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AGENDA
CITY COUNCIL OF THE CITY OF BATH, MAINE
Regular Meeting

Wednesday, November 3, 2021, 6:00pm
City Council Chamber, Bath City Hall

We encourage your comments and views and appreciate your participation in your local government.

A. Pledge of Allegiance

B. Roll Call

Presentation of City Chair and Proclamation to Roland Creamer for 15 years of dedicated service for the City of Bath Wastewater Department

Presentation of the Award of Supreme for the 2021 MMA Annual Municipal Report Competition

C. Public Hearings:

- 1) **ORDINANCE:** General Assistance Ordinance: Chapter 8A. With Maximums for October 1, 2021, to September 30, 2022 (*second passage*)
- 2) **ORDINANCE:** Approving Fire Captains' Contract (*second passage*)
- 3) **ORDINANCE:** LUC Map Amendment- 94 Richardson Street (Map 31, Lot 58) (*second passage*)
- 4) **ORDINANCE:** LUC Map Amendment- Richardson Street (Map 31, Lot 58) and 136 Western Avenue (Map 31, Lot 59) (*second passage*)

D. Consent Agenda

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

*5) Minutes of the previous meeting of October 6, 2021 (motion to accept as presented)

E. Time Devoted to Residents to Address City Council

F. Resolutions, Orders and Ordinances

- 6) Acceptance of Election Tabulations for the State of Maine Referendum Election, City of Bath Municipal Election and RSU #1 Board of Directors Election held on November 2, 2021.

- 7) **ORDER:** Approving City Manager
- 8) **ORDER:** Approving the City Manager Contract
- 9) **ORDER:** Authorizing purchase of dump truck
- 10) **ORDER:** To approve the Budget for the American Rescue Plan for funds
- 11) **ORDINANCE:** Chapter 17: Vehicles and Traffic Repeal and Replace Changes
- 12) **RESOLUTION:** Setting Washington Street Carpool/Vanpool Parking Fees
- 13) **RESOLUTION:** Setting Castine Avenue Parking Fees
- 14) Discussion regarding a LUC Amendment Request for Article 11: Performance Standards;
Specific Uses

G. Petitions & Communications

H. City Manager's Report

I. Committee Reports

J. Unfinished Business

K. New Business

- 15) Reappointment of Dana L. McCurdy to Bath Water District Board of Trustees
Reappointment of Maureen Renner to Bath Community Forestry Committee

L. Councilor Announcements

EXECUTIVE SESSION:

Real Estate Matters per 1 MRSA §405(6)(C)
Personnel Matters per 1 MRSA §405(6)(A)

ADJOURN

PROCLAMATION

WHEREAS the City of Bath wishes to recognize the 15 years of service by Roland Creamer in the Wastewater Department, and

WHEREAS Roland graduated from Morse High School in 1974 and married his wife Lynn in 2006, raised 3 sons and 1 daughter in Bath and has 9 grandchildren

WHEREAS, on August 4, 2006, Roland started work in the position of Operator First Class where he was responsible for maintenance and operating 13 pump stations

WHEREAS Roland is a certified State of Maine Grade 2 Biological Wastewater Operator

WHEREAS Roland retired from the City of Bath on September 9th, 2021 and was a part of rebuilding 2 pump stations and the plant upgrade in 2019. He trained operators on Pump Station operations and provided training to assist operators in obtaining their CDL licenses. He also responded to hundreds of alarms during off duty hours.

NOW, THEREFORE, be it proclaimed by the City Council of the City of Bath that the city recognizes the 15 years of exemplary service by Roland Creamer to the Bath citizenry.

This 3rd Day of November 2021.

Aaron Park, Chairperson
Bath City Council



CI



City of Bath

Finance Department
Bath City Hall – 55 Front Street
Bath, Maine 04530

Telephone: (207) 443-8338 - Fax: (207) 443-8397

Juli Millett, C.P.A.
Finance Director

Juli Millett, Finance Director
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Linda McCourt, Staff Accountant
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Susan Hunt, Payroll Supervisor
shunt@cityofbath.com

Date: 09/28/2021

To: Bath City Council

From: Juli Millett, Finance Director

CC: Marc Meyers, Interim Bath City Manager

The Adoption Process

The municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Summary of 2021 Amendments to Model GA Ordinance

The ordinance has been updated as of 8-20-21 with new appendices showing 2021-2022 maximums.

The ordinance was revised to add a definition of “recovery residence” and new section 5.1B to comply with legislation effective in October. See PL 2021, c. 472.

The ordinance was also updated throughout with non-substantive stylistic changes. An updated version of the ordinance and redlined version showing the 2021 changes is available below. The redline version is attached.

Appendix A – H

The enclosed Appendices A – H have been revised for your municipality’s General Assistance Ordinance. These new Appendices, once adopted, should replace the existing Appendices A – H. Even if you have already adopted MMA's model General Assistance Ordinance, the municipal officers must approve/adopt the new Appendices yearly.

Attached please find the state updates to the General Assistance program effect 10/01/2021 to 09/30/2022. The appendices are updated as attached. The new appendices once adopted will replace the existing appendices.

General Assistance Ordinance: Chapter 8A. With Maximums for October 1, 2021 to September 30, 2022 (first passage)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 8A. GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of Bath, Maine, after notice and hearing, hereby enact the attached General Assistance Ordinance with appendices in its entirety. This Ordinance shall supersede and replace all previous Ordinance versions. A copy of this Ordinance will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and shall be available for public inspection at the municipal office along with a copy of 22 M.R.S. chapter 1161.

Signed this _____ day of _____, _____, by the municipal officers:

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

Appendix A –H The enclosed Appendices A–H have been revised for your municipality's General Assistance Ordinance. These new Appendices, once adopted, should replace the existing Appendices A–H. Even if you have already adopted MMA's model General Assistance Ordinance, the municipal officers must approve/adopt the new Appendices yearly.

Appendix A- Overall Maximums

Persons in Household

2020/2021	1	2	3	4	5
Sagadahoc County	821	933	1095	1449	1691

New Maximums

Persons in Household

2021/2022	1	2	3	4	5
Sagadahoc County	828	981	1195	1575	1777

*Note: Add \$75 for each additional person.

Appendix B-Food Maximums

Please note: The maximum amounts for food are established in accordance with the U.S.D.A. Thrifty Food Plan.

Persons in Household

2020/2021	1	2	3	4	5
Sagadahoc County	204	374	535	680	807

2021/2022	1	2	3	4	5
Sagadahoc County	250	459	658	835	992

*For each additional person add \$188 per month.

Appendix C - Housing

2020/2021			2021/2022		
# Bedrooms	unheated	heated	# Bedrooms	unheated	heated
1	738	871	1	786	919
2	849	1023	2	949	1123
3	1152	1365	3	1278	1491
4	1325	1588	4	1410	1674

Appendix D – Utilities There was NO CHANGE in the Utilities

1) **Electricity Maximums for Households Without Electric Hot Water.** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water.** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

Appendix E – Fuel There was NO CHANGE in fuel

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

Appendix F – Personal and Household Supplies There was NO CHANGE in Personal and Household Supplies

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

Supplement for households with children under 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts.

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

Appendix G Mileage Rate (NO CHANGE)

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 45 cents (45¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

Appendix H Funeral Maximums (There was no change in the Funeral Maximums)

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is \$1,475.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal Administrator.

Additional costs may be allowed by the GA Administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be \$1,025.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary

- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA Administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

GENERAL ASSISTANCE ORDINANCE



Prepared by Maine Municipal Association
September~~August~~ 20210

GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305, the municipal officers of the Municipality of

_____ hereby enact the following General Assistance Ordinance
in its entirety, after notice and hearing. This Ordinance shall supersede and replace all
previous Ordinance versions. A copy of this Ordinance is filed with the Department of
Health & Human Services (DHHS) in compliance with Title 22 M.R.S. §4305(4), and
shall be available for public inspection at the municipal office along with a copy of the
Maine Revised Statutes, Title 22, chapter 1161.

Signed this _____ day of _____, _____, by the municipal officers:
_____ (day) _____ (month) _____ (year)

(Print Name) _____ (Signature)

(Print Name) _____ (Signature)

(Print Name) _____ (Signature)

(Print Name) _____ (Signature)

(Print Name) _____ (Signature)

[Please send a copy of the enactment page (only) to DHHS, 100 Capitol Street, SHS 11, Augusta, ME 04330-0011]

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Appendix I – Definition of Misconduct (26 MRSA § 1043(23))

ARTICLE I

Statement of Policy

The Municipality of _____ administers ~~a program of general assistance ("GA")~~ program available to all persons who are eligible ~~to receive assistance in pursuant to accordance with~~ the standards of eligibility ~~as provided within this ordinance, state law (22 M.R.S. § § 4301 – 4326), and Department of Health and Human Services (DHHS) regulations~~ GA policy and in 22 M.R.S. § 4301 et seq.

~~The program will make e~~Every effort ~~will be made to~~ recognize the dignity of the applicants ~~while encouraging self-reliance. The program will strive to helping~~ eligible persons achieve self-maintenance by promoting the work incentive. When possible, ~~the program it will seek to connect recipients with rehabilitative, preventive and protective services to alleviate non-financial needs, other than financial through rehabilitative, preventive and protective services.~~ The GA general assistance program will not place ~~re~~unreasonable restrictions on the personal rights of the applicants or recipients, nor will ~~it there be any unlawful discriminate~~ en based on sex, age, race, nationality, religion, sexual orientation or disability. The municipality is committed to including qualified individuals with disabilities in municipal services, programs, and activities. As a result, the municipality will promote a GA program that when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. GA applicants with physical or mental disabilities that require a reasonable accommodation in order to access and/or utilize the ~~municipal GA~~ program are encouraged to contact ~~provide~~ the municipality to make an ~~with advance notice regarding the accommodation request.~~

~~The general assistance administrator~~ Administrator will act promptly on all applications for assistance and requests for fair hearings, and will provide ~~GA applicants with~~ will be ~~provided~~ information regarding their rights and responsibilities under the GA program. Within 24 hours after receipt of an application, the ~~administrator~~ Administrator will provide the applicant a written decision, whether or not assistance is granted, that

will state the specific reasons for the decision. The ~~administrator~~Administrator will also provide the applicant written notice that the applicant may appeal to the municipal fair hearing authority if dissatisfied with the decision. When an applicant is determined to be eligible, assistance appropriate to the need will be furnished within 24 hours after the completed application is submitted except when the ~~administrator~~Administrator issues non-emergency assistance conditionally on the successful completion of a workfare assignment (~~see Ordinance §section 5.6 of this ordinance~~).

The ~~administrator~~Administrator will maintain complete and accurate records pertaining to each applicant and recipient. These records are confidential as a matter of law. ~~(see 22 M.R.S. § 4306)~~.

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The ~~administrator~~Administrator will post notice stating the day(s) and hours the ~~administrator~~Administrator will be available. The ~~administrator~~Administrator, or other designated person/entity, will be available to take applications in the event of an emergency at all other times. A copy of this ordinance and Maine General Assistance law will be readily available to any member of the public upon request. Notice to this effect will be posted.

ARTICLE II

Definitions

Section 2.1—Common Meaning of Words

Unless otherwise apparent or defined, all words in this ordinance will have their common meaning.

Section 2.2—Special Definitions

Administrator. See “General Assistance Administrator,” below.

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Applicant. A person who has submitted, ~~either directly or through an authorized representative,~~ an application for GA general assistance directly or through an authorized representative, or who has, in an emergency, requested assistance without first completing an application. ~~In addition,~~ all persons on whose behalf an authorized application has been submitted or on whose behalf benefits have been granted shall be considered applicants.

Application Form. A standardized form used by the ~~general assistance administrator~~ Administrator ~~to for the purpose of allowing a person to apply for GA benefits~~ general assistance. ~~The application form also -and confirms the fact that a person has made an application.~~ The application form is not complete unless ~~must be signed by the applicant to be considered complete.~~

Basic Necessities. Food, clothing, shelter, fuel, electricity, potable water, non-elective essential medical services as prescribed by a physician, nonprescription drugs, basic telephone service where it is necessary for medical or work related reasons, property taxes when a tax lien placed on the property threatens the loss of the applicant’s place of residence, and any other commodity or service determined essential by the municipality.

"Basic necessities" do not include:

- Phone bills
- Cable or satellite dish television
- Mail orders
- Vehicle payments
- Credit card debt**
- Furniture
- Loan re-payments**
- Cigarettes
- Alcohol
- Pet care costs
- Vacation costs
- Legal fees
- Late fees
- Key deposits
- Security deposits for rental property
(except when for these situations where no other permanent lodging is available unless a security deposit is paid, and a waiver, deferral or installment arrangement cannot be made between the landlord and tenant to avoid satisfy the need for the immediate payment of the security deposit ~~or payment in full~~) (22 M.R.S. § 4301(1)).

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**Repayments of loans or credit will be treated as having been spent on basic necessities when the applicant can provide verification of this fact.

Case Record. An official file containing application forms; correspondence; narrative records and all other communications pertaining to an applicant or recipient; written decisions regarding eligibility including reasons for those decisions and as well as the types and amounts of assistance provided; ~~and all records concerning an applicant's request for fair hearing; and these fair hearing decisions.~~

Categorical Assistance. All state and federal income maintenance programs.

Claimant. A person who has requested a fair hearing.

Deficit. An applicant's deficit is the appropriate overall maximum level of assistance for the household (~~as provided in see Ordinance §section 6.8) of this ordinance~~ less the household income (~~as calculated pursuant to Ordinance §section 6.7) of this ordinance,~~ provided that this such a calculation yields a positive number. If the household income is

greater than the appropriate overall maximum level of assistance, the household has no deficit.

Disabled Person. A person who is presently unable to work or maintain a home due to a physical or mental disability that is verified by a physician or qualified mental health provider.

Dwelling Unit. A building or part thereof used for separate living quarters for one or more persons living as a single housekeeping unit (22 M.R.S. § 4301(2)).

Eligible Person. A person who is qualified to receive GAgeneral-assistance benefits from the municipality according to the eligibility standards of ~~eligibility set forth~~ in this Ordinance, Maine General-Assistance-law (22 M.R.S. ch. 1161), and Maine DHHDepartment of Health & Human Services regulations (10-144 C.M.R. ch. 323). If otherwise qualified, "Eligible Person" shall include U.S. citizens; non-U.S. citizens who are lawfully present in the United States as described in 8 U.S.C. § 1621(a)(1)-(3); and non-U.S. citizens who are pursuing a lawful process to apply for immigration relief. Assistance for non-citizens pursuing a lawful process for immigration relief shall not exceed 24 months beginning with assistance provided after July 1, 2015. "Eligible Person" does not include a fugitive from justice as defined in 15 M.R.S. § 201(4).

Emergency. Any life threatening situation, or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person. At the municipality's option, it includes a situation which is imminent and which may result in undue hardship or unnecessary cost to the individual or municipality if not resolved immediately. (22 M.R.S. § § 4301(4), 4308(2), 4310).

General Assistance ("GA") Program. A service administered by a municipality for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. A GAgeneral-assistance program provides a specific amount and type of aid for defined needs during a limited period of time and is

not intended to be a continuing "grant-in-aid" or "categorical" welfare program. This definition shall not in any way lessen the municipality's responsibility of each municipality to provide GA benefits~~general assistance~~ to a person each time that the person is in need and is found to be otherwise eligible to receive GA~~general assistance~~ (22 M.R.S. § 4301(5)).

General Assistance ("GA") benefits. Benefits provided to a person through the GA program.

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General Assistance Administrator~~Administrator~~ ("Administrator"). A municipal official designated to receive applications, make decisions concerning an applicant's right to receive assistance, and prepare records and communications concerning assistance. He or she may be an elected overseer or an authorized agent such as a town manager, welfare director, or caseworker (22 M.R.S. § 4301(12)).

Homelessness. "Homelessness" means a situation in which a person or household is: (a) living in a place that is not fit for human habitation; (b) living in an emergency shelter; (c) living in temporary housing, including but not limited to a hotel, motel, campground, unlicensed campsite or rehabilitation facility; (d) exiting a hospital or institution licensed under 22 M.R.S. ch. 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or correctional facility; (e) losing the person's or household's primary nighttime residence and lacking the resources or support networks to remain in that residence; or (f) fleeing or attempting to flee violence and has no other residence.

Household. "Household" means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in the municipal ordinance. The pro rata

share is calculated by dividing the maximum level of assistance available to the entire household by the total number of household members. The income of household members not legally liable shall be considered as available to the applicant only when there is a pooling of income (22 M.R.S. § 4301(6)).

Income. "Income" means any form of income in cash or in kind received by the household including:

- Net remuneration for services performed;
 - Cash received on either secured or unsecured credit;
 - Payments received as an annuity, retirement or disability benefits;
 - Veterans' pensions and/or benefits;
 - Retirement accounts or benefits;
 - Workers' compensation payments;
 - Unemployment benefits;
 - Federal and/or state tax returns;
 - Income from pension or trust funds;
 - Student loans;
 - Benefits under any state or federal categorical assistance program
- such as, TANF, Supplemental Security Income, Social Security and any other payments from governmental sources (unless specifically prohibited by any law or regulation);
- Court ordered support payments (e.g., child support);
 - ~~Income from pension or trust funds~~
 - Household income from any other source, including relatives or unrelated household members; and
 - ~~Student loans~~
 - Rental income.

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The following items ~~will~~ shall not be considered as income or assets that must be liquidated for the purposes of deriving income:

- 1) Real or personal income-producing property, tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law;
- 2) Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement fund contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or

- 3) Earned income of children below the age of 18 years who are full-time students and who are not working full time.

—In determining need, the period of time used as a basis for the calculation shall be a 30-day period commencing on the date of the application. This prospective calculation shall not disqualify an applicant who has exhausted income to purchase basic necessities, provided that the income does not exceed the income standards established by the municipality (22 M.R.S. § 4301(7)).

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- 4) Benefits received pursuant to Certain public benefit programs are that are specifically exempt from being counted as income for purposes of GA. These programs include:

- Food Stamps (7 USCS § 2017(b))
- Li-Heap (42 USCS § 8624)
- Family Development Accounts (22 M.R.S. § 3762)
- Americorp VISTA program benefits (42 USCS § 5044 (f))
- Property tax rebates issued under the Maine Property Tax Fairness Credit program, but only if ~~only so long as~~ the money is spent on basic necessities. (22 M.R.S. § 4301(7))
- Aspire Support Service Payments (10-144 CMR Chapter 323)

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Initial Applicant. A person who has not previously applied for GA assistance in this or any other municipality. ~~is considered an initial applicant.~~

Just Cause. A valid, verifiable reason that hinders an individual from complying with one or more conditions of eligibility or from attending a scheduled fair hearing (22 M.R.S. § § 4301(8), 4316-A(5)).

Lump Sum Payment. A one-time or typically nonrecurring sum of money issued to an applicant or recipient. Lump sum payment includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments,

unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after ~~payment of required deductions has~~ been ~~taken~~made from the gross lump sum payment. A lump sum payment does not include conversion of a non-liquid resource to a liquid resource if the liquid resource has been used or is intended to be used to replace the converted resource or for other necessary expenses. (22 M.R.S.A § 4301 (8-A)).

Material Fact. A material fact is a fact that necessarily has some bearing on the determination of an applicant's ~~GAgeneral-assistance~~ eligibility, and which would, if disclosed to the ~~administrator~~Administrator, have some determinable effect on the calculation of eligibility or the issuance of a grant of assistance.

Maximum Levels of Assistance. The amount of financial assistance for a commodity or service as established in ~~Ordinance §section 6.8 of this ordinance~~ or the actual cost of any such basic necessity, whichever is less.

Misconduct. For purposes of the GA work requirement (~~see 22 M.R.S.A § 4316-A~~) misconduct shall have the same meaning as "misconduct" ~~defined in 26 M.R.S.A § 1043 (23). (See Ordinance Appendix I) of this ordinance for the official definition of misconduct.~~ Generally, employees are guilty of misconduct occurs when anthe employee violates his or her ~~duties or obligations~~ to the employer. Employees who engage in a pattern of irresponsible behavior to the detriment of the employer's interest may also be found guilty of misconduct.

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Municipality. Any city, town or plantation administering a ~~GAgeneral-assistance~~ program.

Municipality of Responsibility. The municipality which is financially liable for the support of an eligible person at the time of application (22 M.R.S. § § 4301(9), 4307).

Need. The condition whereby a person's income, money, property, credit, assets or other resources available to provide basic necessities for the individual and the individual's family are less than the maximum levels of assistance (22 M.R.S. §§ 4301(10), 4308).

Net General Assistance Costs. Those direct costs incurred by a municipality in providing assistance to eligible persons according to standards established by the municipal officers. These do not include the administrative expenses of the GAgeneral assistance program (22 M.R.S. §§ 4301(11), 4311).

Period of Eligibility. The time for which a person has been granted assistance. The period of eligibility may vary depending on the type of assistance provided; however, in no event shall this period extend beyond one month (22 M.R.S. § 4309(1)).

Pooling of Income. "Pooling of income" means the financial relationship among household members who are not legally liable for mutual support in which there occurs any commingling of funds or sharing of income or expenses. This Municipalities may by ordinance establishes as a rebuttable presumption that persons sharing the same dwelling unit are pooling their income. Applicants who are requesting that the determination of eligibility be calculated as though one or more household members are not pooling their income have the burden of rebutting the presumed pooling of income.

Real Estate. Any land, buildings, homes, mobile homes and any other things affixed to the land (22 M.R.S. § 4301(13)).

Recipient. A person who has applied for and is currently receiving GAgeneral assistance.

Recovery Residence. Recovery residence" means a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community

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that are available to persons recovering from substance use disorder, 5 M.R.S. § 20003(19-D).

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Registered Domestic Partner. An individual registered as the domestic partner of the applicant pursuant to 22 M.R.S. § 2710.

Repeat Applicants. All applicants for GAgeneral-assistance benefits that are not initial applicants are repeat applicants. For purposes of this ordinance "repeat" and "subsequent" shall have the same meaning.

Resident. A person who is physically present in a municipality with the intention of remaining in that municipality in order to maintain or establish a home and who has no other residence. A person who applies for assistance in a municipality who is not a resident of that municipality or any other municipality is the responsibility of the municipality where the person first applies. That municipality must take an application and grant assistance to the applicant if he/she is eligible, until he/she establishes a new residence in another municipality (22 M.R.S. § 4307).

Resources. Resources include any program, service, or other sources of support which are an alternative to or supplement for GAgeneral-assistance. There are two kinds of resources: "available" and "potential". Potential resources are programs, services, non-liquid assets, or trusts that typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released.

Potential resources include, but are not limited to, any state or federal assistance programs, employment benefits, governmental or private pension programs, available trust funds, support from legally liable relatives, child support payments, and jointly held resources where the applicant or recipient share may be available to the individual (22 M.R.S. § 4317). Potential resources include the TANF (previously known as AFDC) program, Food Stamps, fuel assistance (HEAP), subsidized housing, and similar programs.

Available resources include resources which are immediately available to the applicant or which can be conveniently secured by the applicant without delay, such as cash on hand or in bank accounts, assets for which there is an immediate and available market, or support from relatives which is being made available at the time of application and for which the applicant does not have to take any unreasonable steps to secure (e.g., relocation beyond the immediate region). At the discretion of the GA administrator Administrator a necessary minimum balance required by a financial institution in order to obtain free checking or in order to maintain the account shall not be considered an available resource.

The municipal GA administrator Administrator reserves the right to inform GA clients of services, commodities or facilities made available by private organizations or charities; however, ~~—Although GA applicants/recipients may be informed of the existence of a charitable resource and/or organization, GA eligibility for GA benefits shall not be based or conditioned on the use of a private charitable resource(s).~~

30-Day Need. An applicant's 30-day need is the sum of the household's prospective 30-day costs, from the date of application, for the various basic necessities. For the purpose of this calculation, the 30-day cost for any basic need shall be the household's actual 30-day cost for the basic necessity or the maximum 30-day cost for the basic necessity as established by this ordinance, whichever is less.

Unforeseen Repeat Applicants. ~~Are~~ repeat applicants who ~~has~~ve not applied for assistance within the last twelve months and who ~~has~~ve been regularly employed or receiving support from a public benefit program or private source and who ~~has~~ve unexpectedly become unemployed through no fault of their own or whose benefits (e.g., through an available resource) have ceased through no fault of their own.

Unmet Need. An applicant's unmet need is the household's 30-day need (as established by Ordinance §section 6.6) ~~of the ordinance~~ less the household income (as calculated pursuant to Ordinance § section 6.7) ~~of this ordinance~~, provided such a

calculation yields a positive number. If the household income is greater than the household's 30-day need, the household does not have an unmet need.

Work Requirements. Work requirements are ~~these obligations the municipal administrator~~ Administrator places on applicants ~~for general assistance~~ as directed and/or authorized by 22 M.R.S. § 4316-A to the extent such obligations (1) ensure a continuing potential eligibility for GA ~~general assistance~~ when complied with, (2) result in ineligibility when violated, and (3) are not merely optional, discretionary, or advisory. Work requirements include registering for work, looking for work in good faith, accepting all suitable job offers, maintaining employment, performing workfare, and participating in training, educational, or rehabilitation programs that will assist the participant in securing employment.

ARTICLE III

Administrative Rules and Regulations

The following are rules and regulations for the administration of general assistance.

Section 3.1—Confidentiality of Information

Case records and all other information relating to a GA applicant or recipient of general assistance are confidential and will not be disclosed to the general public, unless the applicant or recipient states in writing what information is to be released (22 M.R.S. § 4306).

Release of Information. Applicants, recipients and their legal representatives have the right to review their case records.

~~Applicants, recipients and their legal representatives have the right to review their case records.~~ No record will be released to a third party, however, unless the administrator Administrator receives a signed consent form signed by in which the applicant expressly authorizesing the release of his or her records to the specified parties. Whenever the administrator Administrator releases any information, he/she will make a notation in the applicant's file stating to whom the record was released and the date. The administrator Administrator may charge a reasonable fee for the reproduction of any records when appropriate.

Information from Other Sources; Penalty. Information concerning an applicant or recipient furnished to the municipality by the DHH Department of Health and Human Services or any other agency or institution pursuant to 22 M.R.S. § 4314, is confidential. The ~~general assistance administrator~~ Administrator will also comply with laws requiring ~~ing to the~~ confidentiality of vital statistic records such as these concerning birth, marriage and death records. (22 M.R.S. § 2706).

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Any representative of a financial institution or any employer of a ~~GA~~ general assistance applicant who, upon receipt of a written release signed by the depositor ~~/employee~~ and a written request from the ~~Administrator~~ Administrator, refuses to provide necessary information to the ~~administrator~~ Administrator in order to verify an applicant's eligibility must state in writing the reason for the refusal. National banks are also obligated to disclose deposit information to the ~~Administrator~~ Administrator upon receipt of a written request and release signed by the depositor. Additionally, when a municipality or its agents are acting in accordance with section 4313(2) to verify eligibility for funeral or cremation benefits, an officer of a financial institution must disclose the amount deposited upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased. Any such person who refuses to provide information, without just cause, may be subject to a civil penalty of not less than \$25 nor more than \$100. Any person, including the applicant, who knowingly and willfully makes a false representation of a material fact to the ~~administrator~~ Administrator is committing a Class E crime (22 M.R.S. § § 4314, 4315).

Misuse of Information. Misuse of any information relating to an applicant or recipient is a punishable offense (22 M.R.S. § 42(2)).

Section 3.2—Maintenance of Records

The ~~general assistance administrator~~ Administrator will ~~maintain~~ keep complete and accurate ~~general assistance program~~ records (22 M.R.S. § 4306). These records are necessary to:

- ~~(a)~~ provide a valid basis of document and accounting for municipal program expenditures;
 - ~~(b)~~ document and support decisions concerning an applicants ~~and~~ or recipients;
- and

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~~—(c) -ensure the availability of all relevant information is available for in the event of any fair hearing or judicial review of a decision by the general assistance administrator~~Administrator's decisions.

