / Inspection Fees will be applied to Right of Way, Utility Location, and Entrance (Driveway) Permits.

1. **Minor Right of Way Application Fee:** A flat fee of twenty-five dollars **(\$25.00)** will be charged for all projects that do not require Town inspection, tracking and oversight.
2. **Major Right of Way Application Fee:** A flat fee of three hundred dollars **(\$300.00)** will be charged for all projects that require Town oversight, including but not limited to, administrative review, permit issuance, tracking, restoration inspection and pavement inspection.
3. **Utility Location Permit Application Fee:** For distribution lines, main extensions and larger scale projects, permits will be reviewed and issued on a time and materials basis for staff involved. **(Current hourly rates plus benefits)**. This includes, but is not limited to, administrative review, meeting coordination, field location meetings, inspections, and permit issuance.
4. **Entrance (Driveway) Permit Application:** Required for all new entrances and alterations of existing entrances if located with the public Right of Way. **(No Application Fee.)**
5. **Permit Violations:** Any violation of this ordinance other than the violations of state law prescribed in the preceding paragraph shall subject the permittee or party to a one hundred **(\$100.00)** fine per day for each day that a violation continues.
6. **Failure to Obtain a Permit:** Any person or utility found to be conducting any excavation activity within the public Right of Way without having first obtained the required permit(s) shall immediately cease all activity (exclusive of actions required to stabilize the area) and be required to obtain a permit before work may be restarted. A surcharge of two hundred fifty dollars **(\$250.00)** shall be required in addition to all applicable permit fees before a permit is issued.

Inspections

All work associated with the Town's sewer and drainage system, including culverts and catch basins, require inspections by the Town prior to backfilling. All other work within the Right of Way that disturbs any of the items above requires an inspection when the project is completed. A twenty-four (24) hour notice is required for inspections. Contact 207-846-2401 to schedule an inspection.

ARTICLE XI

A. PLUMBING PERMITS

CHAPTER 401

1. Sub-system disposal work shall be charged a base fee of 150% of the State Minimum Sub-surface fee.
2. Internal plumbing fees shall be \$10.00 per fixture or a minimum of \$40.00.

B. LATE PERMITS

Any work which shall require a permit and is begun prior to issuance of a permit shall be subject to a fee two times the scheduled fee or \$100.00, whichever is greater.

Any persons, firms or corporations found to be commencing erection, remodeling, demolishing, or re-locating a structure without having first obtained a permit as required, on three or more occasions in any 12-month period, may be subject to a fine of not less than \$2,500.00 plus double the permit fee amount due, plus court expenses, said sums to be recovered to the use of the Town upon complaint or upon other appropriate action before an appropriate action before an appropriate court.

Notwithstanding these penalty and double fee provisions, the Director of Planning and Development, with the approval of the Town Manager, may waive such double fees and court actions if the Director shall find the failure to obtain such permits was inadvertent, or arises out of emergency circumstances, or discovery of conditions not reasonably foreseeable and for which as soon as practical upon discovery and/or securing the structure and safety of the building owners or occupants, applications for all necessary permits have been submitted.

RE-INSPECTION FEES

\$25.00 1ST
 \$25.00 2ND
 \$100.00 3RD or more

Note: Re-inspection fees are assessed at the discretion of the Inspector.

ARTICLE XII

A. ALARM SYSTEMS PERMITS AND FEES (Chapter 403)

In accordance with the Alarm Systems Ordinance, fees shall be paid as follows:

Annual Registration or Renewal	\$20.00- Annually
Commercial Fire Alarm System Permit	\$100.00- One time/new
Emergency Communication System (ECS) Permit	\$100.00- One time/new
Commercial Fire Alarm Inspection Sticker	\$30.00- Annually

B. FIRE SPRINKLER SYSTEM PERMIT FEES (Chapter 317)

In accordance with the Fire Sprinkler System Ordinance, fees shall be paid as follows:

CHAPTER 401

NFPA 13 Fire Sprinkler System Permit	\$75.00- One time/new
NFPA 13D Fire Sprinkler System Permit	\$75.00- One time/new
NFPA 13R Fire Sprinkler System Permit	\$75.00- One time/new

C. FIRE PREVENTION AND LIFE SAFETY FEES (Chapter 319)

In accordance with the Fire Prevention and Life Safety Ordinance, fees shall be paid as follows:

Inspection Fee	\$0.00- Annually
Follow-Up Inspection Fee (if required)	\$0.00
Each Additional Required Follow-Up Inspection Fee	\$150.00

ARTICLE XIII

A. HARBOR AND WATERFRONT

Persons requiring mooring space in the tidal waters of the Town of Yarmouth shall make application through the Town Clerk for a permit which shall be approved by the Harbor Master in accordance with the following:

B. REGISTRATION

Each mooring placed within the tidal water of the Town of Yarmouth shall be registered annually with the Town of Yarmouth, prior to May 1st of each year, and a registration fee in accordance with Appendix A of Chapter 308 of the Yarmouth Town Code, shall be paid to the Town at the time of registration. For the purpose of this Section, the term “resident” shall include owners of property subject to real estate taxation in the Town of Yarmouth.

C. FEE SCHEDULE FOR OLD SHIPYARD ROAD LAUNCH AND PARKING

Old Shipyard Rd Ramp Use- Individual (Recreational)
payment of launch fees includes parking pass

Daily Launch	\$20.00
Daily Launch- Canoes and Kayaks	\$10.00
Seasonal Launch (good for one calendar year only)	\$200.00
Seasonal Launch passes purchased on or before April 15 shall be discounted \$50.00	
Seasonal Launch- Canoes and Kayaks	\$100.00
Seasonal Launch passes purchased on or before April 15 shall be discounted \$50.00	
Book of Ten (10) Launches	\$200.00
*Seasonal Launch Pass for those holding a current Yarmouth Commercial Clam harvesting license.	\$150.00

CHAPTER 401

Seasonal Launch passes purchased on or before April 15 shall be discounted \$50.00

Old Shipyard Rd Ramp Use- Commercial Haulers

Seasonal Commercial Launch \$600.00 /vehicle

Commercial Ramp use without a Seasonal Pass \$100.00 per day
 Limited to two (2) uses per year

Commercial Launch Ramp use by commercial haulers shall be limited to Monday through Friday only June 15 to October 1 unless weekend use is approved by appointment with the Harbormaster.

Old Shipyard Rd Launch Area Parking payment of launch fees includes parking pass

Daily parking permit (no launch) \$10.00

Seasonal daily daytime parking permit (no launch) \$100.00

Overnight parking with permission of the Harbormaster \$10.00/night-
 additional

The Town Manager shall designate and mark not less than five (5) parking for one (1) hour or less No fee

No parking fees shall be required from November 1 to April 15, inclusive

D. MOORING FEES

Royal River Mooring Area
 Mooring-Resident and Non-Resident \$200.00
 Mooring – Marina \$500.00
 Mooring – Senior Citizen – Resident and Non-Resident \$100.00
 Commercial Fishing \$150.00

All Other Waters of Yarmouth
 Mooring-Resident \$200.00
 Mooring – Non-Resident \$300.00
 Mooring – Marina \$500.00
 Mooring – Resident Senior Citizen \$100.00
 Mooring – Non-Resident Senior Citizen \$200.00
 Commercial Fishing - Resident \$150.00
 Commercial Fishing – Non-Resident \$250.00

Associations: as per Chapter 308 IV.9 \$200.00

CHAPTER 401

Moshier and Lane Island \$55.00

Any person who shall be denied a mooring permit due to a lack of capacity shall be placed on a waiting list to be selected in accordance with the priority system in Chapter 308 and the chronological order. Provided, however, no person shall remain on the waiting list longer than one season without annual payment of a waiting list fee