Case Records. The ~~administrator~~Administrator will establish and maintain a separate case record, ~~either in paper or format or~~digital format, for each applicant or recipient. Each case record will include at least:

- household applications;
- household budget sheets;
- ~~information concerning the types and amounts of assistance provided~~;
- narrative statements describing the nature of the emergency situation whenever GA~~general assistance~~ is granted in amounts greater than the applicant's mathematical eligibility (i.e., deficit or unmet need, whichever is less);
- written decisions;
- requests for fair hearings and the fair hearing authority decisions;
- workfare participation records;
- repayments to the municipality;
- narrative writings documenting the need for general assistance, the results of home visits, collateral information, referrals, changes in status;
- client authorization(s) for the release of GA information and/or reason(s) for the release of confidential information;
- adjustments in aid, and suspension or termination of eligibility;
- physician's documentation;
- Supplemental Security Income (SSI) interim assistance reimbursement authorization forms; and
- vendor forms

Case records will not include information ~~or material that is irrelevant to either the applicant's or recipient's application or the administrator~~Administrator's decisions.

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Retention of Records. ~~General-assistance~~ records shall be retained for at least minimum of three full years. The ~~three-year~~ period shall coincide with the ~~the~~ State ~~government's~~ fiscal year which begins July 1 and ends on the following June 30. Records may be destroyed after three years by ~~one of the two preferred methods of destruction for confidential records, i.e., supervised shredding, burning or an~~ appropriate digital deletion/destruction process. ~~If~~ ~~in~~ the event a recipient ~~client's~~ records contain SSI reimbursement forms, the recipient ~~client's~~ records should be maintained so that the municipality may seek reimbursement.

ARTICLE IV

Application Procedure

Section 4.1—Right to Apply

Who May Apply. ~~Any person~~ one may apply for ~~GA~~ general assistance. The head of the family, any other responsible household member, or an authorized representative must apply in person, except in special emergency situations (~~see Ordinance as provided in section § 4.9~~) of this ordinance or ~~except when the applicant resides at~~ is a resident of an emergency shelter and the municipality has made an agreement with that emergency shelter to presume shelter residents ~~to be eligible for GA~~ general assistance benefits (22 M.R.S. § 4304(3)). In such cases, the ~~administrator~~ Administrator may require a representative to present a signed statement documenting that he/she is ~~in fact~~ authorized to apply for general assistance on behalf of the named applicant. The applicant or representative must complete a written application and any other ~~required~~ forms necessary for ~~so that the administrator~~ Administrator ~~to~~ can determine eligibility (22 M.R.S. § § 4305, 4308). With notice, all members of the household receiving ~~GA~~ general assistance may be required to physically present themselves to the ~~administrator~~ Administrator. Note that fugitives from justice are ineligible for ~~GA~~ general assistance.

Telephone Applications Via Telephone. When a person has an emergency but is unable to apply in person due to illness, disability, lack of child care, lack of transportation or other good cause, and he/she cannot send an authorized representative, the ~~administrator~~ Administrator will accept an application by telephone. The telephone application is subject to written verification ~~process will include the administrator receiving written verification by mail and a visiting to the applicant's home with his or her permission~~ (22 M.R.S. § 4304).

Written Application Upon Each Request. Each request for assistance will be administered in accordance with these guidelines, and t. ~~The~~

~~administrator~~Administrator will make an independent determination of eligibility for ~~GAgeneral assistance~~ each time a person applies (22 M.R.S. § § 4308, 4309).

Applications Accepted; Posted Notice. Application forms will be available during regular business hours at the municipal office and when the ~~general-assistance administrator~~Administrator is conducting interviews with applicants. Completed applications will be accepted and interviews given only during the regular hours established and posted by the Administrator. In an emergency, however, the Administrator or his or her designee will be available to accept applications for assistance whenever necessary.

~~The municipality will post n~~Notice will be posted stating the times and location when and where people may apply for assistance and the contact information for~~name of the administrator~~Administrator available to take emergency applications at all other times. In addition, the posted notice shall state that the ~~include the fact that the~~ municipality must~~must~~ issue a written decision on all applications within 24 hours, and will include the DHHS toll-free telephone numbers for reporting alleged violations or complaints. Completed applications will be accepted and interviews given only during the regular hours established and posted by the administrator. In an emergency, however, the administrator or his or her designee will be available to accept applications for assistance whenever necessary (22 M.R.S. § 4304).

Section 4.2—Application Interview

Except when it is impractical, the ~~general-assistance administrator~~Administrator will interview each applicant in ~~personally~~ before making a decision. ~~The~~ Interviews will be conducted in private, although the applicant may be accompanied by a legal representative, friend or family member.

Section 4.3—Contents of the Application

~~At a minimum, the application~~ must will contain the following ~~mandatory~~ information:

- a) the applicant's name, address, date of birth, SSNocial Security number or appropriate United States Customs and Immigration Services (USCIS) documentation, and phone number;
- b) the names, date(s) of birth, and SSNocial Security number(s) or appropriate USCIS documentation of other household members for whom the applicant is seeking assistance;
- c) the total number of individuals living with the applicant;
- d) employment and employability information;
- e) a listing of all household income, resources, assets, and property;
- f) the applicant's household expenses;
- g) the types of assistance being requested;
- h) a statement of the penalty for false representation;
- i) the applicant's permission for the Administrator to verify information;
- j) the signature of applicant and date.

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~~If the event an initial applicant is unable to provide identification records (e.g., SSNocial Security card/number) because the record may have been lost, stolen or misplaced, the Administrator may allow the initial applicant may be provided a reasonable amount of time (e.g., five working days), in order to obtain copies of identification records. Provided the initial applicant makes a good faith effort to obtain the item/record sought, GA benefits necessaryrequired to cure an immediate and/or emergency need shall not be withheld. In such cases the Administrator municipality may elect to provide only a prorated amount of GA (e.g., five day's' -worth), while the applicant proceeds to attempts to obtain the required information.~~

Section 4.4—General Assistance AdministratorAdministrator's Responsibilities at the Time of the Application

~~The administratorAdministrator will make every effort to inform all applicants of: (1) their rights and responsibilities; (2) as well as the general program requirements forassociated with applying for and receiving GAgeneral assistance, and (3) including~~

application requirements, eligibility guidelines, applicant rights, and applicant reimbursement obligations.

Application Requirements. The ~~administrator~~ Administrator will ~~help~~ help the applicants ~~complete fill-out the application forms, and as described in the preceding section.~~ complete fill-out the application forms, and as described in the preceding section. The ~~administrator will inform the applicants of any other information or documents that necessary the applicant will have to provide in order for the administrator to evaluate the applicant's eligibility for assistance.~~ administrator will inform the applicants of any other information or documents that necessary the applicant will have to provide in order for the administrator to evaluate the applicant's eligibility for assistance. The ~~administrator~~ Administrator will fully explain the purpose of any forms consenting to release of the applicant's information form and any or benefit reimbursement agreements before the Administrator requests seeking to obtain the applicant's signature or written authorization.

Eligibility Requirements. The ~~administrator~~ Administrator will inform, ~~either verbally or in writing,~~ the applicant, either orally or in writing, of the eligibility requirements of the program, including:

- the income standard of need;
- the applicant's ongoing use-of-income, work-related, and resource-related responsibilities, as described in the section immediately below;
- the ~~financial~~ reduction in assistance that results from is the consequence of spending household income on non-basic necessities;
- immigration status (see definition of "Eligible Person"); and
- the disqualification penalties associated with committing fraud, failing to perform work-related assignments without just cause, or failing to make a good faith effort to secure potential resources when the requirement to attempt to obtain those resources has been explained to the applicant in writing.

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Applicant Rights. The ~~administrator~~ Administrator will inform all applicants of their rights to:

- review the municipal GA ~~General Assistance~~ ordinance and Maine GA ~~statute and regulations~~ General Assistance law;

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- apply for assistance;
- receive a written decision concerning eligibility within 24 hours after application ~~ing for assistance~~;
- confidentiality of the application and other records;
- contact the DHHS with complaints;
- challenge the ~~administrator~~ Administrator's decision by requesting a fair hearing.

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Reimbursement/Recovery. The ~~administrator~~ Administrator will inform the applicant/recipient that he/she must reimburse the municipality for the amount of GA ~~general assistance~~ benefits he/she has been granted ~~ifn the event~~ he/she ~~of a~~ subsequently has the ability to pay. The municipality may also, as appropriate, contact and inform the applicant/recipient ~~client's~~ legal representative ~~to inform him or her of the~~ recipient ~~client's~~ obligation to repay the municipality ~~under the GA program.~~

~~In addition to seeking repayment from a recipient,~~ the municipality ~~also may~~ also recover the amount of assistance granted to a recipient during the previous 12 months from any relative legally liable for the applicant's support, such as a ~~(spouses, or the~~ parents of persons under the age of 25. ~~(See Article VIII, "Recovery of Expenses")~~ (22 M.R.S. § § 4318, 4319). Whenever applicable, the ~~administrator~~ Administrator will explain the ~~various~~ liens a municipality may place against a recipient's real or personal property, such as the mortgage or capital improvement lien, the Workers' Compensation lump sum payment lien, or the SSI "interim assistance agreement" lien, ~~as these liens are described in Article VIII, "Recovery of Expenses."~~

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Section 4.5—Responsibilities of the Applicant at the Time of Application

The applicant is ~~has the responsibility at the time of each application~~ to provide accurate, complete and current household information and verifiable documentation at the time of each application concerning:

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- Income
- Resources
- Assets

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- Employment
- Use of income
- Names and addresses of any relatives legally liable for the applicant's support
- Any change in this information from a previous application that would affect household eligibility (22 M.R.S. § 4309).

In addition, the applicant must accurately report and provide verifiable documentation that shows the applicant:

- a) has remained employed, if previously employed, and has not quit work without just cause or been discharged from employment for misconduct;
- b) has been seeking employment, if previously unemployed or employed on a part-time basis, has accepted any suitable offer of employment, and has satisfactorily performed all workfare assignments or had just cause not to perform those assignments;
- c) has made use of all available and potential resources when directed in writing to such a program by the ~~administrator~~Administrator, including, but not limited to, other government benefit programs or the assistance of liable relatives of sufficient means; and
- d) has participated in any training, retraining, educational or rehabilitative program when appropriate and when directed in writing to such a program by the ~~administrator~~Administrator, in order to diminish the applicant's need for general assistance (22 M.R.S. § §4316-A, 4317).

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Section 4.6—Action on Applications

Written Decision. The ~~general assistance administrator~~Administrator will issue ~~give a~~ written decision ~~to the applicant concerning~~ concerning the applicant's ~~his or her~~ eligibility within 24 hours after the applicant submits a written application. Assistance will be furnished to eligible applicants within that period except when the municipality is permitted by law (and pursuant to Ordinance §section 5.6 of this ordinance) to issue assistance conditionally on the successful completion of a workfare assignment (22

M.R.S. § § 4305, 4316-A, 4321). A written decision will be given each time a person applies, whether assistance is granted, denied, reduced or terminated.

Content of Decision. The Administrator's written decision will contain the following information:

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- a) the type and amount of benefits ~~aid the applicant is being granted,~~ or the applicant's ineligibility for benefits;
- b) the period of eligibility if the applicant is eligible for assistance;
- c) the specific reasons for the Administrator's decision;
- d) the applicant's right to a fair hearing; and
- e) the applicant's right to notify the DHHS if he/she believes the municipality has acted illegally (22 M.R.S. § 4321).

Section 4.7—Withdrawal of an Application

An application will be ~~is~~ considered withdrawn if :

- a) ~~the applicant requests in writing that~~ the ~~his or her~~ application be withdrawn; or if
- b) ~~the applicant refuses to complete or sign the application or any other document form needed by the general assistance administrator~~ Administrator.

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Section 4.8—Temporary Refusal to Accept Application

Under special circumstances, the ~~general assistance administrator~~ Administrator may temporarily refuse to accept applications. Such circumstances ~~may include, but are not~~ limited to, the following:

- a) When the applicant's conduct is abusive, disruptive, or harassing, or when the applicant is under the influence of drugs or alcohol. In these situations, the applicant will be asked to leave; ~~and~~ if the applicant refuses to leave, the police may be summoned. The applicant will be informed that an application will only be accepted when his or her conduct is under control.

- b) If the ~~administrator~~Administrator believes that an applicant's behavior presents a threat to the health or safety of the public or to a municipal employee, ~~or if the applicant's~~such behavior is violent, or if an applicant has engaged in abusive, disruptive or harassing behavior and has been required to leave on more than one occasion, ~~then~~ the applicant may be required to designate a third party to apply for assistance on his or her behalf and the applicant may be prohibited from entering the municipal building;
- c) When a third person applies for assistance on behalf of the applicant that person may be required to provide written verification that he/she has been duly authorized to act as a representative for the applicant (22 M.R.S. § 4308).

Section 4.9—Emergencies

An "emergency" means ~~is considered to be~~ any life threatening situation, or a situation beyond the control of the applicant which if not alleviated immediately could reasonably be expected to pose a threat to the health or safety of the applicant or a member of the household (22 M.R.S. § 4301(4)). An emergency includes homelessness or imminent homelessness. ~~Even if~~Although an applicant is ~~they may be considered otherwise ineligible to receive GA benefits~~general assistance, unless he/she is disqualified as provided below, emergency assistance may be granted to applicants ~~persons who apply for assistance to alleviate an emergency may be granted assistance, except as provided below, if they lack~~do not have sufficient income and resources to meet ~~their~~ an actual emergency need and also have not had sufficient income and resources to avert the emergency (22 M.R.S. § 4308).

A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs to either the applicant~~client~~ or the municipality.

Disqualification for Emergency Assistance. A person who is currently disqualified from receiving GA~~General Assistance~~ due to a violation of Ordinance §§~~sections~~ 5.5, 5.6, 5.7,

5.8, 5.9 or 6.4 of this ordinance is ineligible to receive emergency assistance (22 M.R.S. § 4308(2)(A)). However, dependents of a disqualified person may be eligible for assistance. For the purposes of this section, "dependents" are defined as: (1) a dependent minor child; (2) an elderly, ill or disabled person; or (3) a person whose presence is required to provide care for any child under the age of 6 years or any ill or disabled member of the household (22 M.R.S. § 4309(3)).

If the event one or more members of a household are disqualified and assistance is requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Assistance Prior to Verification. Whenever an applicant informs the ~~administrator~~Administrator that he/she needs assistance immediately, the ~~administrator~~Administrator will grant, pending verification, the assistance within 24 hours, provided that:

- a) after interviewing the applicant the ~~administrator~~Administrator has determined that the applicant will probably be eligible for assistance after a verification of information is completed; and
- b) the applicant submits documentation when possible, to verify his or her need. The ~~administrator~~Administrator may contact at least one other person to confirm the applicant's statements about his/her needing for emergency assistance. No further assistance will be authorized until the applicant's eligibility is confirmed (22 M.R.S. § 4310).

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Telephone Applications. If a person has an emergency need and cannot apply in person due to illness, disability, lack of transportation, or other good cause, and if there is no authorized representative who can apply on behalf of the applicant, the ~~administrator~~Administrator shall accept an application over the telephone (22 M.R.S. § 4304).

~~The administrator will not grant any Assistance~~ will not be granted after ~~as the result of~~ a telephone application if the applicant refuses to allow the ~~administrator~~ Administrator to verify the information ~~provided by the applicant~~ either by visiting his or her home or by mail, and the ~~administrator~~ Administrator cannot determine ~~his or her~~ eligibility through any other means.

Limitation on Emergency Assistance. Applicants are not automatically eligible for emergency assistance. If ~~an~~ applicants had income which could have been used to prevent all or part of an emergency, but ~~he or she~~ they spent that income on items which are not basic necessities, the ~~applicant~~ will not be eligible to receive ~~GA~~ general assistance to replace the misspent money (22 MRSA § § 4308(2) & 4315-A).

All applicants ~~must have the responsibility to~~ provide the ~~administrator~~ Administrator with verifiable documentation demonstrating that the applicant ~~lacked~~ did not have sufficient income to avert the emergency situation. According to the following criteria, the ~~administrator~~ Administrator may limit emergency assistance to cover only the difference between the amount of money necessary for the household to avoid the emergency and the amount of income available to the household during the applicable time period.

- a) The applicable time period shall be the 30 days preceding the application for emergency assistance, except in those cases where the emergency was created by a negative account balance for a commodity or service (such as rent, mortgage or utility payments), and the negative account balance was created over a longer period of time. In such cases, the applicable time period shall be the consecutive length of time the account balance has been in the negative.
- b) The ~~administrator~~ Administrator shall seek from the applicant all information pertinent to the applicant's ability to provide for his or her basic necessities for the applicable time period, including evidence of all income and resources received over that period of time.

- c) The ~~administrator~~Administrator shall calculate all costs per month for the household's basic necessities during the applicable time period, ~~per month,~~ consistent in accordance with the maximum levels established by this ordinance for the specific basic necessity or the actual monthly cost, whichever is less, including all costs associated with averting the particular emergency situation for which the applicant is seeking assistance.
- d) From the total household costs for basic necessities during the applicable time period, the ~~administrator~~Administrator shall subtract the total income and lump sum payments available to the household for the applicable time period as well as the total general assistance actually received during the applicable time period.
- e) The ~~administrator~~Administrator may restrict the issuance of emergency assistance to the difference yielded by the computation in subsection (d), even when such a grant will not totally alleviate the emergency situation.
- f) The ~~administrator~~Administrator may waive this limitation on emergency assistance in life threatening situations or for initial applicants; that is, persons who have never before applied for general assistance.
- g) Nothing in these criteria may be construed as prohibiting a municipality from electing to alleviate an emergency situation in the most cost-effective manner available, provided such a determination of eligibility for emergency assistance is in conformance with general assistance law.

Section 4.10—Residence

The ~~administrator~~Administrator shall provide GA~~general assistance~~ to all eligible applicants ~~persons applying for assistance who~~ are residents of this municipality. A resident is a person who has no other residence, ~~and~~ is physically present in this municipality and who intends to remain here and establish a household.

The municipality also recognizes its responsibility to provide assistance to eligible persons who apply here and who are not residents of this municipality or any other municipality. If a person who is not a resident of any municipality applies in this municipality first, the ~~administrator~~Administrator will determine his or her eligibility and, if eligible, will grant assistance until he/she establishes a residence in another municipality (22 M.R.S. § 4307).

Moving/Relocating. The municipality will not consider moving or transporting an applicant or recipient into another municipality unless the person requests assistance to relocate to another municipality. If the ~~administrator~~Administrator determines the applicant is eligible and grants financial assistance to help with the requested relocation, this municipality will be responsible for providing assistance to the applicant for 30 days after he/she moves provided the recipient remains eligible.

Institutions. If a resident of this municipality enters an institution located in another municipality (such as a group home, shelter, rehabilitation center, nursing home, or hospital) and requests assistance while at the institution, he/she will be the responsibility of this municipality for up to 6 months after he/she enters the institution if the conditions of 22 M.R.S. § 4307 and § 4313 are met. The municipality thereafter retains responsibility for an applicant in an institution only if the applicant has maintained a home in this municipality to which he/she intends to return. The municipality also recognizes its responsibility for applicants residing in an institution in this municipality if such an applicant had no residence prior to entering the institution (22 M.R.S. § 4307(4)).

Temporary Housing. Hotels/motels and similar places of temporary lodging are considered institutions if the municipality grants financial assistance for, makes arrangements for, or advises or encourages an applicant to stay in temporary lodging.

Note: A municipality which illegally denies housing assistance will be responsible for the applicant for up to 6 months if, and, as a result of the denial, the applicant stays in temporary lodging. ~~are responsible for the applicant for up to 6 months and~~ The municipality may also be subject to other penalties (22 M.R.S. § 4307(4)).

Disputes. When the ~~administrator~~Administrator believes that an applicant is a resident of another municipality but that municipality disputes its responsibility, the ~~administrator~~Administrator will notify the DHHS' in Augusta office (287-3654 or 1-800-442-6003). If the applicant applies in this municipality first, the ~~administrator~~Administrator will determine his or her eligibility and, if eligible, will grant assistance until the DHHS has concluded which municipality is responsible for providing assistance. If another municipality was responsible, the DHHS will recover the amount due from the other municipality. (22 M.R.S. § § 4307(5), 4307(6)).

ARTICLE V

Eligibility Factors

A person will be eligible for GAgeneral assistance if he/she is an "Eligible Person" as defined in section 2.2, is in need, and has complied with the eligibility requirements set forth below. *(For guidance in determining whether an applicant is an Eligible Person, contact the DHHDepartment of Health & Human Services at (800) 442-6003 (TTY: 287-6948)).*

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Section 5.1—Initial Application

Initial Application. For initial applicants, ~~except as provided immediately below, need~~ will be the sole condition of eligibility, ~~except that a.~~ ~~The exception to this general rule, as provided by law, applies to all applicants, including initial applicants, who are disqualified for a defined period (1) for quitting employment without just cause or for being discharged from employment for misconduct (22 M.R.S. § 1043 (23)) (see Ordinance §section 5.5 of this ordinance) or (2) who are and to fugitives from justice as defined in 15 M.R.S. § 201(4) (22 M.R.S. § 4301(3)).~~ An initial applicant is a person who has never before applied for GAgeneral assistance in any municipality in Maine (22 M.R.S. § 4308(1)).

"Need" means that the applicant's income (including prorated income, where applicable), property, credit, assets or other resources are less than the overall maximum level of assistance contained in Ordinance §section 6.8 of this ordinance or the applicant's 30-day need, whichever is less, and he/she does not have adequate income or other resources available to provide basic necessities.

RepeatSubsequent Applicants. Persons who are not initial applicants are repeat applicants; ~~these are~~ ~~Repeat applicants are people~~ ~~who have previously applied for GAgeneral assistance at someany time, including in the past.~~ Repeat applicants are ~~also people~~ persons on whose behalf a GAgeneral assistance application was

~~previously made at any time in the past, provided that at such a time the applicant was not a dependent minor in the household at the time of the previous application. For repeat applicants, to be eligible for GA general assistance, repeat applicants they must be in need and meet all other eligibility requirements. The eligibility of repeat applicants may also be adversely affected to the extent they have not used their income and resources to secure basic necessities.~~

Section 5.1A – Presumptive Eligibility

A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person. Presumed eligibility may not exceed 30 days within a 12-month period. ~~After the period of presumed eligibility, full eligibility must be verified before prior to assistance will be issued, subsequent to the presumed period of eligibility.~~ When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

Section 5.1B – Recovery Residences

The Administrator will not deny GA benefits to a person for the sole reason that the person is residing in a recovery residence. Beginning July 1, 2022, housing assistance will not be provided to a person residing in a recovery residence that has not been certified in accordance with 5 M.R.S. § 20005 (22), except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only. The Administrator will inform the person of the requirements and time limits regarding recovery residences. A person who is ineligible for housing assistance under this subsection may remain eligible to receive GA for other basic necessities.

Section 5.2—Eligibility for Categorical Assistance

~~Receipt of categorical assistance will not disqualify an otherwise eligible a person, from receiving general assistance if the applicant is otherwise eligible. Benefits received~~

from other assistance programs will be considered as income when determining need, with the exception of Food Stamps, which will not be counted as income or resources or otherwise taken into consideration when determining need (7 U.S.C. § 2017 (b)).

In addition, any-fuel assistance (HEAP/ECIP) received by an applicant will not be considered as income; that is, the ~~administrator~~ Administrator will always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid all costs associated with his or her fuel needs (42 U.S.C. §8624(f)). ~~The calculation of general assistance for heating energy needs~~ When an applicant has received HEAP or ECIP, GA heating energy needs will be calculated ~~shall be accomplished pursuant to~~ in accordance with Ordinance § 6.7, subsection (c) ~~subsection (e)~~ under "Types of Income" ~~at section 6.7 of this ordinance~~. For several additional exceptions please refer to the definition of "Income" in this Ordinance (see Ordinance § 2.2, page 7, subsection 4).

Applicants or recipients must apply for other program benefits within 7 days after being advised in writing to do so by the ~~general assistance~~ administrator Administrator. Persons who, without just cause, make no good faith effort to obtain a potential resource will be disqualified from receiving assistance until they make a good faith effort to obtain the benefit (22 M.R.S. § 4317).

Section 5.3—Personal Property

- a) **Liquid Assets.** No person owning assets easily convertible into cash, including but not limited to, bank deposits, stocks, bonds, certificates of deposit, retirement accounts, life insurance policies and other marketable security, will be eligible for GA ~~general assistance~~ unless and until he or she uses these assets to meet his or her basic needs, and thereby exhausts them. At the discretion of the GA ~~administrator~~ Administrator, liquid assets need ~~not include~~ mean a reasonable minimum balance necessary ~~to~~ for obtaining free checking. Although one checking account per household may be allowed, any monies over the minimum required to obtain free checking are to be considered available liquid assets.

b) **Tangible Assets.** No person owning or possessing personal property, ~~including such as~~ but not limited to: a motor vehicle (except as provided immediately below in subsection c), or a boat, trailer, recreation vehicle or other assets that are convertible into cash and are non-essential to the maintenance of the applicant's household, will be eligible for ~~GA general assistance~~. Exceptions may be made when a person is making an initial application or is an unforeseeable repeat applicant as defined in Ordinance §Section 2.2 or when reasonable efforts to convert assets to cash at fair market value are unsuccessful. Tools of a trade, livestock, farm equipment and other equipment used for the production of income are exempt from the above category and are not considered available assets.

c) **Automobile Ownership.** Ownership of one automobile per household will not make a person ineligible for assistance if such vehicle is essential for transportation to employment or for seeking employment, obtaining medical care, rehabilitation or training facilities, or for any other reason the GA ~~administrator~~Administrator determines reasonable for the maintenance of the applicant's household. ~~GA r~~Recipients of general assistance who own an automobile with a market value greater than \$8,000 may be required, with ~~written, 7-day's~~ written notice, to make a good faith effort to trade that automobile for an automobile with a market value of less than \$8,000. Any income received by the applicant by virtue of such a trade down must be used for his or her basic necessities. Failure to liquidate or trade down the excess value of any automobile asset can result in disqualification (22 M.R.S. § 4317).

The Administratormunicipality will neither pay nor consider as necessary any car payment or vehicle maintenance cost, including insurance, for which the applicant is responsible. However, ~~if provided~~ the vehicle's value is \$8,000 or less and the applicant is utilizing the vehicle for any of the above-mentioned "essential" reason (see above)s, the Administratormunicipality in its discretion may choose to not consider reasonable car payments, reasonable car insurance

~~and~~ reasonable associated costs of maintenance as "misspent" income.

~~GA~~general assistance for travel-related needs shall be computed in accordance with Ordinance §section 6.8(F)(7), (8) "Work Related/Travel Expenses."

- d) **Insurance.** ~~Insurance that is available to an applicant on a non-contributory basis or that is required as a condition of employment will not be a factor in determining eligibility for GA~~general assistance. Life insurance with a cash surrender value may, at the discretion of the ~~GA administrator~~Administrator, be considered as a tangible asset.
- e) **Transfer of Property.** Applicants who transfer assets for less than fair market value to someone else solely for the purpose of establishing eligibility for ~~GA~~general assistance ~~will not be granted GA~~general assistance benefits to replace the uncompensated value of the transferred asset. Assistance will be denied within a 120-day limit up to the uncompensated value of the asset which was transferred unless the transfer of asset is fraudulently misrepresented, in which case a 120-day disqualification will be issued. There will be a presumption that the applicant transferred his or her assets in order to be eligible for ~~GA~~general assistance whenever property is sold for less than the fair market value or when the transfer occurred within 30 days prior to applying for ~~GA~~general assistance unless the applicant can demonstrate the existence of a good faith transaction.

Section 5.4—Ownership of Real Estate

- a) **Principal Residence.** ~~Solely~~ For purposes of ~~GA~~General Assistance ~~solely~~, the applicant's principal residence, including any adjoining land, is considered an exempt resource, even if temporarily unoccupied because of employment, job training, education, illness or disaster, provided the applicant ~~re-is-demonstrates~~ an intent to return. If the applicant owns land in excess of the minimum lot size for the zone or district in which the home is located, ~~then~~ that land may be considered a potential resource if:

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1. The applicant has received ~~GA~~General Assistance for the last 120 consecutive days; and
2. The applicant has the legal right to sell the land (e.g., any mortgagee will release any mortgage, any co-owners agree to the sale, zoning or other land use laws do not render the sale illegal or impracticable); and
3. The applicant has the financial capability to put the land into a marketable condition (e.g., the applicant can pay for any necessary surveys); and
4. The land is not utilized for the maintenance and/or support of the household; and
5. A knowledgeable source (e.g., a realtor) indicates that the land in question can be sold at fair market value, for an amount which will aid the applicant's financial rehabilitation; and
6. No other circumstances exist which cause any sale to be unduly burdensome or inequitable.

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If the ~~above~~ above conditions are met, then the ~~administrator~~Administrator may condition the receipt of future assistance on the applicant's good faith efforts to sell, or render saleable, land which could be used to provide necessary support for the applicant (e.g., the applicant owns 100 "excess" acres. Sale of 10 of the acres would provide for the necessary support; ~~and therefore~~ the entire 100 acres ~~not all the land~~ need not be sold at the present time.) Assistance shall not be denied during the time that the applicant is making a good faith effort to sell or render saleable the land in question.

Once the applicant ceases to receive assistance the obligations under this section shall also cease.

- b) **Other Property.** If the applicant or dependents own real property other than that occupied as the principal residence, continued GA eligibility will depend on the applicant making a reasonable effort to:

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1. Dispose of the property at fair market value in order to convert the property into cash which can be applied toward meeting present need; or
2. Obtain a loan against such property which may be used to meet present need. Applicants who transfer their excess property to a third party in order to become eligible for GAgeneral-assistance will be ineligible.

If an applicant is granted assistance in the form of a mortgage payment or capital improvement payment, the municipality may claim a lien against the property. The lien shall not be enforceable until the time of sale of the property or upon the death of the recipient (*see also Ordinance §section 6.8 of this ordinance*) (22 M.R.S. § 4320).

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Section 5.5—Work Requirement

All GAgeneral-assistance recipients are required to register for work, look for work, work to the extent of available employment, and otherwise fulfill the work requirements, unless the applicant is exempt from such requirements as provided below.

Employment; Rehabilitation. All unemployed applicants and ~~members of their households~~ members who are 16 years of age or older and who are not attending a full-time primary or secondary school intended to lead to a high school diploma will be required to accept any suitable job offer and/or meet with job counselors, attend employment workshops and rehabilitative services, except as provided below (*see "Exemptions"*). Applicants must demonstrate to the ~~administrator~~ Administrator that they are available for work and are actively seeking employment.

A "suitable job" means any job, which the applicant is mentally and physically able to perform. "Available for work" means that applicants must make themselves available for work during normal business hours prevailing in the area, and show that no

circumstance exists which would prevent them from complying with the work requirement.

Verification. Unemployed ~~applicants~~ or applicants ~~employed~~ on a part-time basis ~~must~~will be required to provide verifiable documentation of their pursuit of employment at the time of each application. At a minimum, such documentation will ~~shall~~ consist of a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted. "Pursuit of employment" means actually submitting a written application or applying for a job in person when reasonable, or submitting a written application or letter of inquiry to employers.

For the duration of any repeat applicant's period of unemployment or partial employment, the ~~administrator~~Administrator will establish the number of employers per week to whom each non-exempt applicant shall be required to apply in order to fulfill his or her work search requirements. The number of weekly employer contacts required by the ~~administrator~~Administrator shall be reasonably related to the number of potential employers in the region and the number of hours per~~in~~ the week the applicant has available for work search activities after considering all time the applicant must devote to existing employment obligations, workfare obligations, and required classroom or on-site participation in job training, educational, or rehabilitation programs. Fulfillment of these requirements will not be expected at the time of the initial application, but will be a condition of eligibility for subsequent assistance.

Ineligibility. After being granted assistance at the time of initial application, applicants will be considered ineligible for further assistance for 120 days if they, without just cause:

- a) refuse to register for employment with the Maine Job Service;
- b) refuse to search diligently for employment when the search is reasonable and appropriate; recipients who unreasonably seek work at the same places repeatedly will not be considered to be performing a diligent work search and will be disqualified;

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- c) refuse to accept a suitable job offer;
- d) refuse to participate in an assigned training, education or rehabilitation program that would assist the applicant in securing employment;
- e) fail to be available for work; or
- f) refuse to participate or participate in a substandard manner in the municipal work program (*see Ordinance §section 5.6*).

Ineligibility Due to Job Quit or Discharge for Misconduct. No applicant, whether an initial or repeat applicant, who has quit his or her full-time or part-time job without just cause or who has been discharged from employment for misconduct (*see definition in Appendix I, 26 M.R.S. § 1043 (23) for the definition*) will be eligible to receive GA general assistance of any kind for a 120-days period from the date the applicant is ef-separated ~~ien-f~~ from employment (22 M.R.S. § § 4301(8), 4316-A (1-A)).

Just Cause. Applicants will be ineligible for assistance for 120 days if they refuse to comply with the work requirements of this section without just cause. With respect to any work requirement, just cause will be considered to exist when there is reasonable and verifiable evidence that:

- a) the applicant has a physical or mental illness or disability which prevents him/her from working;
- b) the work assignment pays below minimum wages;
- c) the applicant was subject to sexual harassment;
- d) the applicant is physically or mentally unable to perform required job tasks, or to meet piece work standards;
- e) the applicant has no means of transportation to or from work or a training or rehabilitation program;
- f) the applicant is unable to arrange for necessary child care or care of ill or disabled family members; or
- g) any reason found to be good cause by the Maine Department of Labor, or any other verifiable reason the ~~administrate~~ Administrator considers reasonable and appropriate will be accepted as just cause. (22 M.R.S. § 4316-A(5)).

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Applicant's Burden of Establishing Just Cause. If the ~~administrator~~Administrator finds that the applicant has violated a work-related rule without just cause, it shall be the responsibility of the applicant to establish the presence of just cause (22 M.R.S. § 4316-A).

Eligibility Regained. Persons who are disqualified for 120 days because they violated a work requirement may regain their eligibility if and only when they become employed or otherwise satisfy the ~~administrator~~Administrator that they are complying with the work requirement by fulfilling the work requirement~~(s)~~ or requirements the person violated.

For the purpose of regaining eligibility by becoming employed, "employment" shall mean employment by an employer as defined in 26 M.R.S. § § 1043-~~et seq.~~, or the performance of a service for an employer who withholds from the employee a social security tax pursuant to federal law.

The special provisions regarding the opportunity to regain eligibility after a disqualification for workfare violations are detailed in Ordinance §section 5.6 of this ordinance, under "Eligibility Regained.":

Dependents. Failure of an otherwise eligible person to comply with the work requirements shall not affect the eligibility of any member of the person's household who is not capable of working, including:

- a) a dependent minor child;
- b) an elderly, ill, or disabled person; and
- c) a person whose presence is required in order to provide care for any child under 6 years of age or for any ill or disabled member of the household (22 M.R.S. § 4309(3)).

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~~If the event~~ one (or more) member(s) of a household is disqualified and assistance is requested for those remaining members of the household who are dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Exemptions. The above work requirements do not apply to any person who is elderly, physically or mentally ill or disabled. Any person whose presence is required to care for any pre-school age child or for any ill or disabled member of the household is also exempt from these requirements.

The requirements of this section will not be imposed so as to interfere with an applicant's existing employment, ability to pursue a bona fide job offer, ability to attend an interview for possible employment, classroom participation in a primary or secondary educational program intended to lead to a high school diploma, classroom or on site participation in a training program which is either approved by the Department of Labor (DOL) or determined by the ~~DOL~~ department of Labor to be expected to assist the applicant in securing employment, or classroom participation in a degree-granting program operated under the control of the ~~DOL~~ department of Labor.

Section 5.6—Municipal Work Program

Each applicant and any member of the household who is capable of working may be required to perform work for the municipality, including work for a non-profit organization, as a condition of receiving assistance (22 M.R.S. § 4316-A(2)).

As part of the municipal work program, the municipality can require recipients to participate in training, education, or rehabilitative programs that will assist the recipient in securing employment. The work requirement provisions found in Ordinance §section 5.5 regarding just cause, dependents, and exemptions also apply to the municipal workfare program.

Consent. Persons assigned to the work program are required to sign a form stating that they understand the requirements of GA general assistance and the work program. Before ~~Prior to~~ signing the form, the administrator ~~Administrator~~ will read it to the applicants or allow the applicants to will read it themselves. The form will also state

the number of hours the applicants must work and the hourly rate by means of which the duration of the work assignment is calculated. In addition, the consent form shall describe the consequences of failing to adequately perform part or all of the workfare or workfare-first assignment.

Subtracting Value of Workfare Performed from Client's GA Debt. Pursuant to 22 M.R.S.A § 4318, individuals who received GA benefits ~~owing the municipality funds for general assistance provided to them~~ are obligated to repay the municipality when and if they become able (*see Ordinance Article VIII*). However, persons performing workfare shall have the value of the workfare performed deducted from any and all GA debt including GA liens (e.g., Workers' Compensation Settlement, SSI Retroactive Payment, Capital Improvement, Home Mortgage) that might exist against their settlements, payments or other such property.

Limitations. The work requirement is subject to the following limitations (22 M.R.S. § 4316-A(3)).

- 1) No person shall, as a condition of eligibility, be required to perform any amount of work that exceeds the value of the net GA ~~general assistance~~ that the person receives under municipal GA ~~general assistance~~ standards. Any person performing work under this subsection shall be provided with net GA ~~general assistance~~, the value of which is calculated at a rate of at least the prevailing minimum wage under state or federal law at the time the workfare was performed.
- 2) No workfare participant shall be required to work for a nonprofit organization if that work would violate the participant's basic religious beliefs.
- 3) In no case shall eligible persons performing work under this subsection replace regular municipal employees.
- 4) In no case will work performed under this subsection interfere with an eligible person's:
 - a) existing employment;

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- b) ability to follow up on a bona fide job offer;
 - c) attendance at an interview for possible employment;
 - d) classroom participation in a primary or secondary educational program intended to lead to a high school diploma; or
 - e) classroom or on site participation in a training program which is approved by the Department of Labor (DOL) or determined by the DOL department of Labor to be reasonably expected to assist the person in securing employment, or classroom participation in a degree-granting program administered by the DHHS or the DOL department of Labor.
- 5) In no case may an eligible person be required to work more than 40 hours per week. An eligible person who has full or part-time employment shall be exempt from the work requirement to the extent that the work requirement in combination with his or her regular employment would result in the person working more than 40 hours per week.
- 6) In no case will an eligible person be required to perform work beyond his or her capabilities. However, when an illness or disability is claimed, an eligible person may be required as a condition of receiving assistance to present a doctor's statement detailing the extent of the disability or illness (22 M.R.S. § 4309).

If the ~~administrator~~ Administrator requires a doctor's statement to verify an applicant's illness or disability and the applicant is not currently under the care of a provider, the municipality may pay for the doctor's evaluation if the applicant has no means to pay for the exam. However, in such a case the ~~administrator~~ Administrator will choose the doctor. If there is a no-cost or low-cost health care option, the municipality may elect to refer the client to such a resource. The ~~administrator~~ Administrator will not require verification of medical conditions which are apparent or which are of such short duration that a reasonable person would not ordinarily seek medical attention (22 M.R.S. § 4316(5)).

7) In no case may an eligible person with an immediate need (i.e., a person in an emergency situation who has not been disqualified from receiving assistance for committing a program violation) be required to perform work under this subsection prior to receiving GAgeneral-assistance. The ~~administrator~~Administrator shall meet immediate needs upon receiving written assurance from the eligible person that he/she is willing to work to maintain eligibility for GAgeneral-assistance. When the recipient has no immediate need, workfare participation may be required prior to receiving GAgeneral-assistance in accordance with the following "workfare first" policy below.

"Workfare First" Policy. Pursuant to ~~Under the authority of~~ 22 M.R.S. § 4316-A(2)(D), the ~~administrator~~Administrator may, in accordance with the following guidelines, require a GA recipient of ~~general-assistance~~ to perform a workfare assignment prior to the actual issuance of the GAgeneral-assistance benefit conditionally granted.

- 1) In no circumstance will emergency GAgeneral-assistance for which an applicant is eligible be withheld pending the satisfactory performance of workfare.
- 2) All workfare participants under this policy will be provided a written decision, ~~as otherwise required by law,~~ within 24 hours ~~after~~ of submitting an application for GAgeneral-assistance and prior to performing any workfare for the municipality associated with that request for assistance. That written decision must include:
 - a) a specific description of the amount of GAgeneral-assistance being conditionally granted to the household, and for which basic needs;
 - b) the period of eligibility for which the GAgeneral-assistance grant is being issued (in days or weeks, but not to exceed 30 days);
 - c) the rate, at a dollar-per-hour basis (but not less than the prevailing minimum wage), upon which the duration of the workfare assignment is calculated;
 - d) the actual duration of the workfare assignment that must be performed, in hours, before the GAgeneral-assistance grant will be actually issued;

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- e) the specifics of the workfare assignment(s), including the general nature of the type of work being assigned, location(s) of work-site, date(s) and time(s) of assigned workfare, workfare supervisors' names and contact telephone numbers; and
 - f) any other pertinent information related to the workfare assignment(s) the recipient will be expected to perform.
- 3) As previously provided in this section, all workfare participants ~~under this policy~~ must sign a consent form that informs the participant of his or her workfare-related rights and responsibilities, including the consequences of failing to perform all or part of the workfare assigned without just cause.
- 4) If a portion of the workfare-first assignment is satisfactorily performed but there has been a failure to perform the remainder of the assignment, without just cause, the ~~administrator~~Administrator shall issue a grant of GA benefitsgeneral assistance ~~corresponding to the amount of~~ the number of workfare hours satisfactorily performed ~~multiplied by~~ times the hourly rate used to calculate the ~~duration of the workfare assignment~~. In addition to any disqualification penalty that may apply, the remaining value of the conditionally issued GAgeneral assistance grant shall be terminated, and notice of the partial termination, together with and the reasons therefore, will be issued to the workfare participant in accordance with Ordinance §section 6.10 ~~of this ordinance~~.
- 5) If ~~a~~Any partamount of the workfare assignment that is not performed because the workfare participant was temporarily unable to perform the assignment for just cause reasons, it shall be reassigned or excused at the discretion of the GA administratorAdministrator.

Work-Related Expenses. A participant's expenses related to work performed under this section will be added to the amount of net GAgeneral assistance to be provided to the person (22 M.R.S. § 4316-A(2)(E)). The municipality will provide any special clothes or equipment the recipient needs to perform his or her work assignment.

Disqualification. Any person who either willfully fails to perform or willfully performs below average standards the work assigned by the municipality, will be ineligible for assistance for 120 days (22 M.R.S. § 4316-A(1)). As soon as the ~~administrator~~Administrator knows that a recipient failed to fulfill the work assignment, the ~~administrator~~Administrator will notify the recipient in writing that he/she is disqualified for 120 days starting from the last date of authorized assistance unless the recipient can show just cause. The workfare participant has the burden of demonstrating there was a just cause for any failure to perform a workfare assignment. ~~falls on the workfare participant.~~

Eligibility Regained. Recipients who are disqualified from receiving assistance because they have violated the requirements of the municipal work program may regain their eligibility under the following conditions.

- Recipients who fail to complete the first municipal work assignment they have been given will be disqualified from receiving assistance during the next 120 days, although dependents in the household may be eligible (see Ordinance §section: 5.5, "Dependents").

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- If during the 120-day disqualification period the recipient requests an opportunity to perform the work assignment which he or she, without just cause failed to perform, the disqualified recipient will be given one opportunity to regain eligibility. The ~~administrator~~Administrator will give the recipient a work assignment as soon as possible.

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- If ~~under such a set of circumstances the~~ a recipient under a 120-day disqualification has an emergency need and the ~~administrator~~Administrator is unable to schedule a work assignment in time to alleviate the emergency, the ~~administrator~~Administrator will provide sufficient assistance to the recipient to avert the emergency. However,

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the provision of such emergency assistance will not bar the ~~administrator~~Administrator from subsequently enforcing the previously issued 120-day disqualification if the recipient fails to regain eligibility by satisfactorily performing the work assignment. The amount of emergency assistance granted will be considered in the computation of the total number of hours the recipient must work.

- Recipients who have asked for the opportunity to regain their eligibility during a 120 day disqualification period and who agreed to fulfill the assignment which they previously failed to perform ~~but~~ and who, without just cause, fail to fulfill their municipal work assignment will be considered to have acted in bad faith. In such a circumstance, the ~~administrator~~Administrator will enforce the 120-day disqualification for the term of its initial duration.

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- If a workfare participant regains eligibility under this section but is subsequently disqualified within the initial 120-day period of ineligibility for failing to comply with the municipal work program, that participant will be ineligible for a new 120-day period beginning with the new disqualification date, but will be provided no opportunity to requalify.

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- Any recipient who intentionally causes damage to property, harasses or harms other employees or who otherwise conducts themselves in a disruptive manner and is discharged by the work supervisor will not be entitled to regain eligibility by returning to the work program. Eligibility may be regained by otherwise becoming employed and meeting the definition of need.

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Reports. The ~~administrator~~Administrator will itemize the assistance that has been provided to persons who work for the municipality in reports to the DHHS (22 M.R.S. § 4316-A(2)).

Section 5.7—Use of Resources

Each applicant ~~is~~ has the responsibility to make a good faith effort to utilize every available or potential resource that may reduce his or her need for GAgeneral assistance (see ~~s~~Ordinance Section 2.2, for definition of "Resources"). Persons who refuse or fail to make a good faith effort to secure a potential resource after receiving written notice to do so are disqualified from receiving assistance until they make an effort to secure the resource. Applicants are required to prove that they have made a good faith effort to secure the resource (22 M.R.S. § 4317).

Minors. A minor under the age of 18 who has never married and is applying independently for GAgeneral assistance and who is pregnant or has a dependent child or children will be eligible to receive GAgeneral assistance only if the minor is residing in the home of his or her parent, legal guardian or other adult relative, in which case the entire household will be evaluated for eligibility. Exceptions to this limitation on eligibility will be made when:

- 1) the minor is residing in a foster home, maternity home, or other adult-supervised supportive living arrangement; or
- 2) the minor has no living parent or the whereabouts of the both parents are unknown; or
- 3) no parent will permit the minor to live in the parent's home; or
- 4) the minor has lived apart from both parents for at least one year before the birth of any dependent child; or
- 5) the DHHS determines that the physical or emotional health or safety of the minor or the minor's dependent child or children would be jeopardized if the minor and his or her child or children lived with a parent; or
- 6) the DHHS determines, in accordance with its regulation, that there is good cause to waive this limitation on eligibility (22 M.R.S. § 4309(4)).

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Any person under the age of 25 who is applying independently from his or her parents for GAgeneral assistance will be informed that until he or she reaches the age of 25, the

applicant's parents are still legally liable for his or her support and the municipality has the right to seek recovery from the parents of the cost of all assistance granted to such a recipient to the extent his or her parents are financially capable of repaying the municipality (22 M.R.S. § 4319).

With regard to such application, the municipality may seek verification of the applicant's need for ~~GAgeneral-assistance~~ by contacting his or her parents. If the applicant's parents declare a willingness to provide the applicant with his or her basic needs directly, and there is no convincing evidence that the applicant would be jeopardized by relying on his or her parents for basic needs, the ~~administrator~~ Administrator may find the applicant not to be in need of ~~GAgeneral-assistance~~ for the reason that his or her needs can be provided by a legally liable relative.

Mental or Physical Disability. Any applicant who has a mental or physical disability must make a good faith effort to utilize any medical or rehabilitative services which have been recommended by a physician, psychologist or other professional retraining or rehabilitation specialist when the services are available to the applicant and would not constitute a financial burden or create a physical risk to the individual.

Written Notice; Disqualification. The ~~administrator~~ Administrator will give each applicant written notice whenever the applicant is required to utilize any specific potential resource(s). Any applicant who refuses to utilize potential resources, without just cause, after receiving written 7-day notice will be ineligible for further assistance until he/she has made a good faith effort to utilize or obtain the resources. ~~GAgeneral assistance~~ will not be withheld from the applicant pending receipt of a resource if the applicant has made, or is in the process of making, a good faith effort to obtain the resource.

Forfeiture of Benefits. Any applicant who forfeits receipt of, or causes a reduction in, benefits from another public assistance program due to fraud, misrepresentation, a

knowing or intentional violation of program rules or a refusal to comply with that program's rules without just cause will be ineligible to receive GAgeneral-assistance to replace the forfeited benefits. To the extent the forfeited benefits can be considered income under GAgeneral-assistance law, the valueworth of the forfeited benefits will be considered income that is available to the applicant for the duration of the forfeiture.

To the extent the forfeited benefits were provided in the form of a specific, regularly issued resource of a calculable value ~~not rather than~~ in the form of income, ~~but, rather, in the form of a specific, regularly issued resource of a calculable value,~~ that resource, up to its forfeited value, need not be replaced with GAgeneral-assistance for a period of 120 days from the date of the forfeiture—unless the municipality is prohibited by federal or state law from considering the forfeited resource as available with respect to local public assistance programs (22 M.R.S. § 4317).

Section 5.8—Period of Ineligibility

No one will have his or her GAassistance terminated, reduced, or suspended prior to being given written notice and an opportunity for a fair hearing (22 M.R.S. § § 4321-4322). Each person will be notified in writing of the reasons for his or her ineligibility, and any person disqualified for not complying with the ordinance will be informed in writing of the period of ineligibility.

Work Requirement. Applicants/recipients who do not comply with a work requirement are disqualified from receiving assistance for a period of 120 days (unless they regain their eligibility) (*see Ordinance §§sections 5.5, 5.6*). If an applicant/recipient is provided assistance and does not comply with the work requirement, the applicant/recipient shall be disqualified for 120 days following the end of the period covered by the grant of assistance. The ~~administrator~~Administrator shall give recipients written notice that they are disqualified as soon as the ~~administrator~~Administrator has sufficient knowledge and information to render a decision of ineligibility.

Fraud. ~~Persons~~ who commit fraud are disqualified from receiving GAassistance for a period of 120 days (*see Ordinance §section 6.4, "Fraud"*). The ~~administrator~~Administrator shall give recipients written notice that they are ineligible as soon as the ~~administrator~~Administrator has sufficient knowledge and information to render a decision. If the disqualification for fraud is issued before the expiration of a grant of assistance, the period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance. If fraud is discovered after the period covered by the grant of assistance has expired, the period of ineligibility will commence on the day of the written notice of ineligibility.

Section 5.9 – Unemployment Fraud

An applicant who is found ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to 26 M.R.S. § 1051(1) is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor. 22 M.R.S. § 4317.

ARTICLE VI

Determination of Eligibility

Section 6.1—Recognition of Dignity and Rights

Any determination or investigation into an applicant's eligibility will be conducted in a manner that will not violate the applicant's privacy or personal dignity or violate his or her individual rights.

Section 6.2—Determination; Redetermination

The ~~administrator~~Administrator will make an individual, factual determination of eligibility each time a person applies or reapplies for GA~~general-assistance~~. The ~~administrator~~Administrator will make a redetermination of eligibility at least monthly but may do so as often as necessary to administer the program efficiently and meet the needs of the applicants. Upon any application, the ~~administrator~~Administrator will determine the applicant's eligibility on the basis of a 30-day prospective analysis, but may elect to disburse that applicant's assistance periodically, e.g., weekly, throughout a 30-day period of eligibility pursuant to that initial eligibility determination.

The ~~administrator~~Administrator may redetermine a person's eligibility at any time during the period he or she is receiving assistance if the ~~administrator~~Administrator is notified of any change in the recipient's circumstances that may alter the amount of assistance the recipient may receive. Once a recipient has been granted assistance, the ~~administrator~~Administrator may not reduce or rescind the grant without giving prior written notice to the recipient explaining the reasons for the decision and offering the recipient an opportunity to appeal the decision to the fair hearing authority (22 M.R.S. § 4309).

Section 6.3—Verification

Eligibility of applicant; duration of eligibility. The overseer shall determine eligibility each time a person applies or reapplies for ~~GA general assistance~~. The period of eligibility will not exceed one month. At the expiration of this period applicants/recipients may reapply for assistance and the person's eligibility will be redetermined.

Applicant's responsibilities. Applicants and recipients for ~~GA general assistance~~ are responsible for providing to the ~~Administrator~~ overseer all information necessary to determine eligibility. If further information or documentation is necessary to demonstrate eligibility, the applicant must have the first opportunity to provide the specific information or documentation required by the ~~Administrator~~ overseer. When such information ~~required by the overseer is unavailable~~, the ~~Administrator~~ overseer must accept alternative available information, which is subject to verification.

Each applicant and recipient has the responsibility at the time of application and continuing thereafter, to provide complete, accurate, ~~and~~ current information and documentation concerning his/her:

- Need
- Income
- Employment
- Use of income
- Expenses
- Assets & liabilities
- Use of available resources
- Household composition

Initial Applicants. Persons who have not applied for assistance in this or any other municipality are considered initial applicants and must have their eligibility determined solely on the basis of need. Initial applicants are not subject to eligibility conditions placed on repeat applicants (*see below*). However, such applicants must ~~are still~~ responsible for providing the GA administrator Administrator with reasonably obtainable

documentation adequate to verify that there is a need for assistance. In addition, initial applicants must also comply with both lump sum and relevant work rules (i.e. job quit).

Repeat Applicants. All applicants for ~~GA~~general assistance ~~who~~that are not initial applicants are repeat applicants. The eligibility of repeat applicants must be determined on the basis of need and all other conditions of eligibility established by law and this municipal ordinance.

The ~~administrator~~Administrator will require documentation of a repeat applicant's income, use of income, assets and resources plus actual bills and receipts for rent, utilities, fuel, telephone, medical services and other basic necessities. In addition, repeat applicants instructed to seek employment shall verify their work search results, (e.g., provide a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted); as required by the ~~GA administrator~~Administrator.

Repeat applicants ~~must~~ ~~are also responsible for providing~~ updates to any changes of information reported on previous applications, including changes in his/her household or income that may affect his/her eligibility.

Unforeseen Repeat Applicants. Unforeseen repeat applicants are applicants who have not applied for assistance within the last twelve months and who have been regularly employed or receiving support from a public benefit or private source but who have unexpectedly become unemployed through no fault of their own or whose income and/or benefits (e.g., through an available resource) have ceased through no fault of their own. Such unforeseen repeat applicants may be considered initial applicants for purposes of verification requirements and misspent income if the ~~administrator~~Administrator finds that imposing the general verification requirements and misspent income rules imposed on repeat applicants would be unreasonable or inappropriate.

Administrator/Overseer's responsibilities. In order to determine an applicant's eligibility for GA general assistance, the Administrator/overseer first must seek information and documentation from the applicant. Once the applicant has presented the necessary information, the Administrator/overseer must be responsible for determining eligibility. The Administrator/overseer will seek verification necessary to determine eligibility, and : In order to determine eligibility, the overseer may contact sources other than the applicant for verification only with the specific knowledge and consent of the applicant -- ; except that the Administrator/overseer may examine public records without the applicant's knowledge and consent.

Appropriate sources, which an Administrator the overseers may contact, include, but are not limited to:

- DHHS, and any other department
- landlords
- or/ agency of the state, or non-profit organizations
- physicians
- financial institutions
- persons with whom the applicant/recipient is a cohabitant
- creditors
- legally and non-legally liable relatives
- utility companies
- employers

Assistance will be denied or terminated if the applicant is unwilling to supply the overseer with necessary information, documentation, or permission to make collateral contacts, or if the Administrator/overseer cannot determine that eligibility exists based on information supplied by the applicant or others.

Redetermination of eligibility. The Administrator/overseer may redetermine a person's eligibility at any time during the period that person is receiving assistance if the Administrator/overseer is informed of any change in the recipient's circumstances that may affect the amount of assistance to which the recipient is entitled, or that may make the recipient ineligible, provided that once a determination of eligibility has been made

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for a specific time period, a reduction in assistance for that time period may not be made without prior written notice to the recipient ~~stating~~with the reasons for the action and an opportunity for the recipient to receive a fair hearing upon the proposed change.

Penalty for Refusing to Release Information. Any person governed by 22 M.R.S. § 4314 who refuses to provide necessary information to the ~~administrator~~Administrator after it has been requested must state in writing the reasons for the refusal within 3 days of receiving the request. Any such person who refuses to provide the information, without just cause, commits a civil violation and may be subject to a fine of not less than \$25 nor more than \$100 which may be adjudged in any court of competent jurisdiction. Any person who willfully renders false information to the ~~administrator~~Administrator is guilty of a Class E crime (22 M.R.S. § § 4314(5), 4314(6), 4315).