Waiting list fee (annual after the first year) \$10.00

MISCELLANEOUS OTHER FEES (Per Season)

Dinghy Out Haul	\$50.00
Resident Dinghy Tied to Town dock or float	\$50.00
Non-Resident Dinghy tied to Town dock or float	\$100.00
Resident Commercial Dinghy tied to Town dock or float	\$25.00
Non-Resident Commercial Dinghy tied to Town dock or float	\$75.00
Royal River Town dock or float dinghy tie-up	\$00.00
Rack Storage for dinghy, kayak, canoe, or paddleboard	\$25.00

AQUACULTURE LEASE AND LICENSE REVIEW FEES:

Any person who shall submit an application to the Maine Department of Marine Resources (DMR) for an aquaculture lease or license which requires that the Town of Yarmouth (Harbor Master) to provide DMR with substantive review and/or information necessary for the completion of the license or lease application shall be subject to a review fee payable to the Town of Yarmouth. Said fee shall be in an amount equal to the maximum local review fee established by Title 12 MRS Section 6088 and shall be paid prior to the review and processing of the application request by the Harbor Master. New or revised site locations may require a new application and review fee to be paid.

ARTICLE XIV

A. SHELLFISH LICENSE

In accordance with the Municipal Shellfish Ordinance, fees shall be as follows:

Resident Commercial: \$600.00

Non-resident Non-reciprocating Commercial: \$900.00

Resident Recreational: \$50.00

Non-resident, Non-reciprocating Recreational: \$100.00

Three-day Recreational license (pursuant to Article II.B): \$40.00

CHAPTER 401

Resident/Non-resident Recreational license fees are waived for individuals of age 65 or older.

Provided, however, that the Commercial license fee shall be reduced up to \$300 for Conservation work in the prior license year as provided in Article V. B. of Chapter 305 of the Yarmouth Town Code (Shellfish Conservation Ordinance).

ARTICLE XV

A. SANITARY LANDFILL

Fees for demolition material disposal as defined in Solid Waste Ordinance shall be paid in accordance with following the schedule:

Wood Demolition Material

~~\$ 30-50~~ per cubic yard
~~\$ 2-10~~ Minimum fee

Fee for miscellaneous material disposal shall be paid in accordance with the following schedule:

Asphalt Shingles

~~\$400-200~~ per cubic yard
~~\$ 2-10~~ Minimum fee

Scrap Metal

Free – gas/oil tanks need to be drained and cut in half (Fluids must be drained from all power equipment)

Tires (with and without rims):

~~\$ 610~~ per tire 20” or less
~~\$4025~~ per tire 21” or more
~~\$26-50~~ per tire large truck or tractor

Appliances

Stoves, washers, dryers, microwaves – No Charge
Dishwashers: ~~\$2030~~

Appliances containing CFC's

Refrigerators, Freezers, Air Conditioners, De-Humidifiers
~~\$46-25~~ per item

Bulky Waste

Furniture and Individual Items:

Couches, sofas, easy chairs, mattresses, box springs, all upholstered furniture, plastic toys, humidifiers, fiberglass or wood composite doors & windows, tub & shower enclosures, plastic enclosed appliances

CHAPTER 401

ALL CHARGES BELOW ARE PER ITEM

- \$ ~~210~~** Minimum charge
- \$ ~~6-12~~** Small items
- \$ ~~816~~** Medium items (chairs, desk, table)
- \$~~2035~~** Large items (mattresses, couches, recliners)

Porcelain Items

- Toilets \$8 each
- Small Sinks (single) \$6 each
- Large Sinks (double) \$8 each

Other Bulky Items

Carpet, linoleum, ceiling tile, vinyl siding, insulation:
\$~~4535~~ per cubic yard (3'x3'x3')