Section 6.4—Fraud

It is unlawful for a person to knowingly and willfully make a false representation of a material fact to the ~~administrator~~Administrator in order to receive GA~~general-assistance~~ or cause someone else to receive GA~~general-assistance~~ (22 M.R.S. § 4315). A person who commits fraud in an effort to receive GA~~general-assistance~~ benefits may be prosecuted for this offense.

False representation shall ~~mean~~consist of any individual who knowingly and willfully:

- a) ~~making~~ a false statement to the ~~general-assistance~~ ~~administrator~~Administrator, either orally or in writing, in order to obtain assistance to which the applicant or the applicant's household is not entitled;
- b) ~~concealing~~ information from the ~~general-assistance~~ ~~administrator~~Administrator in order to obtain assistance to which the applicant or applicant's household is not entitled; or
- c) ~~using~~ GA~~general-assistance~~ benefits for a purpose other than the ~~purpose~~ that for which they were intended.

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No person may be denied assistance solely for making a false representation prior to being given an opportunity for a fair hearing.

Period of Ineligibility. When the ~~general assistance administrator~~Administrator finds that a person has knowingly and willfully misrepresented material facts for the purpose of making himself or herself eligible for ~~GA~~general assistance, the ~~administrator~~Administrator shall notify that applicant in writing that he or she must reimburse the municipality for the assistance he or she was not entitled to receive and that he/she is ineligible for assistance for the longer of: (a) a period of 120 days; (b) until he or she reimburses the municipality for the assistance; or (c) until he or she enters a reasonable written agreement to reimburse the municipality. (22 M.R.S. § 4315) For the purpose of this section, a material misrepresentation is a false statement about eligibility factors in the absence of which some or all of the assistance would not be or would not have been granted.

The notification of ineligibility issued by the ~~administrator~~Administrator shall inform the applicant of his or her right to appeal the ~~administrator~~Administrator's decision to the fair hearing authority (FHA) within 5 working days of receipt. The period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance fraudulently received or upon the date of notification of ineligibility, whichever is later.

Right to a Fair Hearing. Any applicant who is denied assistance for making a false representation will be afforded the opportunity to appeal the decision to the fair hearing authority (FHA) in accordance with Article VII of this Ordinance. No recipient shall have his or her assistance reduced or revoked during the period of eligibility before being notified and given the opportunity to appeal the decision. Any person who is dissatisfied with the decision of the FHA may appeal that decision to the Superior Court pursuant to Rule 80-B of the Maine Rules of Civil Procedure (22 M.R.S. § 4309(3)).

Reimbursement. If a recipient does not appeal the decision or if the ~~FHA~~fair-hearing authority determines that a recipient did ~~mad~~make a false representation, the recipient will be required to reimburse the municipality for any assistance received to which he/she was not entitled. The recipient may enter a reasonable written agreement to reimburse the municipality over a period of time.

Dependents. In no event will the ineligibility of a person under this section serve to disqualify any eligible dependent in that household (22 M.R.S. § 4309(3)). In the event one or more members of a household are disqualified and assistance is requested for the remaining dependents, the eligibility of those dependents will be calculated by dividing the maximum level of assistance available to the entire household by the total number of household members.

Section 6.5—Period of Eligibility

The ~~administrator~~Administrator will grant assistance to all eligible persons for a period that is sufficient to meet their need but in no event may a grant of assistance cover a period in excess of one month (22 M.R.S. § 4309). Upon receiving a completed and signed application the ~~administrator~~Administrator will determine the applicant's eligibility on the basis of a 30-day prospective analysis.

When an applicant submits an incomplete or unsigned application, due to the 24-hour decision requirement placed on the GA ~~administrator~~Administrator, the GA ~~administrator~~Administrator shall render a notice of "ineligibility" and advise the applicant that he or she has a right to reapply as soon as he or she has the necessary information and/or as soon as is practicable for the applicant.

Although eligibility is determined on a 30-day basis, for reasons of administrative efficiency the ~~administrator~~Administrator may elect to disburse an applicant's assistance for shorter periods of time, such as weekly, throughout the 30-day period of eligibility. When the ~~administrator~~Administrator elects to disburse GA~~general-assistance~~ for a

period of time less than 30 days, subsequent grants of assistance during that 30-day period may be issued pursuant to the initial determination of need unless the applicant's financial situation changes substantially enough to warrant a redetermination of eligibility.

Section 6.6—Determination of Need

The period of time used to calculate need will be the next 30-day period from the date of application (22 M.R.S. § 4301(7)). The ~~administrator~~ Administrator will calculate applicants' expenses according to the actual expense of the basic necessity or the maximum levels for the specific necessities allowed in Ordinance §section 6.8, whichever is less. The sum of these expenses, as calculated for a prospective 30-day period, is the applicant's 30-day need. Applicants will not be considered eligible if their income and other resources exceed this calculation except in an emergency (22 M.R.S. § 4308(2)) (*see Ordinance §section 4.9 of this ordinance*).

Applicants will also not be considered in need of GA~~general assistance~~ if their income, property, credit, assets or other resources available to provide basic necessities for their household are greater than the applicable overall maximum level of assistance set forth in the beginning of Ordinance §section 6.8 (22 M.R.S. § § 4301(10), 4305(3-B)). The difference between the applicant's income and the overall maximum levels of assistance established by this Ordinance is the applicant's deficit.

Once an applicant's deficit has been determined, the specific maximum levels of assistance for each basic necessity (*see Appendixes A-H of this ordinance*) shall be ~~used by the administrator to guide~~ Administrator's the distribution of assistance for which the applicant is eligible. (*See Ordinance Appendixes A-H*). The specific maximum levels of assistance for each basic necessity are intended to be reasonable and sufficient to help recipients maintain a standard of health and decency (22 M.R.S. § 4305(3-A)).

Income for Basic Necessities. Applicants are required to use their income for basic necessities. Except for initial applicants, no applicant is eligible to receive assistance to replace income that was spent within the 30-day period prior to an application for assistance on goods and services that are not basic necessities. All income spent on goods and services that are not basic necessities will be considered available to the applicant and combined with the applicant's prospective 30-day income for the purposes of computing eligibility (22 M.R.S. § 4315-A). Applicants who have sufficient income to provide their basic necessities but who use that income to purchase goods or services which are not basic necessities will not be considered eligible for assistance. Persons who exhaust their income on basic necessities and who still need assistance with other basic necessities will be eligible, provided that their income does not exceed the overall maximum level of assistance.

Use-of-Income Requirements. The ~~administrator~~Administrator may require that anyone applying for ~~GA~~general assistance provide documentation of his or her use of income. This documentation can take the form of cancelled checks and/or receipts which demonstrate that the applicant has exhausted all household income received over the last 30-day period. Except as is deemed appropriate by the ~~GA~~Administrator for "unforeseen" repeat applicants (*See Ordinance Section § 6.3 of this ordinance*), repeat applicants may be required to verify that expenditure of income was for basic necessities. Income expended that cannot be verified will generally be considered available and in such case will be added to the 30-day prospective income.

Allowable expenditures include reasonable shelter costs (rent/mortgage); the cost of heating fuel, electricity, and food up to the ordinance maximums; telephone costs at the base rate if the household needs a telephone for medical reasons, the cost of non-elective medical services as recommended by a physician which are not otherwise covered by medical entitlement, Hospital Free Care or insurance; the reasonable cost of

essential clothing and non-prescription drugs, and the costs of any other commodity or service determined essential by the ~~administrator~~Administrator.

Items not considered to be basic necessities and thus will not be allowed in the budget computation include:

- Internet services
- Cable or satellite television
- Cellular phones, except when deemed essential by the overseer for medical or work related purposes
- Cigarettes/alcohol
- Gifts purchased
- Pet care costs
- Costs of trips or vacations
- Paid court fines
- Repayments of unsecured loans
- Legal fees
- Late fees
- Credit card debt.

The municipality reserves the right to apply specific use-of-income requirements to any applicant, other than an initial applicant, who fails to use his or her income for basic necessities or fails to reasonably document his or her use of income (22 M.R.S. § 4315-A). Those additional requirements will be applied in the following manner:

- 1) The ~~administrator~~Administrator may require the applicant to use some or all of his or her income, at the time it becomes available, toward specific basic necessities. The ~~administrator~~Administrator may prioritize such required expenditures so that most or all of the applicant's income is applied to housing (i.e., rent/mortgage), energy (i.e., heating fuel, electricity), or other specified basic necessities;
- 2) The ~~administrator~~Administrator will notify applicants in writing of the specific use-of-income requirements placed on them;
- 3) If upon subsequent application it cannot be determined how the applicant's income was spent, or it is determined that some or all of the applicant's income was not spent as directed and was also not spent on basic necessities, the

applicant will not be eligible to receive either regular or emergency general assistance to replace that income; and

- 4) If the applicant does not spend his or her income as directed, but can show with verifiable documentation that all income was spent on basic necessities up to allowed amounts, the applicant will remain eligible to the extent of the applicant's eligibility and need.

Calculation of Income and Expenses. When determining eligibility, the ~~administrator~~Administrator will subtract the applicant's net income from the overall maximum level of assistance found at the beginning of Ordinance §section 6.8. If income is greater than the overall maximum level of assistance, the applicant will not be eligible except in an emergency (*see Ordinance §section 4.9*). If income is less than the overall maximum level of assistance, the applicant has a deficit.

The municipality will provide assistance in an amount up to the deficit to the extent the applicant also has an unmet need and is in need of basic necessities. The municipality will not grant assistance in excess of the maximum amounts allowed in Ordinance §section 6.8 of this ordinance for specific basic necessities except in an emergency or when the ~~administrator~~Administrator elects to consolidate the applicant's deficit, as provided immediately below.

Consolidation of Deficit. As a general rule, and to the extent of their deficit, applicants will be eligible for assistance for any basic necessity up to, but not exceeding, the maximum amount allowed for that necessity in this ordinance or the actual 30-day cost of the necessity, whichever is less. Under certain circumstances, however, and in accordance with the following conditions, the ~~administrator~~Administrator may consolidate the applicant's deficit and apply it toward a basic necessity in an amount greater than the ordinance maximum for that necessity.

- 1) The practice of consolidating the deficit and applying it toward a basic necessity in amounts greater than the ordinance maximum shall be the exception rather than the rule;
- 2) The total ~~GA~~general assistance grant cannot exceed the total deficit unless the applicant is in an emergency situation; and
- 3) The need for the application of the recipient's consolidated deficit toward a basic necessity was not created by the recipient mispending his or her income or resources in violation of the use-of-income requirements of this ordinance.

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Section 6.7—Income

Income Standards. Applicants whose income exceeds the overall maximum level of assistance provided in Ordinance §section 6.8 shall not be eligible for ~~GA~~general assistance except in an emergency. Each time an applicant applies, ~~t~~he ~~administrator~~Administrator will conduct an individual factual inquiry into the applicant's income and expenses ~~each time an applicant applies.~~

Calculation of Income. To determine whether applicants are in need, the ~~administrator~~Administrator will calculate the income they will receive during the next 30-day period commencing on the date of application, and identify any assets or resources that would alleviate their need. For all applicants other than initial applicants, the ~~administrator~~Administrator will also consider as available income any income that was not spent during the previous 30-day period on basic necessities, as well as any income that was spent on basic necessities in unreasonable excess of the ordinance maximums for specific basic necessities. If a household's income exceeds the amount of the household's need for basic necessities, up to the maximum levels contained in Ordinance §section 6.8, applicants will not be considered in need.

Exceptions will be made in emergency situations, which may necessitate that the maximum levels be exceeded (22 M.R.S. § 4308) (*see Ordinance §section 4.9 of this*

~~ordinance~~). To calculate weekly income and expenses, the ~~administrator~~Administrator will use actual income received or actual anticipated income.

Types of Income. Income that will be considered in determining an applicant's need includes:

- a) **Earned income.** Income in cash or in kind earned by the applicant through wages, salary, commissions, or profit, whether self-employed or as an employee, is considered earned income. If a person is self-employed, total income will be computed by subtracting reasonable and actual business expenses from gross income. When income consists of wages, the amount computed will be the income available after taxes, social security and other payroll deductions required by state, federal, and local law. Rental income and profit from produce that is sold is considered earned income. Income that is held in trust and unavailable to the applicant or the applicant's dependents will not be considered as earned income.

Note: Actual work-related expenses such as union dues, transportation to and from work, special equipment or work clothes, and child care costs will be deducted from an applicant's income (22 M.R.S. § 4301(7)).

- b) **Income from Other Assistance or Social Services Programs.** State/federal categorical assistance benefits, SSI payments, Social Security payments, VA benefits, unemployment insurance benefits, and payments from other government sources will be considered as income, unless expressly prohibited by federal law or regulation. Federal law prohibits Food Stamps and fuel assistance payments made by the Home Energy Assistance Program (HEAP and EPIC) from being considered income. The value of the food stamps or fuel assistance will not be used to reduce the amount of GA~~general-assistance~~ the applicant is eligible to receive. Although applicants may have only a limited or reduced need for GA~~general-assistance~~ for heating fuel or electricity if a recently

received HEAP/ECIP benefit has sufficiently credited their account or otherwise prevented the fuel-related costs for the prospective 30-day period.

The ~~administrator~~Administrator's obligation is to always compute the heating needs of an applicant who has received HEAP or ECIP as if that applicant paid for his or her total fuel costs. Accordingly, in such cases, the ~~administrator~~Administrator will budget for the household's heating energy needs according to actual usage, up to the ordinance maximums, but the ~~administrator~~Administrator may, with written notice to the applicant, hold in reserve the heating energy portion of the applicant's deficit until such a time during the period of eligibility that the applicant has a demonstrable need for the disbursement of heating energy assistance; that is, the applicant's fuel tank can accept a minimum fuel delivery or the applicant no longer has a positive credit balance with his or her utility company. The municipality is not obligated to divert any recipient's heating energy allowance toward non-heating purposes solely on the basis of the recipient's receipt of HEAP/ECIP.

Other programs whose income cannot be counted for purposes of GA eligibility include:

- Family Development Accounts (22 M.R.S. § 3762)
- Americorp VISTA program benefits (42 USCS § 5044-(f))
- Property tax rebates issued under the Maine Property Tax Fairness Credit program, only so long as the money is spent on basic necessities. (22 M.R.S. § 4301(7))

- c) **Court-Ordered Support Payments.** Alimony and child support payments will be considered income only if actually received by the applicant. The ~~general assistance administrator~~Administrator will refer cases in which where support payments were are not actually received to the Maine DHHSS~~State Department of Health and Human Services~~' Child Support Enforcement Unit. In order to be

eligible for future GA benefits, applicants being referred to DHHS for support such-enforcement assistanceservices shall be required to follow-through with such services. Because child support payments are considered a resource, applicants must make a good faith effort to secure such payments.

- d) **Income from Other Sources.** Payments from pensions and trust funds will be considered income. Payments from boarders or lodgers will be considered income as will cash or in-kind contributions provided to the household from any other source, including relatives (22 M.R.S. § 4301(7)).
- e) **Earnings of a Son or Daughter.** Earned income received by sons and daughters below the age of 18 who are full-time students and who are not working full-time will not be considered income. The unearned income of a minor in the household will be considered available to the household.
- f) **Income from Household Members.** Income from household members will be considered available to the applicant, whether or not the household member is legally obligated for the support of the applicant, if the household members pool or share their income and expenses as a family or intermingle their funds so as to provide support to one another.
- g) **The Pooling or Non-Pooling of Income.** When two or more individuals share the same dwelling unit but not all members of the household are applying for GAgeneral assistance, the ~~administrator~~Administrator shall make a finding under a rebuttable presumption that the entire household is pooling income (22 M.R.S. § 4301(12-A)).

One or more applicants for assistance can successfully rebut the presumption that all household income is being pooled by providing the ~~administrator~~Administrator with verifiable documentation affirmatively

demonstrating a pattern of non-pooling during for the duration of the shared living arrangement. Such documentation would include evidence of the entire household's expenses, ~~as well as~~ bank statements, cancelled checks, receipts, landlord statements or other vendor accounts clearly supporting a claim that the applicant has been and is presently solely and entirely responsible for his or her pro-rata share of household costs.

If the applicant is unable to successfully rebut the municipality's presumption that all household income is being pooled, eligibility of the entire household will be determined based on total household income. If the applicant successfully rebuts the municipality's presumption that all household income is being pooled, the applicant's eligibility will be determined on the basis of his or her income and his or her pro-rata share of actual household expenses.

- h) **Lump Sum Income.** A lump sum payment received by any GA applicant or recipient prior or subsequent to the date of application for GA~~general assistance~~ will be considered as income available to the household. However, verified required payments (i.e., any third party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities, as described below, will not be considered available income.

Where a household receives a lump sum payment at any time prior or subsequent to the date of application for GA~~general assistance~~, the ~~administrator~~Administrator will assess the need for prorating an applicant's eligibility for GA~~general assistance~~ according to the following criteria (22 M.R.S. § 4301(7), (8-A)):

- 1) identify the date the lump sum payment was received;
- 2) subtract from the lump sum payment all required payments;

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- 3) subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities as defined by the GAgeneral-assistance program such as: reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities. Repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid must also be subtracted. (22 M.R.S. § 4301(7), (8-A));
- 4) add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for GAgeneral-assistance; and
- 5) divide the sum created in subsection (4) by the verified actual monthly amounts for all of the household's basic necessities. 22 M.R.S. § 4305(3-B)

This dividend represents the period of proration determined by the ~~administrator~~Administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

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The household of an initial applicant that is otherwise eligible for emergency assistance may not be denied emergency assistance to meet an immediate need solely on the basis of the proration of a lump sum payment. (22 M.R.S.A § 4308)

Section 6.8—Basic Necessities; Maximum Levels of Assistance

Overall Maximum Levels of Assistance. Notwithstanding any of the maximum levels of assistance for specific basic necessities listed in Ordinance Appendices B-H of this ordinance, an applicant's eligibility for GAgeneral-assistance will be first determined by subtracting his or her income from the overall maximum level of assistance designated in Appendix A for the applicable household size (22 M.R.S. § 4305 (3-B)). The difference yielded by this calculation shall be the applicant's deficit.

Applicants will be eligible for GAgeneral-assistance up to the calculated deficit to the extent the applicant is unable to otherwise provide the basic necessities essential to maintain themselves or their families. Applicants with no deficit shall be found ineligible for GAgeneral-assistance unless they are in an emergency, in which case eligibility for emergency GAgeneral-assistance will be determined according to Ordinance §section 4.9 of this ordinance.

Maximum Levels of Assistance for Specific Basic Necessities. The municipality will grant assistance to eligible applicants for basic necessities according to the maximum levels for specific types of assistance set forth below. The ~~administrator~~Administrator, in consultation with the applicant, may apply the amount of the applicant's deficit toward assistance with any one or combination of necessities not to exceed the total deficit. These maximum levels will be strictly adhered to unless the ~~administrator~~Administrator determines that there are exceptional circumstances and an emergency is shown to exist, in which case these absolute levels will be waived in order to meet immediate needs. In all cases either the actual expenses the applicant incurs for basic necessities or the maximum amount allowed in each category, whichever is less, will be used in determining need.

In roommate situations, the applicant's need for common living expenses for rent, fuel, electricity, etc., will be presumed to be reduced by an amount equal to the other household members' proportionate fair share of the common living expenses. No applicant will be allowed to claim a need for any expense which has been or will be paid by another person. In addition, as a general rule the municipality will not provide a

benefit toward a basic need by paying a bill that is issued to a person not living with the applicant's household or that has otherwise been incurred by a person who has not been found eligible to receive assistance.

Temporary exceptions to this general rule may be made by the ~~administrator~~Administrator in the following circumstances: (1) a recent, unplanned separation has occurred in the household resulting in the sustained or permanent absence of a former household member in whose name the bill was customarily issued; (2) the applicant and members of the applicant's household were or will be the sole recipients of the commodities or services covered by any bill to be paid or partially paid with GA~~general-assistance~~; and (3) the applicant will make a good faith effort to direct the vendor to issue future bills in the name of the applicant or other responsible person residing in the household.

A) Food. The ~~administrator~~Administrator will provide food assistance to eligible persons up to the allowed maximum amounts designated by the U.S.D.A. Thrifty Food Plan for the appropriate household size.

For this purpose, the municipality hereby incorporates by reference the U.S.D.A. Thrifty Food Plan, as distributed by the Maine DHH~~Department of Health and Human Services~~ on or about October of each year. See Ordinance Appendix B of ~~this ordinance~~ for the current year's food maximums.

In determining need for food the ~~administrator~~Administrator will not consider the value of the food stamps an applicant receives as income (22 M.R.S. § 4301.7(A); 7 U.S.C. §2017(b)). The municipality will authorize vouchers to be used solely for approved food products.

The ~~administrator~~Administrator will exceed the maximums when necessary for households having members with special dietary needs. The

~~administrator~~Administrator may require a doctor's statement verifying there is a special dietary need requiring an expenditure for food that is greater than the ordinance maximums.

- B) **Housing.** The ~~administrator~~Administrator will provide assistance with rent or mortgage payments that are reasonable and/or within the allowed maximum levels. See Ordinance Appendix C of this ordinance for the current year's housing maximums. It is the applicant's responsibility to find suitable housing, although the ~~administrator~~Administrator may help the applicant find housing when appropriate. The ~~administrator~~Administrator will inform the applicant of the allowed housing maximums to assist the applicant in his or her search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed.

Rental Payments to Relatives. The municipality may elect to not issue any rental payment to an applicant's relatives unless the rental relationship has existed for at least three months and the applicant's relative(s) rely on the rental payment for their basic needs. For the purpose of this section, a "relative" is defined as the applicant's parents, grandparents, children, grandchildren, siblings, parent's siblings, or any of those relative's children (22 M.R.S. § 4319(2)).

Rental Payments to Non-Relatives. When applicants are living in private homes with the owner or sharing dwelling units with people who are not pooling income or who are not legally liable relatives, the amount allowed as the applicant's shelter expense will be the applicant's pro rata share of the actual, total shelter cost, up to the ordinance maximum (22 M.R.S. § 4301(6)).

Any housing assistance issued to a recipient in such a circumstance will be issued, whenever reasonably possible, to the landlord or property owner with the most superior interest in the property; i.e., to a landlord before a tenant, or to a mortgagee before a mortgagor.

When the municipality issues in aggregate more than \$600 in rental payments to any landlord in any calendar year, a 1099 form declaring the total amount of rental payments issued during the calendar year will be forwarded to the Internal Revenue Service (IRS) pursuant to IRS regulation (see ~~§section~~ 6041(a) of Internal Revenue Code).

Any landlord wishing to regularly receive rental payments from the municipality on behalf of applicants renting rooms from the landlord's own residence must, at a minimum, make a good faith effort to obtain a lodging license from the ~~DHHS~~Department of Health and Human Services, Division of Health Engineering, pursuant to 10-144A ~~CMR~~Code of Maine Regulations, Chapter 201, as a condition of that landlord receiving future ~~GA~~general assistance payments on behalf of his or her tenants.

Mortgage Payments. In the case of a request for assistance with a mortgage payment, the ~~general assistance administrator~~Administrator will make an individual factual determination of whether the applicant has an immediate need for such aid. In making this determination, the ~~administrator~~Administrator will consider the extent and liquidity of the applicant's proprietary interest in the housing. Factors to consider in making this determination include:

- (1) the marketability of the shelter's equity;
- (2) the amount of equity;
- (3) the availability of the equity interest in the shelter to provide the applicant an opportunity to secure a short-term loan in order to meet immediate needs;

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- (4) the extent to which liquidation may aid the applicant's financial rehabilitation;
- (5) a comparison between the amount of mortgage obligations and the anticipated rental charges the applicant would be responsible for if he/she were to be dislocated to rental housing;
- (6) the imminence of the applicant's dislocation from owned housing because of his or her inability to meet the mortgage payments;
- (7) the likelihood that the provision of housing assistance will prevent such dislocation; and
- (8) the applicant's age, health, and social situation.

These factors shall be considered when determining whether the equity in the shelter is an available asset which may be substituted for the assistance the municipality would otherwise be required to provide.

The ~~administrator~~Administrator shall consider issuing a benefit in response to the applicant's request for mortgage assistance to the extent the applicant is otherwise eligible for ~~GA~~general assistance if after review ~~of~~ing the ~~above~~criteria above, the ~~administrator~~Administrator determines that:

- (1) the monthly mortgage obligation is in accordance with the maximum levels of assistance available for housing appropriate to the applicant's household size;
- (2) there is no capacity in the accumulated equity in the property, when considered in the context of the applicant's borrowing capacity with the mortgagee or the general lending community, to suspend the mortgage obligation temporarily or reamortize the mortgage in such a way as to suspend or reduce the mortgage obligation; and
- (3) the failure to provide a mortgage payment in a timely manner could jeopardize the applicant's continued right of possession of the property.

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If a mortgage payment is necessary, the ~~administrator~~Administrator will pay the actual amount due, up to the amount allowed according to the maximum levels listed below. After an initial application, assistance with such payments will be given only after the applicant has made all reasonable efforts to borrow against the equity of his or her home. If there is not sufficient equity in the home with which to secure a loan, and if the monthly mortgage payments are not realistically in line with the rental rates for similar housing in the area that could meet the applicant's needs, the ~~administrator~~Administrator will inform the applicant that he/she is responsible for finding alternative housing within his or her ability to pay and will be obligated to make all reasonable efforts to secure such housing.

Liens. The municipality may place a lien on the property in order to recover its costs of granting assistance with mortgage payments. In addition, a municipality may claim a lien against the owner of real estate for the amount of money spent by it to make capital improvements to the real estate (22 M.R.S. § 4320). No lien may be enforced against a recipient except upon his or her death or the transfer of the property. Further, no lien may be enforced against a person who is currently receiving any form of public assistance, or who would again become eligible for GA~~general-assistance~~ if the lien were enforced.

If the municipality determines that it is appropriate to place a lien on a person's property to recover its costs of providing GA~~general-assistance~~ for a mortgage payment or capital improvement it must file a notice of the lien with the county registry of deeds where the property is located within 30 days of making the mortgage payment. That filing shall secure the municipality's or the state's interest in an amount equal to the sum of that mortgage or capital improvement payment and all subsequent mortgage or capital improvement payments made on behalf of the same eligible person, plus interest and costs.

Not less than 10 days prior to filing the lien in the registry, the municipal officers must send notice to the owner of the real estate, the ~~GA~~general-assistance recipient, and any record holder of the mortgage by certified mail, return receipt requested, that a lien on the property is going to be filed with the registry. This notice must clearly inform the recipient of the limitations upon enforcement plus the name, title, address and telephone number of the person who granted the assistance. The municipal officers must also give written notice to the recipient each time the amount secured by the lien is increased because of an additional mortgage payment. This notice must include the same information that appeared on the original intent-to-file notice sent to the recipient.

The municipality may charge interest on the amount of money secured by the lien. The municipal officers will establish the interest rate not to exceed the maximum rate of interest allowed by the State Treasurer to be charged against delinquent taxes. The interest will accrue from the date the lien is filed.

Property Taxes. In the event an applicant requests assistance with his or her property taxes, the ~~administrator~~Administrator will inform the applicant that there are two procedures on the local level to request that relief: the poverty abatement process (36 M.S.R.S.A. § 841(2)) and ~~GA~~General-Assistance. If the applicant chooses to seek property tax assistance through ~~GA~~General-Assistance, or if the applicant is denied a poverty tax abatement, the ~~administrator~~Administrator may consider using ~~GA~~general-assistance to meet this need only if:

- a) the property tax in question is for the applicant's place of residence;
- b) there is a tax lien on the property which is due to mature within 60 days of the date of application;
- c) as a matter of municipal policy or practice, or on the basis of information obtained from the applicant's mortgagee, if any, it is reasonably certain that a tax lien foreclosure will result in subsequent eviction from the residential property; and

- d) the applicant, with sufficient notice, applies for property tax relief through the Maine Property Tax Fairness Credit program, when available.