Propane Tanks

- Free – 1lb cylinders
- \$ 8 per 1lb - 20lb cylinders
- \$10 per 50lb cylinders
- \$25 per cylinders > 50lbs

Aggregate Materials

- Concrete \$30 per cubic yard
- Brick \$20 per cubic yard
- Stone \$20 per cubic yard
- Fill \$30 per cubic yard
- Sweepings \$30 per cubic yard

Trees & Wood Waste

\$15 per cubic yard for Larger than 12" in Diameter

Lithium Ion Batteries

Large Lithium Ion Batteries (boat, ATV, golf cart, etc.): \$2 per pound
Damaged Lithium Ion Batteries: \$4.00 each

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Electronic Waste

Keyboards, speakers, projectors, smoke detectors, small electronics, etc.
Minimum Fee: \$2.00 per item (based on size of item)
Maximum Fee: \$8.00 per item (based on size of item)
Smoke Detectors: \$6.00 per unit

Formatted: Font: Not Bold, No underline

Mercury Items: (Each) No Charge

Electrical Ballasts:

\$6.00 per unit-(Each) No Charge

B. DREDGE MATERIALS

Dredge materials approved by the Maine Department of Environmental Protection for beneficial re-use practices on town owned property shall be subject to a charge of \$5.00 per cubic yard. All revenues from the dredge materials re-use fee shall be dedicated to the Harbor dredging capital reserve fund.

C. VEHICLE PERMIT FEE

Annual vehicle permit sticker as provided in Chapter 306 (III) (E) shall be ~~\$2.00~~free for each vehicle registered and operated from the same household. All stickers shall expire annually on December 31.

The Permit Fee for "Recycling Only" stickers shall be \$2.00 per year.

D. PAY-AS-YOU-THROW (PAYT)

Official Pay-As-You-Throw bags (and stickers) for residential waste shall be sold at the Yarmouth Town Hall and various commercial retail outlets in and near Yarmouth as may be determined by the Town Manager to provide reasonable and convenient access for purchase by Yarmouth residents. PAYT bags shall be available in two sizes:

- 30 Gallon Bags: ~~\$2.00-10~~ each or bundles of 20 for ~~\$40~~44.00
 - 15 Gallon Bags: ~~\$1.25-40~~ each or bundles of 20 for ~~\$25-07~~50
- Single-Use Stickers for individual items for disposal of such bulk, shape or form as to not be reasonably enclosed in an official PAYT bag.

Said fees shall become effective upon initiation of the PAYT system operations as provided in Chapter 306 of the Yarmouth Town Code.

ARTICLE XVI (Trailer Camp License – this section repealed on 4/17/25)

ARTICLE XVII

A. DOG IMPOUNDMENT

In accordance with the Dog Control Ordinance, prior to release of an impounded dog the owner shall pay the following to the Town Clerk, Animal Control Officer, or Designated Animal Shelter:

An impoundment fee of \$40.00 for each dog except upon the second impoundment of the same dog the fee shall be \$60.00, and upon the third and all subsequent impoundments of same the fee shall be \$75.00;

An Animal Shelter boarding fee for each day or portion of a day that the dog is maintained in the shelter, and all reasonable expenses that may be required including, but not limited to, veterinary care received while at the shelter.

ARTICLE XVIII

A. COIN OPERATED AMUSEMENT DEVICES

In accordance with Section 441 through 450 of MRSA, the annual fee for coin operated amusement devices, pin machines and video games shall be \$25.00 per machine, expiring annually on June 30 of each year.

ARTICLE XIX

A. PUBLIC PROPERTY LICENSING ORDINANCE

Persons making an application for a Public Property License as defined in the Public Property Licensing Ordinance shall pay a fee as established herein to be used to defray the costs of processing this application and administering this Ordinance.

- Block Party Permit: ~~\$25-50~~ per event. Each day shall be deemed a separate event.
- Community Street Event: ~~\$50-100~~ per event. Each day shall be deemed a separate event.
- Large Community Event: \$500 per event.