Housing Maximums. The maximum levels of housing assistance contained in this ordinance have been derived either from a locally accomplished fair market rental survey or the fair market rental values developed by the United States Department of Housing and Urban Development (HUD). If the maximum levels of housing are derived from the HUD values made effective as of every October 1, and adjusted to disregard the current and averaged utility allowances as developed by the Maine State Housing Authority, those levels are hereby incorporated by reference. See Ordinance Appendix C of this ordinance for the current year's housing maximums.

If and when the maximum levels of housing assistance contained in this Ordinance are derived from a locally developed fair market rental survey, a record of that survey will be submitted to the DHHS, General Assistance Unit, and the maximum levels of housing assistance will be incorporated into this Ordinance pursuant to the ordinance adoption and amendment procedures found at 22 M.R.S. § 4305.

- C) **Utilities.** Expenses for lights, cooking, and hot water will be budgeted separately if they are not included in the rent. Applicants are responsible for making arrangements with the utility company regarding service, including entering into a special payment arrangement if necessary.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not obligated to pay back bills or utility security deposits. Exceptions may be made in emergency situations pursuant to section 4.9.

Disconnection of utility service will not be considered an emergency in all cases. The ~~administrator~~ Administrator will make an individual, factual analysis to

determine if the termination of utility service constitutes an emergency. The ~~administrator~~Administrator will consider the household composition, the time of year, the age and health of the household members, and other appropriate factors in reaching a decision. Applicants who had sufficient income, money, assets or other resources to pay their utility bill when it was received, but who spent all or part of their income on items which were not basic necessities, will not be eligible to receive ~~GA~~general assistance to replace those funds.

Applicants have the burden of providing evidence of their income and use of income for the applicable time period (22 M.R.S. § 4308(2)) (*see Ordinance §§section 4.9 and 6.3*). The ~~administrator~~Administrator will notify applicants in writing that they must give the ~~administrator~~Administrator prompt notice if their utility service is to be terminated or if their fuel supply is low. It is the applicant's responsibility to attempt to make arrangements with the utility company to maintain their service and to notify the ~~administrator~~Administrator if assistance is needed with a utility bill prior to service being terminated.

Electricity Maximums for Households Without Electric Hot Water. See Ordinance Appendix D of this ordinance for the current year's electricity maximums.

Electricity Maximums for Households that Use Electrically Heated Hot Water. See Ordinance Appendix D of this ordinance for the current year's electricity maximums.

Non-Electric Utilities. The allowed amount for water and sewer utility service will be budgeted at a 30-day reasonable usage rate.

- D) **Fuel.** Expenses for home heating will be budgeted according to the actual need for fuel during the heating season (September through May) provided such expenses are reasonable, and at other times during the year when the

~~administrator~~Administrator determines the request for fuel assistance is reasonable and appropriate.

Assistance will be granted to eligible applicants on the basis of their most recent bill. The municipality is not responsible for back bills except in an emergency as provided in Ordinance §section 4.9. Applicants are responsible for monitoring their fuel supply and requesting assistance prior to depleting their fuel supply. When applicants who have been informed of this responsibility run out of fuel nonetheless, and can show no just cause for failing to give the ~~administrator~~Administrator timely notice of their need for fuel, the ~~administrator~~Administrator shall find that the emergency was not beyond the applicants' control, and process the emergency request accordingly, pursuant to Ordinance §section 4.9 ~~of this ordinance~~.

See Ordinance Appendix E ~~of this ordinance~~ for the current year's fuel maximums.

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- E) **Personal Care and Household Supplies**. Expenses for ordinary personal and household supplies will be budgeted and allowed according to the applicant's actual need for these items. Personal and household supplies include: hand soap, toothpaste, shampoo, shaving cream, deodorant, dish detergent, laundry supplies and costs, household cleaning supplies, razors, paper products such as toilet paper, tissues, paper towels, garbage/trash bags light bulbs and supplies for children under 5 years of age. See Ordinance Appendix F ~~of this ordinance~~ for the current year's personal care and household supplies maximums.
- F) **Other Basic Necessities**. Expenses falling under this section will be granted when they are deemed essential to an applicant's or recipient's health and safety by the ~~general assistance administrator~~Administrator and, in some cases, upon verification by a physician. Assistance will be granted only when these necessities cannot be obtained through the utilization of available resources.

- 1) **Clothing.** The municipality may assist a household with the purchase of adequate clothing. Before assistance will be granted for clothing, the general assistance ~~administrator~~Administrator must be satisfied that the applicant has utilized all available resources to secure the necessary clothing. In some circumstances, clothing will be a postponable item. Exceptions to this would be, for example, if fire, flood or unusually cold weather makes extra clothing an immediate necessity, special clothing is necessary for the applicant's employment, or a household member is without adequate clothing.

- 2) **Medical.** The municipality will pay for essential medical expenses, other than hospital bills (*see below*), provided that the municipality is notified and approves the expenses and services prior to their being made or delivered. Medical expenses include prescriptions, devices, treatments, or services that are determined to be 'medically necessary' by a licensed physician. The municipality will grant assistance for medical services only when assistance cannot be obtained from any other source and the applicant would not be able to receive necessary medical care without the municipality's assistance. The applicant is required to utilize any resource, including any federal or state program, that will diminish his or her need to seek general assistance for medical expenses. The municipality will grant assistance for non-emergency medical services only if a physician verifies that the services are essential. Provided there is no cost to the applicant, the ~~administrator~~Administrator may require a second medical opinion from a physician designated by the municipality to verify the necessity of the services.

Generally, the municipality will issue GA~~general-assistance~~ at the established Medicaid rates for all medical services, prescriptions, or other medical commodities. Before authorizing GA~~general-assistance~~ for any medical expenses, the ~~administrator~~Administrator will inform the pharmacy or medical

service provider of the municipality's intention to pay for the medical service at the Medicaid rate, and ask to be billed accordingly.

Ordinary medical supplies/non-prescription drugs will be budgeted at the actual amount when the applicant can demonstrate a need for such items. Allowable supplies include bandages, aspirin, cough syrup, and other generic brand, non-prescription medicines. In addition, the basic monthly rate for telephone service will be budgeted when a telephone is essential to the health and safety of the household. In order for telephone service to be considered an allowable expense the applicant must provide a written statement from a physician certifying that the telephone is essential.

- 3) **Hospital Bills.** In the event of an emergency admission to the hospital, the hospital must notify the ~~administrator~~Administrator within 5 business days of the admission. Notification must be by telephone, confirmed by certified mail, or by certified mail only. If a hospital fails to give timely notice to the ~~administrator~~Administrator, the municipality will have no obligation to pay the bill.

Any person who cannot pay his or her hospital bill must apply to the hospital for consideration under the Hospital's Free Care Program as provided in Title 22 M.R.S. § 1716. Anyone who is not eligible for the hospital's free care program may apply for GA~~general assistance~~. Applicants must apply for assistance within 30 days of being discharged from the hospital and provide a notice from the hospital certifying that he or she is not eligible for the hospital's free care program.

Before the ~~administrator~~Administrator will consider whether to allow a hospital bill as a necessary expense, the applicant must enter into a reasonable payment arrangement with the hospital. The payment arrangement will be

based upon the Medicaid rate. In determining an applicant's eligibility, the municipality will budget the monthly payment to the hospital the applicant has agreed to pay. The applicant's need for assistance with a hospital bill will be considered each time he/she applies by including the amount of the bill in the applicant's monthly budget, but the recipient will be responsible for making any necessary payments to the hospital pursuant to the use-of-income requirements found at Ordinance §section 6.6 of this ordinance.

- 4) **Dental.** The municipality will pay for medically necessary dental services only. As is the case with medical services generally, the municipality will issue GAgeneral-assistance for dental services at the established Medicaid rates for those services, and before authorizing the GAgeneral-assistance benefit for dental services, the ~~administrator~~Administrator will inform the dentist or dental surgeon of the municipality's intention to pay at the Medicaid rate. If full mouth extractions are necessary, the municipality will pay for dentures provided the applicant has no other resources to pay for the dentures. The applicant will be referred to a dental clinic in the area whenever possible. The ~~administrator~~Administrator will expect the applicant to bear a reasonable part of the cost for dental services, including extractions and dentures, taking into account the applicant's ability to pay.
- 5) **Eye Care.** In order to be eligible to receive GAgeneral-assistance for eyeglasses, an applicant must have his or her medical need certified by a person licensed to practice optometry. The ~~general-assistance~~ ~~administrator~~Administrator will provide assistance for eyeglasses to eligible persons only after the applicant has exhausted all other available resources and generally only at the Medicaid rate.
- 6) **Telephone Charge.** A payment for basic telephone will only be allowed if a telephone is necessary for medical reasons as verified by a physician. At the

discretion of the GA ~~administrator~~Administrator, minimum/basic telephone services may be allowed for households with children, for households where job search or work related reasons exist and/or for any other reasons the ~~administrator~~Administrator deems necessary.

- 7) **Work-Related Expenses.** In determining need, reasonable and actual work-related expenses will be deducted from earned income. These expenses include childcare costs, work clothes, supplies and transportation at the actual costs not to exceed the ordinance maximum. S (see Ordinance Appendix G for the ~~current~~is-year's maximum mileage allotment). The applicant is required to provide documentation substantiating the costs and that the expenses were necessary.

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- 8) **Travel Expenses.** In determining need, necessary travel which is not work-related will be budgeted if the applicant can satisfy the ~~administrator~~Administrator that the prospective need for travel is necessary. For applicants in rural areas, weekly transportation to a supermarket will be considered, as will any medically necessary travel. See Ordinance Appendix G for the current rate at which such necessary travel will be budgeted. This rate shall be construed to subsidize all costs associated with automobile ownership and operation, including gas/oil, tires, maintenance, insurance, financing, licensing/registration, excise tax, etc.

- 9) **Burials, Cremations.** Under the circumstances and in accordance with the procedures and limitations described below (*see Ordinance §section 6.9*), the municipality recognizes its responsibility to pay for the burial or cremation of eligible persons. See Ordinance Appendix H for the current maximums.

- 10) **Capital Improvements.** The costs associated with capital improvements/repairs (e.g., heating/water/septic system repair) will generally not be budgeted as a

basic necessity. Exceptions can be made only when the capital improvement/repair has been pre-approved by the ~~administrator~~Administrator as a necessary expense and the monthly cost of the capital improvement/repair has been reduced as far as reasonably possible; for example, by means of the applicant entering into an installment payment arrangement with the contractor. The ~~administrator~~Administrator may grant GA~~general assistance~~ for capital improvements when:

- 1) the failure to do so would place the applicant(s) in emergency circumstances;
- 2) there are no other resources available to effect the capital repair; and
- 3) there is no more cost-effective alternative available to the applicant or municipality to alleviate an emergency situation.

In some cases, the entire immediate cost of the capital improvement can be mitigated by the applicant entering into an installment payment arrangement with a contractor. The municipality reserves the right to place a lien on any property pursuant to 22 M.R.S. § 4320 when GA~~general assistance~~ has been used to effect a capital improvement. The lien process shall be accomplished in the same manner as for mortgage payments, as described in subsection (B) "Liens", above.

Section 6.9—Burials; Cremations

Funeral Director Must Give Timely Notice. In order for the municipality to be liable for a burial or cremation expense, the funeral director must notify the ~~administrator~~Administrator prior to the burial or cremation or by the end of three business days following the funeral director's receipt of the body, whichever is earlier (22 M.R.S. § 4313(2)). This contact by the funeral director shall begin the process of developing an application for burial/cremation assistance on behalf of the deceased. It is the funeral director's responsibility to make a good-faith effort to determine if the family or any other persons are going to pay all or part of the burial expenses. If family

members or others are unable to pay the expenses, and the funeral director wants the municipality to pay all or part of the expenses, the funeral director must make timely contact to the ~~municipal administrator~~Administrator. In addition, the funeral director may refer legally liable relatives to the ~~administrator~~Administrator so that a timely determination of financial capacity may be accomplished.

Application for Assistance Shall be Calculated on Behalf of the Deceased. For the purposes of determining residency, calculating eligibility and issuing GA~~general assistance~~ for burial or cremation purposes, an application for assistance shall be completed by the ~~administrator~~Administrator on behalf of the deceased.

With regard to residency, the municipality of responsibility for burial expenses shall be the municipality in which the eligible deceased person was a resident at the time of death as residency is determined under Ordinance §~~section 4.10 of this ordinance~~.

Although legally liable relatives may be asked to provide information regarding their income, assets, and basic living expenses, that information will not be construed as an application for GA~~general assistance~~ inasmuch as living persons are not eligible for burial assistance. To clarify this point of law, although legally liable relatives have a financial responsibility to pay for the burial or cremation of their relatives, that financial responsibility only exists to the extent the legally liable relatives have a financial capacity to do so. Therefore, legally liable relatives who are themselves eligible for GA~~general assistance~~, ~~by virtue of their eligibility~~, have no legal obligation to pay for the burial or cremation of their relatives. For these reasons, all GA~~general assistance~~ issued for burial or cremation purposes shall be issued on behalf of, and in the name of, the deceased.

The Financial Responsibility of Certain Family Members. Grandparents, parents, children and grandchildren of the deceased whether or not living in or owning property in Maine, and the spouse or registered domestic partner of the deceased, are financially

responsible for the burial or cremation of the deceased to the extent those relatives, individually or as a group, have a financial capacity to pay for the burial or cremation either in lump sum or by means of a budgeted payment arrangement with the funeral home. Accordingly, at the request of the ~~administrator~~Administrator, all legally liable relatives must provide the ~~municipal administrator~~Administrator with any reasonably requested information regarding their income, assets, and basic living expenses. The ~~Administrator~~Administrator may also seek information from financial institutions holding assets of the deceased. Maine law requires a financial institution to disclose the amount deposited in the corporation or association when the municipality or its agents are acting in accordance with section 4313(2) and provide a written request and a notarized affidavit signed by the ~~Administrator~~reverseer of the municipality or its agents stating that the named depositor is deceased.

Consideration of the Financial Responsibility of Family Members. Generally, when the ~~administrator~~Administrator can make a finding that one or more of the deceased's legally liable relatives have an obvious and demonstrable financial capacity to pay for the burial or cremation, by lump sum payment or by means of a reasonable payment arrangement, the municipality will not grant the requested burial or cremation assistance. When the ~~administrator~~Administrator is unable to make such a finding, the following proration of familial responsibility will be implemented.

Proration of Familial Responsibility. A proration of familial financial responsibility will be used when no legally liable relative possesses an obvious and demonstrable capacity to pay for the burial or cremation, but one or more of the financially liable relatives is found to have a financial capacity to make a partial financial contribution, or the ~~administrator~~Administrator is unable to determine the financial capacity of one or more of said relatives.

Under these circumstances, each legally liable relative is considered to be responsible for his or her pro rata share of the total municipal contribution that would exist if no

legally liable relatives had a financial capacity to contribute. Furthermore, and as long as all other eligibility factors have been satisfied, the municipality will provide as a burial or cremation benefit the aggregate of all pro rata shares less the share of any legally liable relative who refuses to cooperate with the ~~administrator~~Administrator by providing information or documentation reasonably necessary to determine that relative's financial capacity, and less any share or part of a share attributable to a legally liable relative who can financially contribute or partially contribute toward the burial or cremation to the extent of that relative's share.

Eight Days to Determine Eligibility. The ~~administrator~~Administrator may take up to 8 days from the date of an application for burial/cremation assistance to issue a written decision regarding the amount of the municipal contribution toward the burial or cremation. The 8-day eligibility determination period from the date of application shall be used as necessary to make third-party collateral contacts, verify the listing of legally liable family members and determine their respective financial capacities to contribute to the burial or cremation, contact the personal representative of the deceased's estate, if any, and other related administrative tasks. The ~~administrator~~Administrator shall not use this 8-day period allowed by law to unreasonably delay the municipality's decision.

The Municipal Obligation to Pay When Legally Liable Relatives or Others Can Contribute. The figures provided in this section are the maximum benefits provided by the municipality when no contributions toward the burial or cremation are available from any other source. To the extent any legally liable relatives of the deceased have a financial capacity to pay for the burial or cremation, that financial capacity shall be deducted from the maximum burial costs allowed by this section. In addition, any other benefits or resources that are available, such as Social Security burial benefits, veterans' burial benefits, or contributions from other persons, will be deducted from the maximum amount the municipality will pay, except there will be no deduction from the municipal benefit level with respect to any contribution provided for the purpose of publishing an obituary notice up to an aggregate contribution limit for this purpose of

\$75 when a paid receipt demonstrating the purchase of an obituary notice is provided to the ~~administrator~~Administrator.

Burial Expenses. The ~~administrator~~Administrator will respect the wishes of family members ~~concerning with regard to~~ whether the deceased is interred by means of burial or cremated. See Ordinance Appendix H for the maximum levels of burial assistance, ~~granted for the purpose of burials.~~

Cremation Expenses. In the absence of any objection by any family members of the deceased, or when neither the ~~administrator~~Administrator nor the funeral director can locate any family members, the ~~administrator~~Administrator may issue GA general assistance for cremation services. See Ordinance Appendix H for the maximum assistance levels of assistance granted for the purpose of cremations.

Section 6.10—Notice of Decision

Written Decision. ~~Each time a person applies, the~~ ~~administrator~~Administrator will ~~provide~~ give a written decision to ~~the~~each applicant after making a determination of eligibility ~~each time a person applies.~~ The decision will be given to the applicant within 24 hours after ~~of receiving a~~ completed and signed application is received (22 M.R.S. § 4305(3)) (~~see~~ Ordinance Article IV, §section 4.6).

In order to comply with the statutory requirement to issue a decision within 24 hours, if ~~When an applicant submits an incomplete or unsigned application, due to the 24-hour decision requirement placed on the GA administrator,~~ the ~~GA administrator~~Administrator may decide to issue~~render~~ a notice of "ineligibility" and provide the applicant with another application to submit as soon as is practicable for the applicant.

In order to ensure that applicants understand their rights, it is the responsibility of Tthe general assistance administrator Administrator must to explain the applicant's' right to a fair hearing in the Administrator's written notice of decision.

Contents of Decision. After an application has been completed, applicants will be given written notice of any decision concerning their eligibility for assistance. In addition to the ~~items contents of a written decision listed in Ordinance § section 4.6, of this ordinance;~~ the notice of decision will include a statement that: applicants:

- a) the applicant has have the right to a fair hearing and how to request the method by which they may obtain a fair hearing and;
- b) the applicant has have the right to contact the DHHS if he or she they believes the municipality has violated the law. The decision will include contact information for the appropriate DHHS office state the method for notifying the department.

Disbursement of General Assistance. Except when the Administrator determines it is impractical, ~~by the administrator,~~ all GA general assistance will be provided as in the form of a voucher or purchase order payable to a vendor or through direct municipal payment to a provider of goods or services. GA general assistance will not be issued in the form of a cash payment to an applicant unless there is no alternative to the making such a cash payment, in which case the ~~administrator~~ Administrator shall document the circumstances requiring GA to be for issueding general assistance in the form of cash (22 M.R.S. § 4305(6)).

ARTICLE VII

The Fair Hearing

Section 7.1—Right to a Fair Hearing

Within 5 working days of ~~receiving~~ receipt of a written notice of denial, reduction or termination of assistance, or within 10 working days after any other act or failure to act, the applicant or his or her authorized representative has the right to request a fair hearing (22 M.R.S. § 4322). The right to review a decision of the ~~general-assistance administrator~~ Administrator is a basic right of the applicant to a full evidentiary hearing and is not limited solely to a review of the decision.

Section 7.2—Method of Obtaining a Fair Hearing

Upon receiving notification of the decision of the ~~general-assistance administrator~~ Administrator, all claimants will be informed of how to ~~the method of request~~ obtaining a fair hearing. All complaints that are not clear requests for a fair hearing will be answered by a personal interview or in writing by the ~~general-assistance administrator~~ Administrator. If the client is satisfied with the adjustment or explanation, the ~~administrator~~ Administrator will make an entry in the case record and file any correspondence involved.

Written Request. To obtain a fair hearing, the claimant, or his or her authorized representative, must make a written request within 5 working days of receipt of ~~the administrator's~~ the Administrator's decision to grant, deny, reduce or terminate assistance, or within 10 working days after any other act or failure to act. The ~~administrator~~ Administrator will make available a printed form available to ~~for~~ requesting a fair hearing and will assist the claimant in completing it if necessary. On the printed form, the claimant will give the following information:

- a) the decision on which review is sought;

- b) the reason(s) for the claimant ~~is's dissatisfied action~~ and why the claimant believes he/she is eligible to receive assistance; and
- c) the relief sought by the claimant.

The ~~administrator~~ Administrator ~~may cannot not~~ deny or dismiss a request for a hearing unless it has been withdrawn (in writing) by the claimant.

Scheduling the Fair Hearing. Upon receipt of the completed written request, the ~~FHA~~ fair hearing authority must meet and hold the hearing within 5 working days. The ~~administrator~~ Administrator will notify the claimant in writing when and where the hearing will be held (22 M.R.S. § 4322). In addition to the date, time and place of the hearing, the notice of fair hearing sent to the claimant shall include, at a minimum, the claimant's rights to:

- a) be his or her own spokesperson at the fair hearing, or at the claimant's own expense be represented by legal counsel or another spokesperson at the hearing, at the claimant's own expense;
- b) confront and cross-examine any witnesses presented at the hearing ~~against the claimant~~; and
- c) present witnesses on his or her own behalf.

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Arrangements for the date, time, and place of the hearing will take into consideration the convenience of the claimant and hearing authority. The claimant will be given timely notice to allow for preparation and will also be given adequate preliminary information about the hearing procedure to allow for effective preparation of his or her case.

Section 7.3—The Fair Hearing Authority

The municipal officers will appoint a fair hearing authority (FHA) that will determine, based on all the evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for GA. The FHA is charged with

~~the responsibility of ensuring that GA general assistance is administered in accordance with the state law and this local ordinance.~~

~~The FHA fair hearing authority may consist of the municipal officers, one or more persons appointed by the municipal officers to act as the FHA, or, if designated by ordinance, a municipal the board of appeals created under 30-A M.R.S. § 2691 (22 M.R.S. § 4322). In determining the organization of the FHA fair hearing authority, the municipal officers will ensure that use the following criteria. The all person(s) serving as -FHA must:~~

- ~~a) not have not participated in the decision which is the subject of the appeal;~~
- ~~b) be impartial;~~
- ~~c) be sufficiently skilled in interviewing techniques to be able to obtain evidence and the facts necessary to make a fair determination; and~~
- ~~d) be capable of evaluating all evidence fairly and realistically, explaining to the claimant the laws and regulations under which the administrator Administrator operated, and conveying to interpreting to the administrator Administrator any evidence of unsound, unclear, or inadequate policies, practices or actions.~~

Section 7.4—Fair Hearing Procedure

~~At the time that When a claimant requesting a fair hearing written notice of is notified of the date, time, and place of the fair hearing is provided to a claimant in writing, he/she will also be given adequate preliminary information about the hearing procedure to allow for him/her to effectively prepare ation of his or her case. The claimant shall be permitted to review his or her file before prior to the hearing. At a minimum, the claimant will be provided tel with the following information regarding fair hearing procedures. ; which will govern all fair hearings. All fair hearings will:~~

- ~~a) be conducted in privately, with and will be open only to the claimant, witnesses, the claimant's legal counsel, or others whom the claimant wants present, and the~~

~~general assistance administrator~~ Administrator, the Administrator's his or her
agents, counsel and witnesses present;

- b) be opened with a presentation of the issue by the ~~FHA~~ fair hearing authority;
- c) be conducted informally, without technical rules of evidence, but subject to the requirements of due process;
- d) allow the claimant and the ~~administrator~~ Administrator the option to present their positions for themselves or with the aid of others, including legal counsel;
- e) give all participants an opportunity to present oral or written testimony or documentary evidence, offer rebuttal; question witnesses presented at the hearing; and examine all evidence presented at the hearing;
- f) result in a decision, based exclusively on evidence or testimony presented at the hearing; and
- g) be tape recorded, and result in a written decision that is given to the claimant and filed with evidence introduced at the hearing. The ~~FHA~~ fair hearing authority will allow the claimant to establish all pertinent facts and circumstances, and to advance any arguments without undue interference. Information that the claimant does not have an opportunity to hear or see will not be used in the fair hearing decision or made part of the hearing record. Any material reviewed by the ~~FHA~~ fair hearing authority must be made available to the claimant or his or her representative. The claimant will be responsible for preparing a written transcript if he/she wishes to pursue court action.

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The ~~FHA~~ fair hearing authority shall admit all evidence if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs (22 M.R.S. § 4322).

Claimant's Failure to Appear. ~~If the event~~ the claimant fails to appear at the hearing, the FHA will send a written notice to the claimant indicating that the GA ~~administrator~~ Administrator's decision remains unchanged ~~was not altered because due~~

~~of~~ the claimant's failure to appear. Furthermore, the notice will state that shall indicate that the claimant has 5 working days from receipt of the notice to provide the Administrator with ~~submit to the GA administrator~~ information demonstrating "just cause," for ~~failure~~ing to appear.

"Just cause" for ~~For the purposes of a claimant's failure to appear at a fair hearing,~~ examples of "just cause" may include:

- a) a death or serious illness in the family;
- b) a personal illness which reasonably prevents the party from attending the hearing;
- c) an emergency or unforeseen event which reasonably prevents the party from attending the hearing;
- d) an obligation or responsibility which a reasonable person in the conduct of his or her affairs could reasonably conclude takes precedence over the attendance at the hearing; or
- e) lack of receipt of adequate or timely notice; excusable neglect, excusable inadvertence, or excusable mistake.

If the claimant (or ~~his/her~~their attorney) establishes that just cause existed, the request for the hearing will be reinstated and a hearing rescheduled.

~~If~~ the event a claimant who is represented by legal counsel fails to appear at a fair hearing, legal counsel shall not testify in place of the claimant on matters of 'fact' but may cross examine witnesses and make 'legal' arguments on behalf of the claimant.

Section 7.5—The Fair Hearing Decision

The FHA's decision ~~of the fair hearing authority will~~ be binding on the ~~general assistance administrator~~Administrator, and will be communicated in writing to the claimant within 5 working days after completion of the hearing. Written notice of the decision will contain ~~the following~~:

- a) a statement of the issue;

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- b) relevant facts brought out at the hearing;
- c) pertinent provisions in the law or GAgeneral-assistance ordinance related to the decision; and
- d) the FHA's decision and the reasons for it.

A copy of the ~~notice of the decision~~ will be given to the claimant. The hearing record and the case record will be maintained by the ~~general-assistance administrator~~Administrator.

The written ~~notice of the decision~~ will state that if the claimant is dissatisfied with the fair hearing decision, he/she may~~has a further legal right to appeal the decision pursuant to~~ the Maine Rules of Civil Procedure, Rule 80B. To take advantage of this right, the claimant must file a petition for review with the Superior Court within 30 days of receipt of the fair hearing decision.

When the decision by the FHA ~~fair hearing authority or court~~ authorizes assistance to the claimant, the assistance will be provided within 24 hours.

ARTICLE VIII

Recovery of Expenses

Recipients. The municipality may recover the full amount of assistance granted to a person from either the recipient or from any person liable for the recipient, or his or her executors or ~~administrators~~ administrators in a civil action. However, prior to recovering assistance granted, the municipality shall "offset" the value of any workfare performed by a GA recipient against the repayment obligation, at a rate not less than minimum wage.

~~Before filing a court action~~ Prior to taking a recipient to court to seek repayment of ~~recover GA benefits previously provided to a recipient, the the amount of assistance,~~ the municipality will seek voluntary repayment after written notice and discussion with ~~the -from the recipient by notifying him/her in writing and discussing it with the~~ recipient. ~~However, t~~ The municipality will ~~shall~~ not attempt to recover such ~~amountseests if, as a result of the repayment, the recipient~~ person would again become ~~eligible for GAgeneral assistance (22 M.R.S. § 4318).~~

Recipients Anticipating Workers' Compensation Benefits. The municipality shall claim a lien on any lump sum payment under the Workers' Compensation Act or similar law of any other state, which lien shall equal for the value of all GAgeneral assistance ~~payments made to a recipient of~~ any such lump sum payment, made to that recipient under the Workers' Compensation Act or similar law of any other state (22 M.R.S. § 4318, 39-A M.R.S. § 106). After issuing any GAgeneral assistance on behalf of a recipient who has applied for or is receiving Workers' Compensation, the municipality shall file a notice of the municipal lien with the GAgeneral assistance recipient and the Maine Office of Secretary of State, Uniform Commercial Code division.

The notice of lien shall be filed on a UCC-1 form which must be signed by the GA recipient of ~~general assistance~~ who has applied for or is receiving Workers' Compensation. Any GA ~~general assistance~~ applicant who has applied for or who is receiving Workers' Compensation benefits and who refuses to sign a properly prepared UCC-1 form will be found ineligible to receive GA ~~general assistance~~ until he or she provides the required signature. The municipality shall also send a photocopy of that filing to the recipient's Worker's Compensation attorney, if known, the applicant's employer or the employer's insurance company, and, at the ~~administrator~~ Administrator's discretion, to the Workers' Compensation Board. The lien shall be enforced at the time any lump sum Workers' Compensation benefit is issued.

Recipients of SSI. All applicants who receive GA ~~general assistance~~ while receipt of their Supplemental Security Income (SSI) assistance is pending or suspended (~~;~~ and which therefore may be retroactively issued to the applicant at a later date), will be required to sign a statement on an Interim Assistance Agreement form distributed by the DHHS that authorizes the Social Security Administration to direct a portion of any retroactive SSI payment to the municipality and/or the state in repayment for the GA ~~general assistance~~ granted. Any GA ~~general assistance~~ applicant who has applied for or who may be applying for SSI, or who may be required to apply for SSI pursuant to 22 M.R.S. § 4317, and who refuses to sign the Interim Agreement SSI authorization form will be found ineligible to receive GA ~~general assistance~~ until he or she provides the required signature (22 M.R.S. § 4318).

Relatives. The spouse of an applicant, and the parents of any applicant under the age of 25, are liable for the support of the applicant (22 M.R.S. § 4319). In addition, the grandchildren, children, parents, grandparents, ~~and effective November 1, 2017,~~ the spouse and a registered domestic partner, are liable for the burial costs of each other. The municipality considers these relatives to be available resources and liable for the support of their relatives in proportion to their respective ability. The municipality may

complain to any court of competent jurisdiction to recover any expenses made on the behalf of a recipient if the relatives fail to fulfill their responsibility (22 M.R.S. § 4319).

ARTICLE IX

Severability

~~If Should any section or provision of this ordinance is be declared invalid by a the court of competent jurisdictions to be invalid, such decision shall not invalidate any other section or provision of the ordinance.~~

Appendix A
Effective: 10/1/210 – 9/30/221

20210-20221 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5+
Bangor-HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	775	879	1,116	1,397	1,956
Cumberland County-HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	883	926	1,197	1,649	1,882
Lewiston/Auburn-MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	741	798	1,025	1,287	1,633
Penobscot County-HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	741	742	981	1,229	1,341
Portland-HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth, Buxton, Hollis, Limington, Old Orchard Beach	1,179	1,284	1,668	2,180	2,654

Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	821	933	1,095	1,449	1,691
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COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	918	980	1,212	1,539	1,720
York/Kittery/S. Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,136	1,165	1,539	1,926	2,699

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	649	710	831	1,119	1,200
Franklin County	683	729	837	1,102	1,480
Hancock County	836	871	1,047	1,319	1,445
Kennebec County	769	786	979	1,284	1,371
Knox County	792	795	979	1,291	1,390
Lincoln County	868	886	1,057	1,349	1,554
Oxford County	764	767	936	1,322	1,537
Piscataquis County	659	708	874	1,158	1,396
Somerset County	709	741	959	1,249	1,338
Waldo County	818	871	997	1,339	1,705
Washington County	710	713	926	1,160	1,254

* Please Note: Add \$75 for each additional person.

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Revised (9/2/21)

Metropolitan Areas

Persons in Household

<u>COUNTY</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5*</u>
<u>Bangor HMFA:</u> <u>Bangor, Brewer, Eddington, Glenburn, Hampden,</u> <u>Hermon, Holden, Kenduskeag, Milford, Old Town,</u> <u>Orono, Orrington, Penobscot Indian Island</u> <u>Reservation, Veazie</u>	<u>783</u>	<u>909</u>	<u>1,163</u>	<u>1,447</u>	<u>1,979</u>
<u>Cumberland County HMFA:</u> <u>Baldwin,</u> <u>Bridgton, Brunswick, Harnswell, Harrison, Naples,</u> <u>New Gloucester, Pownal, Sebago</u>	<u>963</u>	<u>1,023</u>	<u>1,331</u>	<u>1,773</u>	<u>1,904</u>
<u>Lewiston/Auburn MSA:</u> <u>Auburn, Durham, Greene, Leeds, Lewiston,</u> <u>Lisbon, Livermore, Livermore Falls, Mechanic</u> <u>Falls, Minot, Poland, Sabattus, Turner, Wales</u>	<u>754</u>	<u>811</u>	<u>1,042</u>	<u>1,335</u>	<u>1,652</u>
<u>Penobscot County HMFA:</u> <u>Alton, Argyle UT, Bradford, Bradley, Burlington,</u> <u>Carmel, Carroll plantation, Charleston, Chester,</u> <u>Clifton, Corinna, Corinth, Dexter, Dixmont, Drew</u> <u>plantation, East Central Penobscot UT, East</u> <u>Millinocket, Edinburg, Enfield, Etna, Exeter,</u> <u>Garland, Greenbush, Howland, Hudson, Kingman</u> <u>UT, Lagrange, Lakeville, Lee, Levant, Lincoln,</u> <u>Lowell town, Mattawamkeag, Maxfield, Medway,</u> <u>Millinocket, Mount Chase, Newburgh Newport,</u> <u>North Penobscot UT, Passadumkeag, Patten,</u> <u>Plymouth, Prentiss UT, Seboeis plantation,</u> <u>Springfield, Staceyville, Stetson, Twombly UT,</u> <u>Webster plantation, Whitey UT, Winn, Woodville</u>	<u>748</u>	<u>750</u>	<u>992</u>	<u>1,243</u>	<u>1,357</u>
<u>Portland HMFA:</u> <u>Cape Elizabeth, Casco, Chebeague Island,</u> <u>Cumberland, Falmouth, Freeport, Frye Island,</u> <u>Gorham, Gray, Long Island, North Yarmouth,</u> <u>Portland, Raymond, Scarborough, South Portland,</u> <u>Standish, Westbrook, Windham, Yarmouth,</u> <u>Buxton, Hollis, Limington, Old Orchard Beach</u>	<u>1,197</u>	<u>1,352</u>	<u>1,751</u>	<u>2,267</u>	<u>2,770</u>
<u>Sagadahoc HMFA:</u> <u>Arrowsic, Bath, Bowdoin, Bowdoinham,</u> <u>Georgetown, Perkins UT, Phippsburg, Richmond,</u> <u>Topsham, West Bath, Woolwich</u>	<u>828</u>	<u>981</u>	<u>1,195</u>	<u>1,575</u>	<u>1,777</u>

<u>COUNTY</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5*</u>
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Davton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	<u>1,016</u>	<u>1,030</u>	<u>1,293</u>	<u>1,615</u>	<u>1,896</u>
York/Kittery/S. Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	<u>1,173</u>	<u>1,230</u>	<u>1,620</u>	<u>2,096</u>	<u>2,805</u>

***Note: Add \$75 for each additional person.**

Non-Metropolitan Areas

Persons in Household

<u>COUNTY</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5*</u>
Aroostook County	<u>655</u>	<u>717</u>	<u>840</u>	<u>1,132</u>	<u>1,254</u>
Franklin County	<u>690</u>	<u>737</u>	<u>846</u>	<u>1,119</u>	<u>1,497</u>
Hancock County	<u>844</u>	<u>880</u>	<u>1,058</u>	<u>1,334</u>	<u>1,462</u>
Kennebec County	<u>776</u>	<u>794</u>	<u>990</u>	<u>1,299</u>	<u>1,387</u>
Knox County	<u>800</u>	<u>807</u>	<u>990</u>	<u>1,316</u>	<u>1,406</u>
Lincoln County	<u>877</u>	<u>895</u>	<u>1,123</u>	<u>1,397</u>	<u>1,806</u>
Oxford County	<u>771</u>	<u>775</u>	<u>947</u>	<u>1,337</u>	<u>1,555</u>
Piscataquis County	<u>665</u>	<u>715</u>	<u>883</u>	<u>1,172</u>	<u>1,412</u>
Somerset County	<u>716</u>	<u>751</u>	<u>969</u>	<u>1,263</u>	<u>1,354</u>
Waldo County	<u>920</u>	<u>925</u>	<u>1,101</u>	<u>1,376</u>	<u>1,883</u>
Washington County	<u>717</u>	<u>721</u>	<u>937</u>	<u>1,173</u>	<u>1,268</u>

*** Please Note: Add \$75 for each additional person**

Appendix B

Effective: 10/01/21 to 09/30/22

2021-2022 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2020, those amounts are:

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 17.44	\$ 204
2	86.98	374
3	124.42	535
4	158.11	680
5	187.67	807
6	225.35	969
7	249.07	1,071
8	284.65	1,224

Note: For each additional person add \$153 per month.

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2021, those amounts are:

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 58.14	\$ 250.00
2	106.74	459.00
3	153.02	658.00
4	194.19	835.00
5	230.70	992.00
6	276.74	1,190.00
7	306.05	1,316.00
8	349.77	1,504.00

Note: For each additional person add \$188 per month.

Appendix C

Effective: 10/01/210 to

09/30/221

**20210-20221 GA Housing Maximums
(Heated & Unheated Rents)**

~~NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS!~~ Municipalities should ONLY consider adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum Appendix A. (See Instruction Memo for further guidance.)

Non Metropolitan FMR Areas

Aroostook County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	117	504	141	606	
1	123	528	154	663	
2	139	599	180	776	
3	195	840	246	1,057	
4	200	859	262	1,126	
Franklin County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	125	538	149	640	
1	127	547	159	682	
2	141	605	182	782	
3	191	823	242	1,040	
4	265	1,139	327	1,406	
Hancock County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	159	682	182	783	
1	159	682	188	809	
2	186	801	227	975	
3	238	1,022	287	1,235	
4	251	1,079	312	1,342	
Kennebec County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	143	615	167	716	
1	143	615	168	724	
2	170	733	211	907	
3	230	987	279	1,200	

4	234	1,005	295	1,268
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Non-Metropolitan FMR Areas

Knox County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	148	638	172	739	
1	148	638	172	739	
2	170	733	211	907	
3	231	994	281	1,207	
4	238	1,024	299	1,287	

Lincoln County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	166	714	190	815	
1	166	714	192	824	
2	189	811	229	985	
3	245	1,052	294	1,265	
4	276	1,188	337	1,451	

Oxford County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	142	610	165	711	
1	142	610	165	711	
2	160	690	201	864	
3	238	1,025	288	1,238	
4	272	1,171	333	1,434	

Piscataquis County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	116	501	142	609	
1	119	512	152	652	
2	146	627	189	811	
3	200	862	253	1,086	
4	241	1,037	305	1,312	

Somerset County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	129	555	153	656	
1	129	555	159	682	
2	166	713	206	887	
3	221	952	271	1,165	
4	226	972	287	1,235	

Non-Metropolitan FMR Areas

Waldo County		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	154	664	178	765	
1	157	676	188	809	
2	175	751	215	925	
3	242	1,042	292	1,255	
4	311	1,339	373	1,602	
Washington County					
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	129	556	153	657	
1	129	556	153	657	
2	158	680	199	854	
3	201	863	250	1,076	
4	206	888	268	1,151	

Metropolitan FMR Areas

Bangor HMFA		Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	144	621	168	722	
1	159	684	190	817	
2	202	870	243	1,044	
3	256	1,100	305	1,313	
4	370	1,590	431	1,853	
Cumberland Cty. HMFA					
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	170	729	193	830	
1	170	731	201	864	
2	221	951	262	1,125	
3	314	1,352	364	1,565	
4	353	1,516	414	1,779	
Lewiston/Auburn MSA					
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	137	587	160	688	
1	140	603	171	736	
2	181	779	222	953	
3	230	990	280	1,203	
4	295	1,267	356	1,530	

Metropolitan FMR Areas

Penobscot Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	137	587	160	688
1	137	587	160	688
2	171	735	211	909
3	217	932	266	1,145
4	227	975	288	1,238
Portland HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	238	1,025	262	1,126
1	253	1,089	284	1,222
2	331	1,422	371	1,596
3	438	1,883	487	2,096
4	532	2,288	593	2,551
Sagadahoc Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	155	667	179	768
1	172	738	203	871
2	197	849	238	1,023
3	268	1,152	317	1,365
4	308	1,325	369	1,588
York Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	178	764	201	865
1	183	785	213	918
2	225	966	265	1,140
3	289	1,242	338	1,455
4	315	1,354	376	1,617
York/Kittery/S. Berwick HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	228	982	252	1,083
1	228	982	257	1,103
2	301	1,293	341	1,467
3	379	1,629	428	1,842
4	543	2,333	604	2,596

Revised (9/2/21)
(Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should **ONLY** consider adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)

Non-Metropolitan FMR Areas

Aroostook County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	510	142	612
1	125	536	156	670
2	141	608	183	785
3	198	853	249	1,070
4	212	913	274	1,180

Franklin County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	127	545	150	647
1	129	556	160	690
2	143	614	184	791
3	195	840	246	1,057
4	269	1,156	331	1,423

Hancock County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	161	691	184	791
1	161	691	190	818
2	189	812	229	986
3	241	1,037	291	1,250
4	255	1,095	316	1,359

Kennebec County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	623	168	723
1	145	623	170	732
2	173	744	213	918
3	233	1,002	283	1,215
4	237	1,020	299	1,284

Non-Metropolitan FMR Areas

Knox County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	150	647	174	747

1	150	647	174	747
2	173	744	213	918
3	237	1,019	287	1,232
4	242	1,039	303	1,303

Lincoln County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	168	724	192	824
1	168	724	194	833
2	204	877	244	1,051
3	256	1,100	305	1,313
4	335	1,439	396	1,703

Oxford County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	618	167	718
1	144	618	167	718
2	163	701	203	875
3	242	1,040	291	1,253
4	276	1,188	338	1,452

Piscataquis County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	117	501	165	609
1	119	512	165	652
2	146	627	201	811
3	200	862	288	1,086
4	241	1,037	333	1,312

Somerset County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	131	563	154	663
1	131	563	160	689
2	168	723	209	897
3	225	966	274	1,179
4	230	987	291	1,251

Non-Metropolitan FMR Areas

Waldo County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	178	767	202	867
1	178	767	202	867
2	199	855	239	1,029

3	251	1,079	300	1,292
4	353	1,516	414	1,780
Washington County				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	131	564	154	664
1	131	564	154	664
2	161	691	201	865
3	204	876	253	1,089
4	210	901	271	1,165

Metropolitan FMR Areas

Bangor HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	147	630	170	730
1	166	714	197	847
2	213	917	254	1,091
3	267	1,150	317	1,363
4	375	1,612	436	1,876

Cumberland Cty. HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	188	810	212	910
1	193	828	223	961
2	252	1,085	293	1,259
3	343	1,476	393	1,689
4	357	1,537	419	1,801

Lewiston/Auburn MSA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	601	163	701
1	143	616	174	749
2	185	796	226	970
3	241	1,038	291	1,251
4	299	1,285	360	1,549

Metropolitan FMR Areas

Penobscot Cty. HMFA				
	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	138	595	162	695
1	138	595	162	695
2	173	746	214	920
3	220	946	270	1,159
4	230	990	292	1,254

Portland HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	243	1,044	266	1,144
1	269	1,157	300	1,290
2	350	1,505	390	1,679
3	458	1,970	508	2,183
4	559	2,403	620	2,667
Sagadahoc Cty. HMFA				
Bedrooms	Unheated		Heated	
Weekly	Monthly	Weekly	Monthly	
0	157	675	180	775
1	183	786	214	919
2	221	949	261	1,123
3	297	1,278	347	1,491
4	328	1,410	389	1,674
York Cty. HMFA				
Bedrooms	Unheated		Heated	
Weekly	Monthly	Weekly	Monthly	
0	201	863	224	963
1	201	863	225	968
2	243	1,047	284	1,221
3	307	1,318	356	1,531
4	356	1,529	417	1,793
York/Kitterv/S. Berwick HMFA				
Bedrooms	Unheated		Heated	
Weekly	Monthly	Weekly	Monthly	
0	237	1,020	260	1,120
1	237	1,020	272	1,168
2	320	1,374	360	1,548
3	418	1,799	468	2,012
4	567	2,438	628	2,702

Appendix D

Effective: 10/01/21 to

09/30/22

20210-20221- ELECTRIC UTILITY MAXIMUMS

~~NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.~~

- ~~1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:~~

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

~~NOTE: For each additional person add \$7.50 per month.~~

~~Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:~~

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

~~NOTE: For each additional person add \$10.00 per month.~~

~~NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below~~

~~NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.~~

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
<u>1</u>	<u>\$14.00</u>	<u>\$60.00</u>
<u>2</u>	<u>\$15.70</u>	<u>\$67.50</u>
<u>3</u>	<u>\$17.45</u>	<u>\$75.00</u>
<u>4</u>	<u>\$19.90</u>	<u>\$86.00</u>
<u>5</u>	<u>\$23.10</u>	<u>\$99.00</u>
<u>6</u>	<u>\$25.00</u>	<u>\$107.00</u>

NOTE: For each additional person add \$7.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
<u>1</u>	<u>\$20.65</u>	<u>\$89.00</u>
<u>2</u>	<u>\$23.75</u>	<u>\$102.00</u>
<u>3</u>	<u>\$27.70</u>	<u>\$119.00</u>
<u>4</u>	<u>\$32.25</u>	<u>\$139.00</u>
<u>5</u>	<u>\$38.75</u>	<u>\$167.00</u>
<u>6</u>	<u>\$41.00</u>	<u>\$176.00</u>

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

Appendix E

Effective: 10/01/21 to 09/30/22

20210-20224 HEATING FUEL MAXIMUMS

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F

Effective: 10/01/21 to 09/30/22

**20210-20221 PERSONAL CARE & HOUSEHOLD SUPPLIES
MAXIMUMS**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
<u>1</u>	<u>\$12.80</u>	<u>\$55.00</u>
<u>2</u>	<u>\$17.40</u>	<u>\$75.00</u>
<u>3</u>	<u>\$23.30</u>	<u>\$100.00</u>
<u>4</u>	<u>\$27.90</u>	<u>\$120.00</u>

APPENDIX G

Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 45 cents (45¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

Appendix H

Effective: 10/01/21 to 09/30/22+

Funeral Maximums

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is \$1,475. Additional costs may be allowed by the GA ~~administrator~~ Administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal ~~administrator~~ Administrator.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be \$1,025.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary

Appendix H

Effective: 10/01/21 to 09/30/22+

- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator Administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

Appendix I

26 MRS § 1043 (23)

23. Misconduct. "Misconduct" means a culpable breach of the employee's duties or obligations to the employer or a pattern of irresponsible behavior, which in either case manifests a disregard for a material interest of the employer. This definition relates only to an employee's entitlement to benefits and does not preclude an employer from discharging an employee for actions that are not included in this definition of misconduct. A finding that an employee has not engaged in misconduct for purposes of this chapter may not be used as evidence that the employer lacked justification for discharge.

A. The following acts or omissions are presumed to manifest a disregard for a material interest of the employer. If a culpable breach or a pattern of irresponsible behavior is shown, these actions or omissions constitute "misconduct" as defined in this subsection. This does not preclude other acts or omissions from being considered to manifest a disregard for a material interest of the employer. The acts or omissions included in the presumption are the following:

- (1) Refusal, knowing failure or recurring neglect to perform reasonable and proper duties assigned by the employer;
- (2) Unreasonable violation of rules that are reasonably imposed and communicated and equitably enforced;
- (3) Unreasonable violation of rules that should be inferred to exist from common knowledge or from the nature of the employment;
- (4) Failure to exercise due care for punctuality or attendance after warnings;
- (5) Providing false information on material issues relating to the employee's eligibility to do the work or false information or dishonesty that may substantially jeopardize a material interest of the employer;
- (6) Intoxication while on duty or when reporting to work, or unauthorized use of alcohol or marijuana while on duty except for the use of marijuana permitted under Title 22, chapter 558-C;
- (7) Using illegal drugs or being under the influence of such drugs while on duty or when reporting to work;
- (8) Unauthorized sleeping while on duty;
- (9) Insubordination or refusal without good cause to follow reasonable and proper instructions from the employer;
- (10) Abusive or assaultive behavior while on duty, except as necessary for self-defense;
- (11) Destruction or theft of things valuable to the employer or another employee;
- (12) Substantially endangering the safety of the employee, coworkers, customers or members of the public while on duty;
- (13) Conviction of a crime in connection with the employment or a crime that reflects adversely on the employee's qualifications to perform the work; or
- (14) Absence for more than 2 work days due to incarceration for conviction of a crime.

[PL2019, c. 125, §1 (AMD).]

Appendix I

B. "Misconduct" may not be found solely on:

- (1) An isolated error in judgment or a failure to perform satisfactorily when the employee has made a good faith effort to perform the duties assigned;
 - (2) Absenteeism caused by illness of the employee or an immediate family member if the employee made reasonable efforts to give notice of the absence and to comply with the employer's notification rules and policies; or
 - (3) Actions taken by the employee that were necessary to protect the employee or an immediate family member from domestic violence if the employee made all reasonable efforts to preserve the employment.
- [PL 2019, c. 125, §1 (AMD).]

C2



CITY of BATH, MAINE

Office of the City Manager

Marc Meyers

55 Front Street

Bath, Maine 04530

Memorandum

To: Chair Park, Vice Chair DeChant and Members of the City Council

CC:

Date: October 1, 2021

From: Marc Meyers, Interim City Manager

RE: Fire Captains Contract

The City Manager's Office and International Association of Fire Fighters Local 1611 Captains' Unit have come to an agreement on a three-year collective bargaining agreement for the period of July 1, 2019, to June 30, 2022.

There are no significant changes to this contract and brings this contract in line with three previously settled contracts. The agreement includes wage increases of 2.5% (effective January 1, 2021) and 1.75% (effective January 1, 2022). There was also an addition of an increase of stipend for paramedics (\$1.19/hour) and addition of stipend for advanced emergency medical technician (\$0.46/hour). Both stipend rates are effective as of July 1, 2020.

As an ordinance, this contract requires two passages to authorize the City Manager to executive said contract. The City Council will be voting on first passage at its October meeting. If successful, the second passage and public hearing will take place on November 3, 2021.

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For the Union [IAFF Local 1611]
Initials _____ Date _____

For the Employer [City of Bath]
Initials _____ Date _____

ORDINANCE APPROVING CONTRACT

Professional Fire Fighters of Bath, IAFF Local 1611 – Captains’ Bargaining Unit

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, A BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE PROFESSIONAL FIRE FIGHTERS OF BATH, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1611, COMMENCING JULY 1, 2019, AND EXTENDING THROUGH JUNE 30, 2022. A COPY OF WHICH IS ATTACHED HERETO, BE AND HEREBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF BATH.

**ARTICLE 1
PREAMBLE**

Section 1: This Agreement is entered into by and between the City of Bath, Maine, hereinafter referred to as the "City" and/or the "Employer", and the Professional Fire Fighters of Bath, IAFF Local 1611, hereinafter referred to as the "Union" and jointly referred to as the "Parties". Pursuant to the provisions of Title 26 M.R.S. Chapter 9-A, Section 961 et. Seq. [Referred to as the Maine Public Employees Labor Relations Act], the parties have entered into this Agreement in order to establish mutual rights, provide for equitable adjustment of differences which may arise, establish proper conditions of employment and compensation, and to promote effective municipal operations.

Commented [MJC1]: No Change

**ARTICLE 2
UNIT RECOGNITION**

Section 1: The City recognizes that the Union, IAFF Local 1611 represents the ~~Firefighters Bargaining Unit and the Captains Bargaining Unit~~. In addition, the City agrees to recognize any and all elected, appointed and/or designated Officers, Staff, or other designated representatives of IAFF Local 1611 as representatives of this unit as determined by the President of IAFF Local 1611 and/or his/her ~~designee~~.

Commented [MJC2]: Revised

The point of contact for the City shall be the Fire Chief or his/her designated representative unless otherwise agreed to in this Agreement. The point of contact for the Union shall be the President of IAFF Local 1611 or his/her designated representative unless otherwise agreed to in this Agreement.

Commented [MJC3]: No Change

Section 2: Captains Bargaining Unit: ~~The City recognizes the Union as the exclusive bargaining agent and/or representative for the purpose of collective bargaining relative to wages, hours, grievance/arbitration issues, and other mandatory subjects of bargaining and personnel policies, practices and all matters affecting the general working conditions of all City of Bath employees included in the bargaining unit certified by the Public Employee Labor Relations City Board on July 16th, 2015 as outlined below:~~

Commented [MJC4]: This section would be included in Captain's CBA.

Commented [AMF5R4]: I amended it to be consistent with the language we agreed to for the FF.

Included: All full-time Fire Captains of the Bath Fire Department employed by the City of Bath.

Excluded: Fire Chief, Deputy Chief, Firefighters and all other employees employed by the City of Bath not included in this Unit.

Section 3: Individual employees of the bargaining units described herein are to regard themselves as public servants, and as such, they are to be governed by the highest ideals

For the Union [IAFF Local 1611]
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Agreement until they have successfully completed their one [1] year probationary period. Probationary captains however may elect to become members of the Union after they have completed six [6] months of their probationary period and will be covered by the terms and conditions of the Agreement except as outlined in this section. After the expiration of the probationary period, any future action, including demotion, would be covered by Article 10 of this Agreement.

Commented [AMF15]: Agreed to at mediation.

All Captains shall serve a probationary period of one (1) year (365 days) and shall have no seniority rights during this period but shall be subject to all other clauses in this agreement. At the expiration of the probationary period, seniority for the probationary period shall vest. Any probationary period(s) may be extended by mutual consent of the City and the Union.

Should the Captain have been promoted from a firefighter's position, and not complete the probationary period, then the Captain will have the option of returning to a firefighter's position. If a layoff is necessary regarding the reassignment of the Captain to a firefighter's position, then the layoff process if required shall be administered in accordance with the Firefighters Bargaining Agreement with credit being given to the Captain returning as a Firefighter for prior service at the Bath Fire Department.

Commented [AMF16]: Not wedded to the language, but the City wants the opportunity to demote a captain back to the FF rank. they are not cutting it, even after probation.

Commented [MJC17]: Needs further discussion

Commented [MJC18]: Revised - From Current CBA Article No Change

ARTICLE 4 MANAGEMENT'S RIGHTS

Commented [MJC19]: No Change

Section 1: The City shall have the exclusive right to hire, promote, demote, transfer, make regulations for safety of employees, increase or decrease the work force, suspend or otherwise discipline and discharge for just cause any employee of the Fire Department and to make and enforce rules and regulations governing the conduct and the work of its employees as are not specifically inconsistent with the provisions of this agreement. The within enumerated rights are solely vested in the City, subject to the provisions of the City Charter and Rules and Regulations adopted pursuant thereto and subject to the provisions of this Agreement.

Section 2 The City shall notify the Union in writing of any proposed changes to personnel policies, practices and/or matter affecting the working conditions of unit employees at least fourteen [14] working days prior to the implementation date of the proposed change. Upon receipt of such proposed change, the Union shall notify the City within ten [10] days to respond to the proposal and normally four (4) days when the proposal has a direct and immediate impact on public or employee safety.

Section 3: The City agrees to provide equal opportunity to all employees with respect to appointments and general working conditions, without regard to union membership.

For the Union [IAFF Local 1611]
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out of having the union present, any resolution shall not be cited as precedential by either the Union or the City unless said resolution is mutually agreed to by the City, the Employee and the Union.

Commented [MOC21]: No Change

Section 3: The City agrees to recognize the elected officers of the Union and any persons appointed to a position of responsibility as duly designated officials of the Union. The Union agrees to submit to the City a list of officers/appointments within 30-days after changes made.

Commented [MOC22]: No Change

Section 4: The City agrees to provide a bulletin board for the Union in the Central Fire Station for official union business.