The fees established under this Section shall not apply to a demonstration of protest that is protected by the First Amendment to the US Constitution or by the Maine Constitution, nor is a permit required if the demonstration or protest is conducted so as to not interfere with the free and unobstructed passage of vehicular or bicycle traffic.

ARTICLE XX

A. LIQUOR LICENSE

Persons making application for a Liquor License as defined by the state law shall pay a fee of \$50.00 plus advertising costs for the public notice.

ARTICLE XXI

A. SITE PLAN REVIEW

Persons making application for a Site Plan Review to the Planning Board shall pay the following fees:

Minor Site Plan Minimum Fee: ~~\$150~~300.00

Major Site Plan Minimum Fee: ~~\$250~~500.00

Site Plans with Proposed buildings, Structures, Additions:
\$100.00 per 1,000 sf or major fraction thereof of gross floor area.

Site Plans with Site Alterations:
\$100.00 per 5,000 sf or major fraction thereof of disturbed area.

CHAPTER 401

Maximum Site Plan Fee: ~~\$33,500.00~~

Amendments to Approved Plans, Administrative Review: \$150.00

Amendments to Approved Plans, Planning Board Review: \$250.00

Except that amendments to approved plans that include additional floor area or disturbed area shall pay the fee required for new site plans.

In addition, the applicant shall pay \$5.00 per addressee for the Department to send notices. This fee is payable prior to the mailing.

ARTICLE XXII

A. SHORELAND REVIEWS

Persons making application for a shoreland review to the Department of Planning and Development shall pay a fee of ~~\$450200.00~~. Persons making an application for a shoreland review of the Yarmouth Planning Board shall pay a fee of ~~\$250400.00~~ (Effective retroactively to August 16, 1992). In addition, the applicant shall pay \$5.00 per addressee for the Department to send notices to owners of property within 500' of the property under consideration for shoreland review applications to the Planning Board. This fee is payable prior to the mailing.

ARTICLE XXIII

A. OUTSIDE CONSULTING FEES

1. The Planning Board may require the applicant for a subdivision or site plan review to deposit in an escrow account with the Town funds sufficient to cover 100% of the cost of an independent professional review of any plan or aspect thereof which due to the size, location, effect on the environment, design complexity, traffic impact or other similar reason the Board deems significant to warrant such review.
2. An estimate will be obtained from the selected consultant for the projected cost of the review. No Further review of the application will be made until three-fourths (3/4) of this estimate is paid to the Town. All time scheduling requirements of review are also suspended until this deposit is made. Review work which would overrun the original estimate will be reported by the consultant to the Town and the applicant before the review is continued. The Board will then require an additional escrow deposit by the applicant to cover three-fourths (3/4) of the revised estimate.
3. Peer review of any or all components of applications under the Route One Corridor Design Guidelines may be requested by the applicant, the Director of Planning and Development, or the Planning Board. The applicant shall deposit in

CHAPTER 401

an escrow account with the Town sufficient funds to cover 100% of the cost of any such peer review.

4. Any unencumbered funds remaining in escrow account, once the Planning Board makes a decision, will be returned to the applicant.

ARTICLE XXIV

A. ZONING AMENDMENTS

Zoning Map or Text Amendment: \$350.00
Contract or Conditional Zoning Amendment: \$500.00

Department mailing of notices: \$5.00 per addressee, payable prior to the mailing.

ARTICLE XXV

A. CHEBEAGUE TRANSPORTATION COMPANY PARKING FACILITY USER FEE

Persons requesting a permit to use a parking space in the Chebeague Transportation parking lot located on the property of Winifred Blanchard off the Wharf Road in Yarmouth, Maine (hereafter the "Wharf Road Parking Area") shall pick up a permit from the dispatch office of the Yarmouth Police Department in accordance with the procedure outlined in the Parking regulations Governing Usage of the Wharf Road Parking Area. The fee for usage of said spaces and any deposit required shall be as established by order of the Yarmouth Town Council as the same may be amended from time to time.

B. ADMINISTRATION

The Yarmouth Town Council shall from time to time enact regulations as may be necessary to promote usage of the 15 spaces by Yarmouth residents on a space available basis.

C. PENALTY

1. Failure to return the parking permit within the time period authorized shall result in a penalty, which shall be as follows:
 - i. If the permit is returned after the maximum twenty-four (24) hour time period, the penalty shall be \$5.00 for each hour over the 24-hour limit, which amount shall be paid in full prior to issuance of another parking permit to said resident.
 - ii. If any Yarmouth resident fails to return the permit in a timely manner more than two (2) times in any three month period, said resident shall be prohibited from obtaining a permit for a period of six months from the date the permit is returned to the Town.

D. FEE WAIVER BY COUNCIL

The Yarmouth Town Council may hear and decide on all requests to reduce or waive payment of any fee required under this Ordinance. In making a decision to reduce or waive a fee the Town Council shall determine that due to the particular circumstances of the request, the payment of the proscribed fee is inappropriate.

ARTICLE XXVI

A. SEWER USER FEE

There shall be four rate classes or tiers for properties connected to the town sewer system:

- **Low Users-** As Defined by Chapter 304
Annual Fee: \$120

- **Standard Users-** As Defined by Chapter 304.
Annual Fee: \$420

- **High Users-** As Defined by Chapter 304.
Annual Fee: \$690

- **Industrial Users-** As Defined by Chapter 304.
Annual Fee: \$ 1,800 plus \$0.024 per cubic foot of metered water use in excess of the High User rate class range upper limit as defined by Chapter 304.

Senior Discounts- Owner occupied single family units where the owner(s) is age 70 or older as of October 1 of the billing year shall have the billing rate discounted by 20%. If there is more than one owner of record for the property, the discount shall apply so long as at least one owner age 70 or greater is living on the premises or until ownership changes. It is the responsibility of the owner(s) to file information with the Town Engineer to establish eligibility.

Owner occupied multiple condominium units served by a single meter shall be eligible for the Senior Discount so long as 50% or more of the units served under the building meter would qualify for the Senior Discount as a single family unit if separately metered.

Rental housing units, if metered separately to each unit, shall be eligible for the Senior Discount so long as one or more of the tenants of that unit is age 70 or older as of October 1 or the billing year. It shall be the responsibility of the tenant to file

information annually with the Town Engineer to (re)establish eligibility for the discount on or before October 1.

Senior and Low Income residential buildings, including rentals, shall have the billing rate discounted by 20%.

Low Income Discount:- Single family homeowners, and condominium owners only if metered individually per individual condo unit, and rental unit tenants only if metered separately per apartment shall receive a discount of 50% if such owner or tenant files information with the Town Engineer annually on or before October 1 establishing the owner or tenant :

- 1. Qualified for the Federal Low Income Home Energy Assistance Program (LIHEAP) in the immediately prior federal qualification period, or

Any person who qualifies for both the Senior Discount and the Low Income Discount shall receive a total discount of 60%.

ARTICLE XXVII

A. Rental Dwelling unit Registration fee pursuant to Chapter 318

Registration Fee: \$0.00/unit

ARTICLE XXVIII

A. Demolition Delay

Demolition Delay Planning Board Review: \$100

Department mailing of notices: \$5.00 per addressee, payable prior to the mailing.

ARTICLE XXVIII

A. Annual Adjustments

Unless otherwise determined by the Yarmouth Town Council, all fees established and outlined in Chapter 401 of the Yarmouth Town Code (Fees), with the exception of sewer user fees, shall be adjusted annually on July 1st. The adjustment shall be based on the Consumer Price Index (CPI) for the Northeast Region, as published by the U.S. Bureau of Labor Statistics, plus one percent (1%), rounded down to the nearest dollar.

The Town Manager, or their designee, shall calculate and apply the annual adjustment and update the fee schedule accordingly. If the CPI for the Northeast Region is discontinued or substantially revised, the Town Manager may utilize a comparable index that most closely reflects regional inflation, subject to approval by the Town Council.

Formatted: Font: (Default) Arial, Bold

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: Not Bold

Formatted: Indent: Left: 0"

Formatted: Indent: First line: 0"

Formatted: Font: 12 pt

Formatted: Font: (Default) Arial, Bold

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: First line: 0"

Item No. 6: To consider a Resolution declaring June as Pride Month.

Contact	Yarmouth Town Council
Recommended Action	Advance item to the April 30 th Town Council voting meeting.
Electronic Attachment	No Attachments
Process	

Background:

The Town Council will consider a resolution declaring the month of June as Pride Month in Yarmouth, continuing its longstanding practice of annual recognition. The resolution affirms the community’s commitment to inclusivity, respect, and support for LGBTQIA+ individuals, and acknowledges the importance of celebrating diversity and promoting equity for all residents.

Recommended Action: Advance item to the April 30th Town Council voting meeting.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff’s report and initial Council questions, prior to Town Council discussion.



RESOLUTION: 2026 PRIDE MONTH DECLARATION

WHEREAS, the Town Council of the Town of Yarmouth, Maine recognizes and proclaims the month of June as Lesbian, Gay, Bisexual, Transgender, Questioning/Queer, Intersex, Asexual (LGBTQIA+) “Yarmouth Pride” month throughout the Town of Yarmouth; and

WHEREAS, all human beings are born free and equal in dignity and rights and LGBTQIA+ individuals have had immeasurable impact to the cultural, civic and economic successes of our country; and

WHEREAS, the Town of Yarmouth is committed to supporting visibility, dignity and equality for LGBTQIA+ people in our diverse community; and

WHEREAS, while society at large increasingly supports LGBTQIA+ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS, this nation was founded on the principle that every individual has equal dignity and worth, and the Town of Yarmouth calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Pride Month influences awareness and provides support and advocacy for the LGBTQIA+ community, and is an opportunity to act and engage in dialogue to strengthen alliances, build acceptance, and advance equal rights.

NOW, THEREFORE BE IT RESOLVED that Town of Yarmouth hereby proclaims the month of June as Yarmouth Pride month to be recognized annually in support of the LGBTQIA+ community; and

BE IT FURTHER RESOLVED that the Town of Yarmouth encourages all residents to participate in local Pride activities, including the repainting of the vibrant Pride-inspired crosswalk in front of the Yarmouth Town Office, as a symbol of inclusivity, love, and community support.

Item No. 7: To consider adopting a resolution recognizing Friday, May 15, 2026, as Arbor Day in the Town of Yarmouth.

Contact	Yarmouth Town Council
Recommended Action	Advance item to the April 30 th Town Council voting meeting.
Electronic Attachment	No Attachments
Process	<pre> graph LR A[Reviewed by Committee/ Staff] --> B[Town Council Workshop] B --> C[Town Council Voting] </pre>

Background:

The Yarmouth Town Council will consider a resolution recognizing Friday, May 15, 2026, as Arbor Day, continuing the Town’s longstanding annual tradition of honoring the importance of trees and environmental stewardship. Yarmouth has been a proud Tree City USA community for decades, reflecting its sustained commitment to sound urban forestry practices. The recognition also celebrates the Town’s lush tree canopy, which enhances the community’s natural beauty, environmental health, and overall quality of life.

Recommended Action: Advance item to the April 30th Town Council voting meeting.

NOTE: Members of the public are welcome to provide public comment on this item. Opportunity for comment will be provided after staff’s report and initial Council questions, prior to Town Council discussion.