Commented [MOC23]: No Change

Section 5: It is agreed that Union officials, as described in Section 3 above, are authorized a reasonable amount of official time away from the job to promptly and expeditiously perform their representational and Union duties and responsibilities on behalf of their bargaining unit members they represent. Authorization for utilizing official time must be obtained from the Fire Chief prior to any Union official utilizing official time. Additional time may be authorized by the Fire Chief as needed.

Commented [MOC24]: No Change

Section 6: The Union may continue to conduct its business, including the conduct of Union meetings, at the fire station. The entire on duty crew will be allowed to attend. The conduct of Union business shall not interfere with normal activities of the Department. The Union agrees to notify the Fire Chief of the Dates/Times of the Union Meetings once such meetings have been scheduled. The parties agree that these meetings will not interfere with any emergency response of the Department. The regular monthly meeting shall not require advance approval of the Fire Chief; however, it may be cancelled by the Fire Chief within twenty-four (24) hours' notice. Any other meeting requires at least twenty (24) hours' notice, and with the advance approval of the Fire Chief, said approval will not be unreasonably withheld.

Commented [MOC25]: No Change

Section 7: The Union agrees that the Union, its officers, and members will not engage in strikes, slowdowns, or work stoppages. Such activities engaged in by unit employees may be just cause for dismissal.

Commented [MOC26]: No Change

Section 8: Union Dues Deduction: The City agrees to deduct Union dues and other voluntary contributions from the paycheck of any unit employee who submits a signed authorization form. Said deductions shall be remitted to the Union treasurer with a list of contributors on or before the 15th day of the following month and every month thereafter.

Commented [MOC27]: No Change

- a. The Union agrees to promptly refund to the City of any union dues amounts that are paid in error upon presentation of proper documentation thereof.
- b. The Union shall indemnify, defend and save the City and the City harmless against any and all claims, demands or grievances by any bargaining unit member or his/her

For the Union [IAFF Local 1611]
Initials _____ Date _____

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- a. Written Warnings (defined as documentation of an oral warning) will not be considered and/or used to support any additional disciplinary actions if the shelf life of the written warning is more than twelve [12] months old from the date of its occurrence, provided that no further infractions occur.
- b. Written Reprimands and Suspensions will not normally be considered and/or used to support any additional disciplinary actions if the shelf life of the written reprimand or suspension is more than thirty-six (36) months from the date of its occurrence, provided no further infractions occur, unless the Parties agree otherwise.

ARTICLE 8 SENIORITY

Section 1: Fire Department seniority for Captains shall be determined by continuous service in the Bath Fire Department since the date the employee was promoted to the Rank of Captain. Continuous service shall be broken only by resignation, discharge, retirement, or layoff.

Commented [MOC30]: Revised

Section 2: The Fire Chief shall establish a seniority list and it shall be brought up to date on the first day of January of each year and posted at the Bath Fire Station bulletin board. A copy of the seniority list shall be E-Mailed to the Secretary of the Union. Any objection to the seniority list as posted shall be reported to the Chief of the Fire Department, in writing via E-mail, within ten (10) days following the posting of such list.

Commented [MOC31]: No Change

ARTICLE 9 GRIEVANCE/ARBITRATION PROCEDURE[S]

Commented [MOC32]: No Change

Section 1: A Grievance shall mean any claimed violation, misinterpretation or misapplication that may arise between the City, the Union and/or any bargaining unit employee[s] relating to this agreement, and Fire Department or Personnel Policies impacting mandatory subjects of bargaining.

Section 2: Nothing in this Article shall be deemed to deny an aggrieved unit employee the right to present their own grievance. In such event, the aggrieved employee shall forward a copy of the grievance being filed with any and all supporting information and material to the President of IAFF Local 1611. In addition, the Union shall have the right to be present

For the Union [IAFF Local 1611]
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If the resolution of the grievance is within the Fire Chief's authority to resolve, he shall render a decision in writing within ten [10] calendar days from the date of the meeting with the aggrieved employee/Union. A copy of the decision will be provided to both the employee[s] and the employee[s]'s representative.

Step 2: If the Fire Chief's decision is unsatisfactory, the employee/Union may, within ten [10] calendar days after receipt of the Step 1 decision, forward it to the City Manager for action. The City Manager shall convene a meeting with the parties within ten [10] calendar days after receipt of the grievance. The City Manager shall render a decision in writing, within ten [10] calendar days from the date of the meeting with the aggrieved employee/Union. A copy of the decision will be provided to both the employee[s] and the employee's representative.

Step 3: If the City Manager's decision is unsatisfactory or the Parties are unable to resolve the grievance as a result of the Step 2 hearing, the Union may, within fourteen [14] calendar days of the Step 2 response, the parties within ten (10) calendar days after the notice requesting arbitration, shall attempt to select a mutually agreeable arbitrator. If the parties fail to agree on the arbitrator, then the matter shall be submitted to the Maine Labor Relations Board for appointment of a single arbitrator.

Step 4: Arbitration Procedure: The arbitrator shall confine himself/herself to the issue[s] raised during the grievance as submitted during Step 3 and any evidence related thereto. The arbitrator shall have no authority to add to, subtract from or modify any of the provisions of this Agreement. The arbitrator's decision shall be final and binding on the parties.

Section 6: Miscellaneous:

- a. In the event either party should declare a grievance non-grievable or non-arbitrable, the original grievance shall be considered amended to include this issue as a threshold question before the arbitrator.
- b. Failure by the grievant or the Union to adhere to the time limits within this grievance procedure shall terminate the grievance as null and void.
- c. Failure of the Fire Chief, City or the Select City or its representative to render a decision within the specified time shall be construed as denial of the grievance.
- d. Time limits outlined in this article may be extended by written mutual consent of the parties.

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- a. If the Fire Chief/City contemplates the suspension or termination of an employee, he/she may be immediately placed on paid administrative leave pending the investigation and the final determination with respect to the proposed disciplinary action.
- b. The Fire Chief/City will issue a written notice of the alleged offense and proposed discipline within fourteen (14) calendar days, unless extended by mutual agreement of the parties.
- c. A pre-action investigation or inquiry may be necessary to determine the facts. Part of this investigation may include a discussion with the affected employee and others having information about the incident.
- d. The employee will be notified in advance of the time of the discussion, and if the employee is advised that disciplinary action is being contemplated, the employee is entitled to have a Union representative present. Once a representative is requested the employee will be allowed a reasonable amount of time, to obtain union representation. In the event obtaining union representation may exceed five (5) calendar days, the employee shall notify the City and the parties will determine a mutually agreed upon time by which point union representation will be obtained. During this delay no further questioning of the employee will take place.
- e. The employee or his designated representative will be permitted to offer their written and/or oral statement to the deciding official during the pre-action investigation.
- f. The Fire Chief/City will make reasonable efforts to undertake disciplinary actions in a prompt and timely manner.

1) If an employee is subsequently suspended, he/she shall be notified in writing of the effective date[s], reason[s], the duration of the suspension and shall contain a statement reminding the employee of his/her rights under the grievance procedure outlined in Article 9 of this Agreement. During the period of suspension, employees shall remain obligated to pay the employee's share of insurance premiums as set forth herein.

2) If the employee is subsequently discharged, he/she shall be informed of the reason[s] for discharge and of the effective date of the discharge taking place. Said notice shall also contain a statement informing the employee of his/her rights of appeal under the grievance proceedings as set forth herein.

For the Union (IAFF Local 1611)
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Section 1: In view of the necessity of staffing the Fire Department over the course of normal holidays, which are holidays recognized and adopted by the federal/state government, and the City, unit employees shall receive either additional time off or pay at the rate of one hundred twenty (120) hours per year [ten (10) hours per month].

Section 2: The choice between time off and holiday pay shall be at the option of the employee. The pay/time off shall accumulate in arrears at the rate of one hundred twenty (120) hours. If the employee elects to be paid for the hours or any portion thereof, pay shall not be required until after the fifteenth day of the first month of the fiscal year. If the employee intends to take the hours as time off, he/she shall be required to make that election on or before the first day of the last month of the fiscal year. Employees shall provide at least twenty-four (24) hours' notice to use holiday time or holiday time may be denied if the overtime is unable to fill the vacancy. If no election is made to take the accrued hours as time off, then the employee shall be paid the balance of hours before the last day of the last month of the fiscal year. Where compensation is elected, it shall be paid at the hourly rate of time & one-half of the employee's hourly rate.

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ARTICLE 13
VACATION, SICK AND MAINE EARNED PAID LEAVE

Commented [MOC36]: No Change

Section 1: Annual Leave [Vacation Leave]: Vacation annual leave shall be granted to all unit employees on an annual accrual basis. Vacation time is granted to eligible employees based upon length of service and anniversary date. If there is a break in service, eligibility

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health and safety or that of their colleagues or the public. Employees of the Fire Department may not be paid sick leave unless they notify ~~their~~ the Duty Officer the night before the employee's shift, but normally no later than 6:00 A.M. on the day of the shift, absent extenuating circumstances. The employee should complete and sign a Leave Request Form as soon as possible but no later than the next shift or upon their return to work and submit it to the duty officer.

Commented [AMF37]: Minor edit.

Section 4: Medical Certification Requirement: The City may require a unit employee to provide a medical certificate from their Medical Care Provider [MCP] upon returning to work for absences of two [2] or more consecutive shifts (based on the member's regular schedule). Pending receipt of such medical certification, the City may withhold approving the use of the employee's sick leave until the medical documentation is provided.

Section 5: Sick Leave Misuse: The Parties encourage unit employees to utilize their accrued sick as outlined in this agreement to ensure that employees have adequate sick leave to utilize for covered injuries, illnesses, and care of their family members. To this end, the Chief, or designated representative may review the sick leave records of unit employees from time-to-time to determine if there are potential patterns of sick leave misuse. Such patterns of such sick leave misuses may include but are not limited to the following:

- 1) The firefighter uses sick days as soon as they are credited to them.
- 2) Use of sick leave the shift before or the shift after scheduled vacation, floating holidays, or swaps.
- 3) Use of sick leave on the days for which leave had been previously requested but denied.
- 4) Use of sick leave on a particular day of the week.
- 5) Use of sick leave which corresponds to an undesirable work assignment.

If the Fire Chief or their designee finds evidence of sick leave misuse, disciplinary action may be imposed pursuant to Article 10 of this Agreement. Absent gross misuse or misconduct, the first offense will not result in disciplinary action above a written warning. However, subsequent offenses may result in further disciplinary actions up to and including termination of employment.

Section 6: Maine Earned Paid Leave Act: Use of leave pursuant to this article is intended to comply with Maine's Earned Paid Leave law which takes effect on January 1, 2021 and any future revisions. The parties acknowledge that the provisions of this article, in addition to other available time off in this Agreement, including but not limited to holiday and bereavement, provide a greater benefit than the law requires. Time off used and requested will be applied to the appropriate accrual. In the event that the request for time off needed

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Section 4: Family Medical Leave: The Family and Medical Leave Act (FMLA) entitles unit employees to take unpaid, job-protected leave for specified family and medical reasons. The FMLA will be administered in accordance with state and federal law.

Commented [MJC41]: No Change

Section 5: The City Manager may, at his or her discretion, grant permanent members of the Fire Department a leave of absence. During a firefighter's term of employment, the Employee may, at the discretion of the City Manager, be granted multiple leaves of absence; however, the term of any such leave or consecutive leaves, shall not exceed one year. During such leave of absences granted by the City Manager, such member shall retain all rights of seniority, but all other benefits shall be suspended.

Commented [MJC42]: No Change

The employee, however, may continue insurance benefits at his own expense. Family and medical leave may be taken in accordance with the provisions of applicable State and Federal law. During the course of such leave, medical benefits shall continue but all other benefits shall be suspended.

Section 6: Trading of Time: Trading of Time [Shift Swaps] maybe exchanged between any member Captain of the BFD at the discretion of and approval of the ~~Duty Officer~~ Fire/Deputy Chief and or Deputy Chief in charge. The City assumes no liability or responsibility for managing, tracking or paying for any work swaps.

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Commented [MJC43]: No Change

Section 7: Educational Leave: Educational leaves may be granted upon the recommendation of the Chief of the Department and at the sole discretion of the City Manager. Such leaves shall be without pay and shall not exceed four (4) months in duration.

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Commented [MJC44]: Current CBA Article 10, Section 6 as is.

Commented [AMF45R44]: This needs further discussion.

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ARTICLE 15 HOURS OF WORK AND OVERTIME

Commented [MJC46]: No Change

Section 1: Hours of Work: The regular work week for unit employees shall consist of an average of forty-two [42] hours per week based on a twenty-eight (28) day work period.

For the Union [IAFF Local 1611]		For the Employer [City of Bath]	
Initials _____	Date _____	Initials _____	Date _____

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- A second forced overtime book will be kept by the union. This book will be inverted from the current overtime book with the lowest person with seniority on the top. Hours will start at zero and then added as forced overtime is filled.
- The member with the lowest seniority and lowest amount of accrued forced overtime will be forced first. All possible attempts will be made to make contact with that person.
- The person being forced must be able to start working within one hour of being summoned for the forced overtime.
- The City shall hold over the junior person or a volunteer from the previous shift until the position is filled.
- During said time someone is forced every attempt will still be made to find coverage for the shift by the person that was forced in on overtime.

Section 9: All Hands. When the department is faced with an actual or impending emergency that requires additional personnel for preparation and/or mitigation, the Fire Chief or his or her designee shall have the authority to implement All Hands for emergency personnel.

Section 10: Mandatory Emergency Call Back. All permanent members of the Department will be required to respond to the Department for work assignment in emergency situations when such work assignment is necessary, at the discretion of the Chief or Deputy Chief. An emergency situation is defined as a situation actual or immediately threatened, which by its nature or magnitude is beyond the ordinary demands of the Department as normally staffed. Employees on approved leave will not be required to respond. If an employee is otherwise unable to respond, absences will be excused at the discretion of the Chief or Deputy Chief.

Section 11: Administrative Overtime:

Captains who are required to attend captain's meetings and perform other administrative functions outside of their regular work schedule will be paid overtime at one and one-half (1-1/2) times the captain's hourly rate. For all regularly scheduled meetings, the Chief will provide at least seven (7) days' notice of the meeting date. In the event of an emergency or other unforeseen issue which may arise, the Chief will provide as much notice as is practicable. to the nature of the Captains positions, description and administrative assignments it shall on occasion be required to report to duty for meeting's, assignments and follow ups in which are not able to be completed on duty, this include officers meetings. Any time the chief authorizes a Captain to report to work for administrative duties it shall be at time and one half.

Commented [AMF47]: Language agreed to at mediation.

Commented [AMF48]: Proposed new language.

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City of Bath Draft 9/23/2021

Attention paid to physical condition and fitness program. The examination shall also include testing for Hepatitis C. and a Hearing Test. The parties, through the Labor Management Committee, will consider and implement options for baseline cancer screening for unit members.

If the result of the examination determines that the employee is not in their opinion fit for duty, the employee may seek a second examination by their personal care physician or specialist, and if certified by the physician or specialist as capable of returning to work at full duty, may return to regular duty with a written certificate addressing the issues for which the employee has been deemed unfit for duty.

All medical records shall be kept confidential by the employer and will not be released without the written consent of the employee.

Section 5: Fitness Initiative: The Labor-Management Committee will --develop, implement, and maintain a "Fitness Program" based on the principles of the IAFF/IAFC Joint Labor Management Wellness/Fitness Program. The program will be mandatory for unit employees, part of the employee's daily work assignments and prior to beginning the program, each unit employee must have taken a physical examination as specified in this article before beginning the fitness program. The fitness program shall include a baseline fitness evaluation, individual fitness and training goals, follow-up fitness re-evaluations as needed by determination of the Peer Fitness Trainer. To this end, the parties have agreed to create and maintain a Bath Fire Department's Fitness Initiative for Fire Department employees.

Section 6: Physical Agility Test (PAT): As part of the Fitness Initiative, the Labor-Management Committee will create and maintain a yearly Physical Agility Test (PAT) for unit employees. The PAT will be mandatory for unit employees and non-punitive. The purpose of the PAT will be to evaluate the employees progress in their respective Fitness Plan.

a) **Physical Agility Test Components may include but are not limited to the following:**

- Stair Climb
- Hose Drag
- Equipment Carry
- Ladder Raise & Extension
- Forcible Entry
- Search
- Rescue
- Ceiling Breach & Pull

For the Union [IAFF Local 1611]
Initials _____ Date _____

For the Employer [City of Bath]
Initials _____ Date _____

Section 2: Retirement: The City agrees to provide the Maine Public Employees Retirement System program which allows retirement of firefighters after twenty-five (25) years of service at two-thirds (2/3) pay regardless of age. The employees' and employer's contribution shall be as determined by the Maine Public Employees Retirement System.

Commented [MOC54]: No Change

Section 3: Health Insurance: Effective January 1, 2018, the City agrees to participate in the cost of health insurance by offering the Maine Municipal Employee Health Trust's PPO-500 plan, or the equivalent thereof. The premium cost of the policy coverage selected by the employee (i.e. single, family) shall be divided between the employee and the employer with the employee assuming fifteen percent (15%) of the premium cost and the employer assuming eighty-five percent (85%) of the premium cost.

In addition, the City of Bath will provide a back-loaded Health Reimbursement Arrangement (HRA) at the rate of eighty percent (80%) of the deductible and co-insurance expenses as defined by the Anthem Plan for each employee enrolled in the City's health Insurance Program.

Commented [MOC55]: No Change

- a) The City shall also contribute fifty dollars (\$50.00) annually to a Flexible Spending Account (FSA) for each enrolled employee.

Section 4: Unit Employee Training Allotment: For the purpose of providing additional Firefighter and EMS training and educational opportunities for unit members, the City agrees to set aside, the sum of Five Hundred Dollars (\$500.00) per-employee.

Commented [MOC56]: No Change

Section 5: Cell Phones: Where the Captain is required to provide a cell phone for use on duty, the City shall reimburse that Captain at the rate of twenty dollars (\$20.00) ~~forty~~ dollars ~~(\$40.00)~~ per month, toward the cost of the phone service.

Commented [AMF57]: No change. Agreed to at mediation.

Commented [MOC58]: Article 24, Section 4 from Current CB "revised"

Commented [AMF59R58]: The City does not think this is warranted based on current usage. Can discuss further.

ARTICLE 18 DURATION AND CHANGE

Commented [MOC60]: No Change

Section 1: Final Resolution: This Agreement represents the total understanding of the parties. The parties to this Agreement agree that matters covered by this contract shall not be the subject of bargaining during the term of this contract, except by mutual agreement of the parties.

Section 2: Maintenance of Benefits: It is mutually agreed that negotiable benefits or terms and conditions of employment affecting the members of this unit which are not covered by this Agreement shall remain in full force and effect throughout the duration of this Agreement subject to established procedures for changing these negotiable benefits or terms and conditions of employment.

For the Union [IAFF Local 1611]
Initials _____ Date _____

For the Employer [City of Bath]
Initials _____ Date _____

APPENDIX A
CAPTAIN'S POSITION DESCRIPTION

Commented [MJC61]: Need to "add" a copy of the Captain's Current PD

APPENDIX B
LABOR - MANAGEMENT PARTNERSHIP COMMITTEE

Commented [MJC62]: No Change

Section 1: The purpose of this Committee is to assist in developing a quality Labor-Management relationship between the Parties. The Committee is designed to provide a means for allowing the City and the Union to become Partners in identifying problems, areas of concern, changes to working conditions within the organization and to develop viable solutions to these problems so that the mission of the Fire Department can be accomplished in a more cost effective and efficient manner, while striving to enhance the working conditions of all Fire Department employees. The goals and objectives of this Committee are as follows:

- To further the Fire Department's Mission by using the Brain Storming Process
- Foster a more productive and cost-effective service to the citizens of Bath
- Promote better morale among all Fire Department employees
- Enhance the working conditions for all Fire Department employees

Section 2: **Committee Structure and Conduct:** The LMC shall consist of two [2] Union Representatives [as determined by the Union] and two [2] Representatives from the City [as determined by the City]. In addition, at the request of one or more of the parties, subject matter experts or other persons may be requested to attend meetings to offer advice and/or information on specific subjects.

Commented [MJC63]: Union will have a One (1) Representative from the Firefighter Unit and One Representative from the Captain's Unit.

All committee members will demonstrate teamwork and cooperation. They will, at all times, keep all matters discussed confidential until the minutes of the committee are published, agreements executed, act in good faith dealing openly and honestly on all issues, striving to understand varying points of view, and contributing to the resolution of any conflicts that may arise. All participants will conduct themselves in a professional manner at all times.

Section 3: **Committee Meetings and Agenda:** The Committee shall meet on request of either party and/or at least once a month to discuss all matters of mutual concern. The meeting format, meeting date/times, meeting duration, location, and agenda development will be determined by the committee at their 1st meeting.

Section 4: **Decisions:** Decision-making within the labor-management committee shall be based on consensus. For the purpose of this agreement, consensus is defined as a unanimous decision of "all" representatives present at the meeting. The Parties must ensure

For the Union [IAFF Local 1611]
Initials _____ Date _____

For the Employer [City of Bath]
Initials _____ Date _____

IAFF Local 1611 Successor Collective Bargaining Agreement
 City of Bath Draft 9/23/2021

**APPENDIX C
 WAGE AGREEMENT**

Base Wages	Current	MEDIC	Captain/ AEMT .46	Capt/ Medic 2.09
Years as Capt.	1/1/2019	1/1/2019	7/1/2020	7/1/2020
0-1	27.45	28.35	27.91	29.54
1	27.78	28.68	28.24	29.87
5	27.78	28.68	28.34	29.97
10	27.78	28.68	28.49	30.12

	AEMT (.48) 2.5%		Medic (\$2.14) 2.5%
Years as Capt.	1/1/2021		1/1/2021
0-1	28.61		30.28
1	28.95		30.62
5	29.05		30.72
10	29.20		30.87

	AEMT (.48) 1.75%		Medic (\$2.18) 1.75%
Years as Capt.	1/1/2022		1/1/2022
0-1	29.11		30.81
1	29.45		31.15
5	29.56		31.26
10	29.71		31.41

For the Union [IAFF Local 1611]
 Initials _____ Date _____

For the Employer [City of Bath]
 Initials _____ Date _____

CB

City of Bath

55 Front Street
Bath, Maine 04530

Dept: 207/443-8363
Fax: 207/443-8389



**Planning &
Development**

MEMORANDUM

TO: Aaron Park, Chair
City Councilors

FROM: Ben Averill, City Planner

DATE: October 6, 2021

RE: Land Use Code Map Amendment, 94
Richardson Street

Background

Scott Raymond, owner of the property located at 94 Richardson Street, is requesting a land use code map amendment to amend the zoning on the parcel located at 94 Richardson Street (tax map 31, lot 57) from the C-3 Zoning District to the C-4 Zoning District. The intent of the map amendment request is to allow the applicant to operate a retail establishment on the parcel. Retail uses are not allowed in the C3 Zoning District but are an allowed use in the C4 Zoning District.

The Planning Board held a public hearing on the proposed ordinance at the September 21, 2021 Planning Board meeting and recommended the ordinance for review by the City Council.

Council Action

If the Council determines that the Land Use Code change request has merit the Council can approve the request. If the Council determines that the request lacks merit, then action on the map amendment to the Land Use Code will cease.

OFFICE USE ONLY
 Check for \$275.00
 Project Number: _____

**CITY OF BATH
 PLANNING DEPARTMENT
 (207) 443-8363**

APPLICATION FOR LAND USE CODE MAP AMENDMENT

To: The City Council and the Planning Board of Bath, Maine

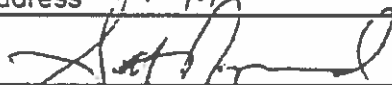
Date: August 23rd, 2021

RECEIVED

Name: Scott Raymond Telephone #: 207-271-2888 AUG 23 2021

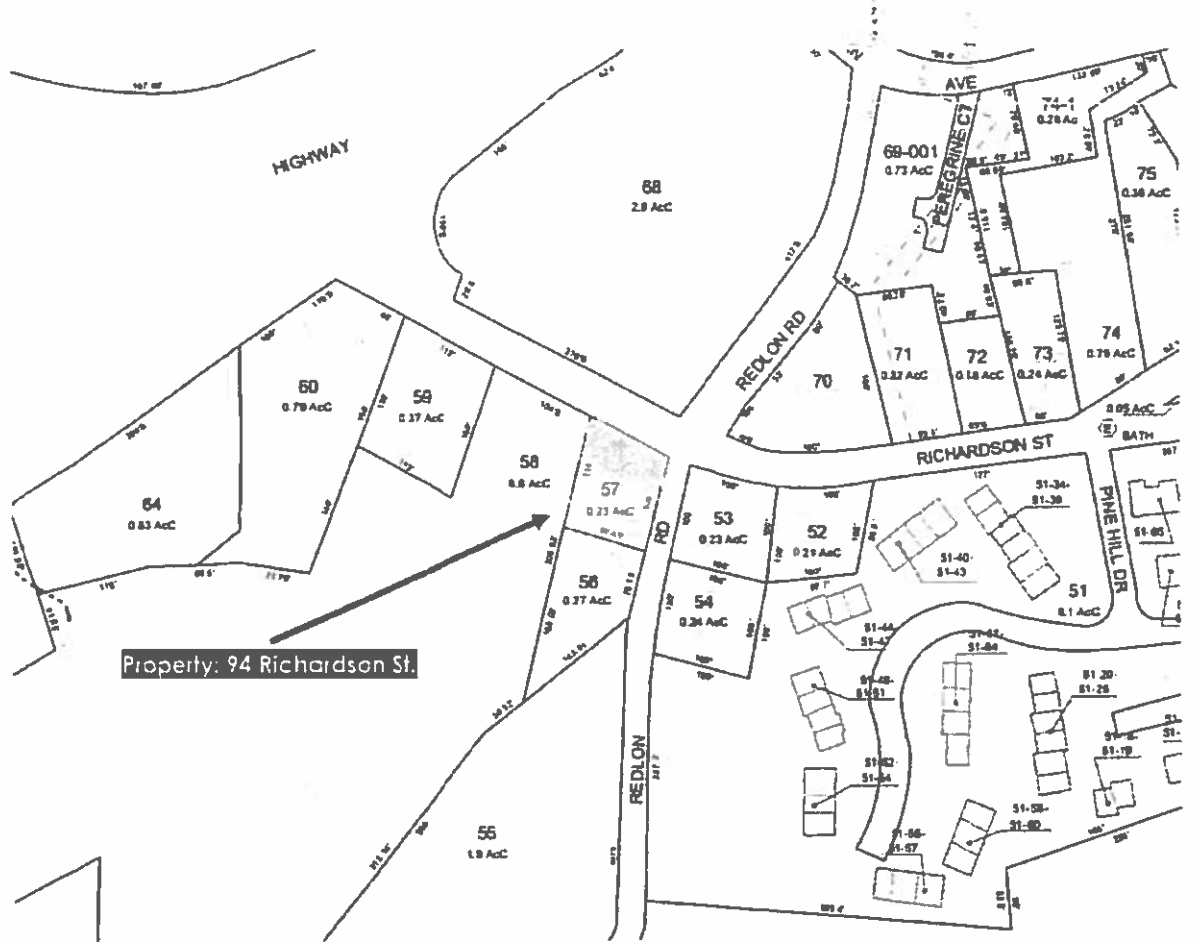
Address: 5 Wren Acres Rd. Georgetown ME 04548 CODES & PLANNING
BATH, ME

hereby petition to amend the Land Use Code of the City of Bath, Maine, by reclassifying from C-3 zone to the C4 zone the property outlined in red on the map(s) attached, which are part of this application, and described as follows:

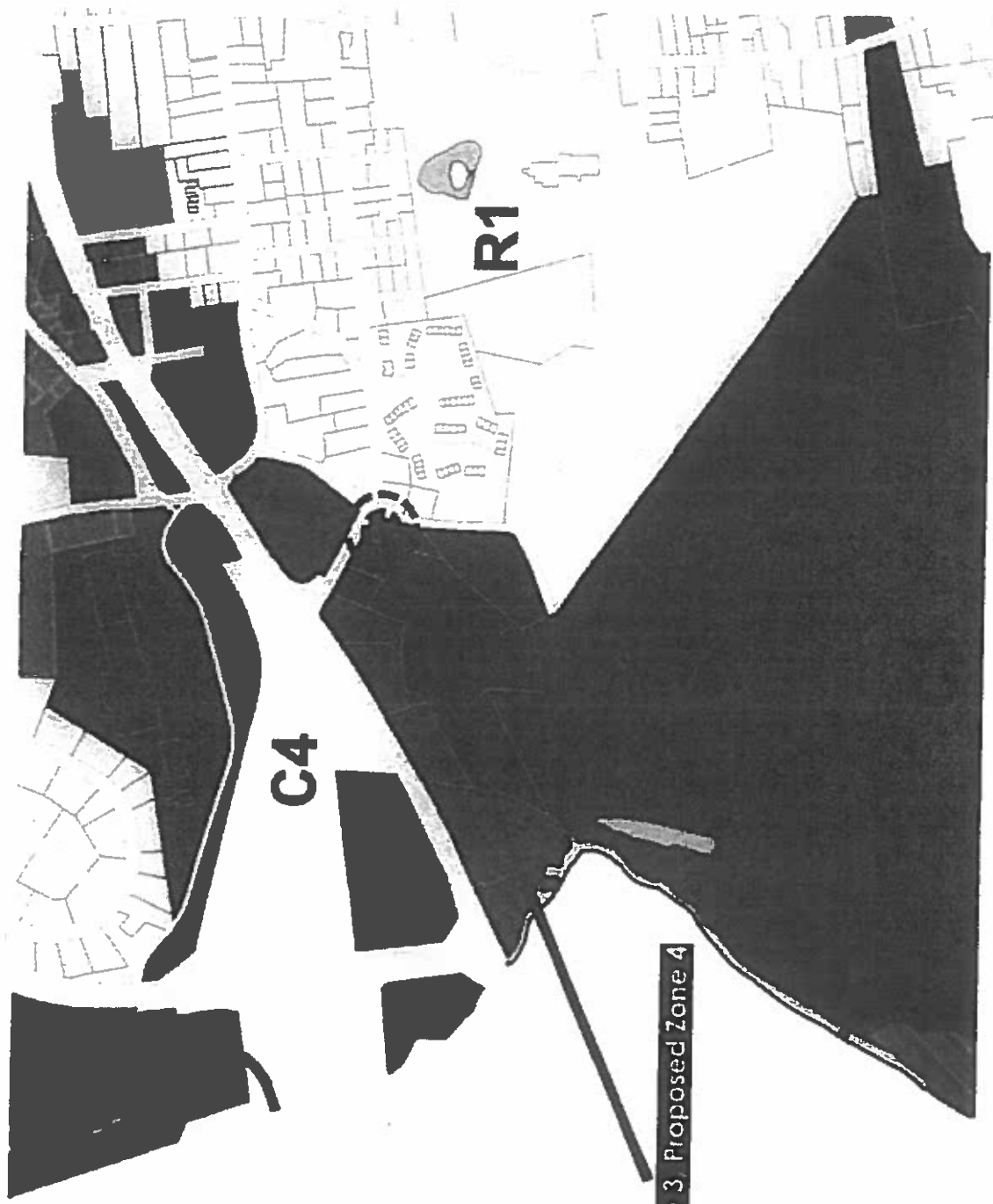
Address of property (if any)	<u>711 Richardson St Bath, ME 04520</u>
Total area (acres or square feet)	<u>.23 acres</u>
Property location (general) - i.e. south side of Washington St. 400 yards east of North St.	<u>South side of Richardson St. at the corner of Richardson and Reddon Rd. - S. corner</u>
Legal description of property	<u>Map 31 Lot 57</u>
Existing use	<u>Hair Salon</u>
Proposed use	<u>Prepared meats, cheeses, provisions</u>
Name/address of owner of record	Name <u>Scott Raymond</u> Address <u>5 Wren Acres Rd. Georgetown ME 04548</u>
Name/address of contract owner (if such)	Name _____ Address <u>W/A</u>
Signature of owner/contract owner	
Representative of applicant	Name _____ Address _____

Return form to Planning Dept. - City Hall - Bath, Maine

For a project to be scheduled for review, we must have the complete application in the Planning Office four weeks prior to the date of the meeting. You or someone representing you must be present at that hearing to present this request to the Planning Board. The Planning Board will then make a recommendation on the amendment and forward its recommendation to the City Council. The City Council will then take final action on the amendment.



Property: 94 Richardson St.



Currently Zone 3 Proposed Zone 4

C4

R1



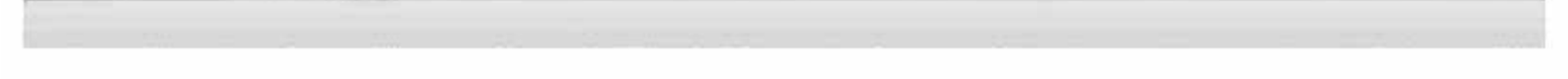
ORDINANCE

WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19, 2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE, AND

WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19, 2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:

Rezoning of property designated as 94 Richardson Street and further designated as lot 57 on tax map 31. The proposed Land Use Map rezoning is to rezone the existing zoning on the lot from its current C3 Business Park Zoning District to C4 Route 1 Commercial Contract Zoning District.



City of Bath

55 Front Street
Bath, Maine 04530

Dept: 207/443-8363
Fax: 207/443-8389



Planning &
Development

MEMORANDUM

TO: Aaron Park, Chair
City Councilors

FROM: Ben Averill, City Planner

DATE: October 6, 2021

RE: Land Use Code Map Amendment,
Richardson Street/ 136 Western Avenue (
Tax Map 31, Lots 58,59)

Background

BathRes, LLC, owner of the parcels located at Tax Map 31, lots 58 & 59, is requesting a land use code map amendment to amend the zoning on the parcels from the C-3 Zoning District to the C-4 Zoning District. The intent of the map amendment request is to facilitate future development on the parcel of either a retail or restaurant use. Retail uses (including restaurants) are not allowed in the C3 Zoning District but are an allowed use in the C4 Zoning District. The applicant does not currently have plans for development of the parcel (currently used as accessory parking), however this zone change will allow for flexibility if a new use is desired on either parcel.

The Planning Board held a public hearing on the proposed ordinance at the September 21, 2021, Planning Board meeting and recommended the ordinance for review by the City Council.

Council Action

If the Council determines that the Land Use Code change request has merit the Council can approve the request. If the Council determines that the request lacks merit, then action on the map amendment to the Land Use Code will cease.



ORDINANCE

WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19, 2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE, AND

WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19, 2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:

Rezoning of property designated as Richardson Street and 136 Western Avenue and further designated as lot 58 and 59 on tax map 31. The proposed Land Use Map rezoning is to rezone the existing zoning on the lot from its current C3 Business Park Zoning District to C4 Route 1 Commercial Contract Zoning District.



OFFICE USE ONLY
 Check for \$275.00
 Project Number: _____

**CITY OF BATH
 PLANNING DEPARTMENT
 (207) 443-8363
 APPLICATION FOR LAND USE CODE MAP AMENDMENT**


To: The City Council and the Planning Board of Bath, Maine

Date: 8-27-21

Name: PAUL CASTONGUAY Telephone #: 207-754-9868

Address: P.O. Box 9340 AUBURN, ME 04210

hereby petition to amend the Land Use Code of the City of Bath, Maine, by reclassifying from C3 zone to the C4 zone the property outlined in red on the map(s) attached, which are part of this application, and described as follows:

Address of property (if any)	<u>136 Western Ave. At Richardson Street</u>
Total area (acres or square feet)	<u>7</u>
Property location (general) - i.e. south side of Washington St. 400 yards east of North St.	<u>ACROSS Street From Marriott Hotel</u>
Legal description of property	Map <u>31</u> Lot <u>58-59</u>
Existing use	<u>PARKING LOT - GARAGE</u>
Proposed use	<u>RETAIL - RESTAURANT</u>
Name/address of owner of record	Name <u>BATHRES LLC</u> Address _____
Name/address of contract owner (if such)	Name <u>George Schott</u> Address <u>P.O. Box 9340 AUBURN ME 04210</u>
Signature of owner/contract owner	
Representative of applicant	Name <u>PAUL CASTONGUAY</u> Address <u>P.O. Box 9340 AUBURN ME 04210</u>

Return form to Planning Dept. - City Hall - Bath, Maine

For a project to be scheduled for review, we must have the complete application in the Planning Office **four weeks** prior to the date of the meeting. You or someone representing you must be present at that hearing to present this request to the Planning Board. The Planning Board will then make a recommendation on the amendment and forward its recommendation to the City Council. The City Council will then take final action on the amendment.

RECEIVED

SEP 01 2021

CODES & PLANNING
 BATH, ME



REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
Wednesday, October 6, 2021, 6:00 PM
Regular Meeting

Present: Councilor Ambrosino, Councilor Bailey, Councilor Paulhus, Councilor Nordmann, Councilor Leonard, Vice Chairperson DeChant arrived at 6:40pm, Councilor Bauer, Councilor Dingley, and Chairperson Park.

Also, in attendance, the Interim City Manager, Marc Meyers, City Solicitor, Roger Therriault, and Deputy City Clerk, Maureen Craney

Chairperson Park led the Pledge of Allegiance, Deputy City Clerk Maureen Craney called the Roll.

C: Public Hearing: NONE

D. Consent Agenda 6:07pm

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

*1) Minutes of the Bath City Council Meeting on September 1, 2021 (*Motion to Accept as Presented*)

Motion made by Councilor Ambrosino to accept as presented, seconded by Councilor Paulhus.

VOTE:

YEAS: 7

NAYS: 0

Passed unanimously, 7-0

E. Time Devoted to Residents to Address the City Council: 6:03pm

Richard Kessler of 1080 Washington Street spoke regarding the calming measures needed on Washington Street.

Michael Mason of 1111 Washington street spoke in favor of providing police presence during high traffic hours.

F. Resolutions, Orders and Ordinances 6:10pm

2) **ORDER:** Prepare Election Warrant to notify inhabitants of the City of Bath of the State Referendum Election to be held on Tuesday, November 2, 2021, to vote on 1 Citizen Initiative, 1 Bond Issue and 1 Constitutional Amendment

ORDER

In City Council
October 6, 2021

BE IT HEREBY ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

That, the Notice of State of Maine Referendum Election be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Referendum Election will be held at Bath Middle School, 6 Old Brunswick Road, on Tuesday, November 2, 2021, for the purpose of determining the following questions:

Questions To Be Voted On:

Question 1 – Citizen Initiative
Do you want to ban the construction of high-impact electric transmission lines in the Upper Kennebec Region and to require the Legislature to approve all other such projects anywhere in Maine, both retroactively to 2020, and to require the Legislature, retroactively to 2014, to approve by a two-thirds vote such projects using public land?

Question 2 – Bond Issue
Do you favor a \$100,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit facilities and ports and make other transportation investments, to be used to leverage an estimated \$253,000,000 in federal and other funds?

Question 3 – Constitutional Amendment
Do you favor amending the Constitution of Maine to declare that all individuals have a natural, inherent, and unalienable right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health, and well-being?

Absentee Ballots shall be processed Election Day, 9:00am to 8:00pm at the Bath Middle School, 6 Old Brunswick Road.

The polls shall be opened at 8:00am and closed at 8:00pm.

3) **ORDER:** Prepare Election Warrant to notify inhabitants of the City of Bath of the Municipal Election to be held on Tuesday, November 2, 2021, for City Councilors to be Elected, Ward 2, 3, and 4, 3 Year Terms and Charter Amendment

ORDER

In City Council
October 6, 2021

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Municipal Candidate/Referendum Election (Wards 1-7) will be held at Bath Middle School, 6 Old Brunswick Road, on the Tuesday following the first Monday of November, the same being the 2nd day of said month, in the year of our Lord Two Thousand Twenty One, at 8 O'clock in the forenoon, then and there, to cast their votes at the Municipal Election in their respective Wards for:

City Councilors to be Elected:

Ward Two	One to be Elected for a three-year term
Ward Three	One to be Elected for a three-year term
Ward Four	One to be Elected for a three-year term

And be it further ordered, that said polls are to be kept open until eight o'clock in the afternoon of said day and then be closed.

4) **ORDER:** Prepare Election Warrant to notify inhabitants of the City of Bath of the RSU#1, Board of Directors Election held on Tuesday, November 2, 2021, for 2 Unrestricted-Residence Positions

ORDER

In City Council
October 6, 2021

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath RSU #1 School District qualified to vote, said Election will be held at Bath Middle School, 6 Old Brunswick Road, on the Tuesday following the first Monday of November, the same being the 2nd day of said month, in the year of our Lord Two Thousand Twenty One, at 8 O'clock in the forenoon, then and there, to cast their votes for:

BOARD OF DIRECTORS FOR RSU #1 TO BE ELECTED:

Two (2) Unrestricted-Residence Positions for three-year terms

and be it further ordered, that said polls are to be kept open until eight o'clock in the afternoon of said day and then be closed.

5) **ORDER:** Registrar of Voters' hours for the November 2, 2021, State Referendum, Municipal and RSU#1, Board of Directors' Elections.

ORDER

Be It Ordered by the City Council of the City of Bath, that the hourly schedule for the office of the Registrar of Voters shall be from 8:30am to 12:00pm AND 1:00pm until 4:30pm Monday through Friday prior to the State of Maine Referendum Election, RSU #1 Board of Directors Election, and Municipal Election to be held Tuesday, November 2, 2021, except for Thursday, October 28, 2021, from 4:30pm to 7:00pm at the City Clerk's Office, 55 Front Street.

Voters may register on the Day of the Election from 8:00AM to 8:00PM at the polls at the Bath Middle School, 6 Old Brunswick Road.

Motion made by Councilor Ambrosino to accept Election Orders as a slate, seconded by Councilor Leonard.

VOTE ON ORDER:

YEAS: 7

NAYS: 0

Passed unanimously, 7-0

6) **ORDER:** Authorizing purchase of excavator

ORDER AUTHORIZING PURCHASE

WHEREAS, the City of Bath Public Works Department intends to purchase a new excavator; and

WHEREAS, the City has gone out to bid for this equipment; and

WHEREAS, the City has received and opened a number of bids relative to the equipment purchase; and

WHEREAS, the most qualified bid was provided by Beaugard Equipment, Inc. for a 2022 Case CX57C at a bid price of \$65,846.00.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the bid price provided by Beaugard Equipment, Inc. of \$65,846.00 for the purchase of a 2022 Case CX57C excavator, be and hereby is accepted and the City Manager is authorized to execute any and all documentation necessary to finalize the

purchase of the equipment. The funds for this purchase are designated in the City's 2021/2022 Fiscal Year Budget in Sewer Capital Fund account 07-0703-551.

Motion made by Councilor Bauer to accept as presented, seconded by Councilor Paulhus.

Public Works Direct Lee Leiner gave background on need of purchasing a new mini excavator to replace an outdated machine. Councilor Bailey expressed her appreciation for the money that was saved on the purchase.

VOTE ON ORDER:

YEAS: 6

NAYS: 1

Passed, 6-1

7) **ORDER:** Approving sale by bid of 45 Windjammer Way

ORDER APPROVING BID FOR 45 WINDJAMMER WAY

WHEREAS, the City of Bath is the owner of property at 45 Windjammer Way; and

WHEREAS, the City Council has authorized the sale of that property and has advertised for sealed bids; and

WHEREAS, the bids have been received and opened and the bidding period has expired; and

WHEREAS, the high bid submitted for the purchase of the property is from Theresa Gray in the sum of Five Thousand One Hundred Eighty-Five and 15/100 dollars (\$5,185.15).

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the bid of Theresa Gray be and hereby is accepted and that the property be conveyed to the successful bidder by Municipal Quit-Claim Deed, subject to the terms and conditions in the solicitation for bids, and that the City Manager be authorized on behalf of the City of Bath to execute the Municipal Quit-Claim Deed, together with such other documents as may be necessary, appropriate or convenient to the transaction.

Motion made by Councilor Ambrosino to accept as presented, seconded by Councilor Bauer.

Interim City Manager Marc Meyers spoke regarding the bid process. Councilor Bailey asked for clarification on who was responsible for the demo of the existing property. Mr. Meyers stated that the buyer would be responsible due to being part of the bid process.

VOTE ON ORDER:

YEAS: 7

NAYS: 0

Passed unanimously, 7-0

8) ORDER: Approving Authorization BIW Tax Increment Financing District Budget (FY 2022)

Motion made by Councilor Bauer to accept as presented, seconded by Councilor Paulhus.

Finance Director Juli Millett stated the amounts and the programs that would be affected by the authorization. Councilor Ambrosino asked about the surplus amount listed. Mrs. Millett stated that the surplus is from the 2021 budget and that the actual does not reflect that yet.

VOTE ON ORDER:

YEAS: 6

NAYS: 1

Passed, 6-1

9) ORDER: Approving Authorization Wing Farm TIF District Budget (FY 2022)

Motion made by Councilor Paulhus to accept as presented, seconded by Councilor Leonard.

Finance Director Juli Millett explained the Wing Farm TIF and what projects it covers.

VOTE ON ORDER:

YEAS: 7

NAYS: 0

Passed unanimously, 7-0

10) ORDER: Approving Authorization Downtown TIF District Budget (FY 2022)

Motion made by Councilor Nordmann to accept as presented, seconded by Councilor Paulhus.

Finance Director Juli Millett stated the significant surplus would hopefully be available to be spent on economic development projects within the Downtown with the passing of the Charter Change Expenditure Limitation.

VOTE ON ORDER:

YEAS: 7

NAYS: 0

Passed unanimously, 7-0

11) ORDINANCE: General Assistance Ordinance: Chapter 8A. With Maximums for October 1, 2021, to September 30, 2022 (*first passage*)

Finance Director Juli Millett gave the highlights of the many changes of the Ordinance.

VOTE ON ORDINANCE:

YEAS: Ambrosino, Bailey, Paulhus, Nordmann, Leonard, Bauer and Dingley

NAYS: None

Passed unanimously, 7-0

12) ORDINANCE: Approving Fire Captains' Contract (*first passage*)

Motion made by Councilor Leonard to accept as presented, seconded by Councilor Paulhus.

Interim City Manager Marc Meyers explained the contract and what the specifics are. Councilor Ambrosino asked for clarification of this contract versus the previous one. Mr. Meyers explained that this is for the captains. Councilor Bauer asked how many years these are reviewed, and Mr. Meyers responded three.

VOTE ON ORDINANCE:

YEAS: Dingley, Bauer, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 7-0

13) **ORDINANCE:** LUC Map Amendment- 94 Richardson Street (Map 31, Lot 58) *(first passage)*

ORDINANCE

WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19, 2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE, AND

WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19, 2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:

Rezoning of property designated as 94 Richardson Street and further designated as lot 57 on tax map 31. The proposed Land Use Map rezoning is to rezone the existing zoning on the lot from its current C3 Business Park Zoning District to C4 Route 1 Commercial Contract Zoning District.

Motion made by Councilor Nordmann to accept as presented, seconded by Councilor Bailey.

City Planner Ben Averill explained that the change of a C3 to a C4 Zoning District would allow the applicant to operate in the building at 94 Richardson Street as a retail business. Councilor Bailey asked if the 2 proposals are related to one another being that they are across from one another. Mr. Averill explained to Councilor Nordmann that the Planning Board recommends approval from Council. Scott Raymond of Georgetown, the applicant for 94 Richardson Street.

spoke regarding his vision for a high-end meat and cheese provision shop. Richard Kessler of 1080 Washington Street spoke in favor of the applicant.

VOTE ON ORDINANCE:

YEAS: Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: None

Passed unanimously, 8-0

14) **ORDINANCE:** LUC Map Amendment- Richardson Street (Map 31, Lot 58) and 136 Western Avenue (Map 31, Lot 59) (*first passage*)

ORDINANCE

WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19, 2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE, AND

WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19, 2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:

Rezoning of property designated as Richardson Street and 136 Western Avenue and further designated as lot 58 and 59 on tax map 31. The proposed Land Use Map rezoning is to rezone the existing zoning on the lot from its current C3 Business Park Zoning District to C4 Route 1 Commercial Contract Zoning District.

Motion made by Councilor Bauer to accept as presented, seconded by Councilor Ambrosino.

City Planner Ben Averill explained the background of introducing this Ordinance and its similarities to the previous. He stated that it was reviewed by Planning Board and recommended for Council approval. Councilor Ambrosino asked for clarification of if there was a declared use of property. Mr. Averill stated that he was unaware of any at this time. Councilor Bauer asked for clarification on map.

VOTE ON ORDINANCE:

YEAS: Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 8-0

G. Petitions & Communications 6:57pm

Councilor DeChant received a letter on September 27, 2021, from Richard Kessler signed by more than 50 signatures regarding speeding on Washington Street. It will be referred to Transportation Committee and Bike and Ped Committee.

H. City Manager's Report 6:59pm

Interim City Manager Marc Meyers reported that the 23rd Citizen Involvement Day will be Saturday October 9th. The second public informational meeting for the Expenditure Limitation Charter Amendment will be Wednesday, October 13th.

I. Committee Reports 7:01pm

Councilor Ambrosino reported that the Forestry committee had their annual meeting.

Councilor DeChant reported that Main Street Bath is holding Autumn Fest on Saturday 10-2 with music, scavenger hunt and scarecrow making.

Councilor Nordmann reported the Winnegance Herring Commission harvest was less due to lake temps being higher. Fishway has been repaired and the Department of Marine Resources will be testing the water quality.

J. Unfinished Business None

K. New Business 7:04pm

15) Reappointment of Andrew Omo term to expire 9/2024 to Planning Board
Reappointment of Pamela Murray term to expire 9/2024 to Zoning Board of Appeals

Motion made by Councilor Ambrosino to accept as slate, seconded by Councilor Bailey.

VOTE:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

L. Councilor Announcements 7:05pm

Councilor Bailey announced that the October Senior Newsletter is out with highlight of the flu shot clinic.

Councilor Paulhus announced that the Legislature has finalized district maps and that Bath was not affected. The plaque and trees at Governor William King Square have been installed.

EXECUTIVE SESSION:

Discuss Real Estate Matters per 1 MRSA §405(6)(C)

ADJOURN

Councilor Bailey motioned to adjourn at 7:21pm, seconded by Councilor Dingley. All in favor.

Meeting adjourned at 7:21pm.

Attest:

Darci L. Wheeler, City Clerk

ELECTION
RESULTS
WILL BE ON
YOUR DESKS
AT THE
MEETING



F1

ORDER

PURSUANT TO SECTION 301 OF THE CHARTER OF THE CITY OF BATH, THE CITY COUNCIL OF THE CITY OF BATH HEREBY APPOINTS MARC S. MEYERS AS CITY MANAGER OF THE CITY OF BATH, SAID APPOINTMENT TO BE EFFECTIVE NOVEMBER 3, 2021.



ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CONTRACT WITH THE CITY MANAGER, MARC S. MEYERS, FOR A THREE (3) YEAR PERIOD BEGINNING NOVEMBER 3, 2021, AND RUNNING THROUGH OCTOBER 31, 2024, BE AND HEREBY IS APPROVED.



AGREEMENT

THIS AGREEMENT, made and entered into this 3rd day of November, 2021, by and between the **CITY OF BATH**, State of Maine, a municipal corporation, hereinafter called "Employer", as party of the first part, and **MARC S. MEYERS**, hereinafter called "Employee", as party of the second part, both of whom understand as follows:

WITNESSETH:

WHEREAS, Employer desires to employ the services of said Marc S. Meyers as City Manager of the City of Bath, as provided by Section 301 of the Charter of the City of Bath; and

WHEREAS, it is the desire of the Municipal Officers of the City of Bath, being the appointed Agency, hereinafter referred to as the "Council", to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of the Council to (1) secure and retain the services of Employee and to provide inducement for him to remain in such employment; (2) to act as a deterrent against malfeasance or dishonesty for personal gain on the part of Employee, and (3) to provide a just means of terminating Employee's services at such time as he may be unable fully to discharge his duties due to age or disability or when Employer may otherwise desire to terminate his employ; and

WHEREAS, Employee desires to accept employment as City Manager of said Bath;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties

Employer hereby agrees to employ said Marc S. Meyers as City Manager of the City of Bath to perform the functions and duties of the City Manager as specified in Section 302 of the Charter of the City of Bath and to perform all other legally permissible and proper duties and functions as outlined in the Charter of the City of Bath, the laws of the State of Maine, or as the Council may from time to time assign.

Section 2. Term

A. Pursuant to the provisions of Section 301 of the Charter of the City of Bath, the parties hereto understand that the appointment of a City Manager is for an indefinite term. The term of this contract, however, shall be for a period of three (3) years beginning November 3, 2021, and running through October 31, 2024. This Agreement may be renewed for two additional three-year terms upon such terms and conditions as are agreed by and between the parties.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Council to terminate the services of the Employee at any time, subject only to the provisions set forth in Section 4 of this Agreement.

C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with Employer. In the event Employee voluntarily resigns his position with Employer, then Employee shall give Employer forty-five (45) days' notice in advance, unless the parties otherwise agree.

Section 3. Suspension

Employer may suspend the Employee with full pay and benefits at any time during the term of this Agreement, but only if:

- 1) a majority of Council and Employee agree, or
- 2) after a public hearing, a majority of Council votes to suspend Employee for just cause, provided, however, that Employee shall have been given written notice setting forth any charges at least ten (10) days prior to such hearing by Council member(s) bringing such charges.

Section 4. Termination

A. The Employer shall have the right to terminate this Agreement without cause. In the event of such termination, the Employer agrees to pay to the Employee a lump sum cash payment equal to three (3) months aggregate salary plus benefits and accumulated vacation time.

B. In the event Employer at any time during the term of this Agreement reduces the salary or other financial benefits of Employee in a greater percentage than an applicable across-the-board reduction for all employees of Employer; or in the event Employer refuses, following written notice, to comply with any other provision benefiting the Employee herein, or the Employee resigns following a suggestion, whether formal or informal, by the Council that he resign, then, in that event, Employee, may, at his option, be deemed to be "terminated" at the date of such reduction or such refusal to comply within the meaning and context of the herein severance pay provision.

C. Removal of the City Manager for cause, shall be in accordance with the provisions of Section 304 of the Charter of the City of Bath. Such termination or removal shall be without severance pay or other compensation except for accrued vacation time.

D. In instances where there are fundamental differences in the management of the City or the conduct of City affairs, then the Employee and the Council agree that there shall be a period of thirty (30) days during which the Employee and the Council shall be required to attempt to resolve the differences through any discussions or dispute resolution techniques that may be acceptable to the parties. During this thirty (30) day period, and in order to allow the best opportunity possible to resolve any such differences, no formal action regarding the status of the Employee will be taken by either party.

Section 5. Disability

If Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of twelve (12) successive or

intermittent weeks within twelve (12) months, the Employer shall have the option to terminate this Agreement, subject to the severance pay requirements of Section 4. Administration of leave shall be in compliance with State and Federal FMLA Requirements.

Section 6. Salary

Employer agrees to pay Employee for his services rendered pursuant hereto an annual base salary of one hundred and nine thousand dollars (\$109,000.00), payable in installments at the same time as other employees of the Employer are paid.

Adjustments throughout the life of this agreement shall be the same amount and at the same time as cost-of-living adjustments awarded for that period to the City non-union employees.

Said annual base salary may be evaluated and adjusted in conjunction with, and upon completion of, the performance evaluation provisions of Section 7 of this Agreement.

Section 7. Performance Evaluation

A. The Council shall review and evaluate the performance of the Employee at least once annually in advance of the anniversary date of this Agreement. Said review and evaluation shall be in accordance with specific criteria developed jointly by Employer and Employee. Said criteria may be added to or deleted from as the Council may from time to time determine, in consultation with the Employee. Further the Chair of City Council shall provide the Employee with a summary written statement of the findings of the Council and provide an adequate opportunity for the Employee to discuss his evaluation with the Council.

B. Annually, the Council shall define such goals and performance objectives which they determine necessary for the proper operation of the City and in the attainment of the Council's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided.

C. In effecting the provisions of this Section, the Council and Employee mutually agree to abide by the provisions of the applicable law.

Section 8. Hours of Work

It is recognized that the position of City Manager is a full time position designed to accomplish the business of the City. In order to fulfill the job responsibilities, it is often necessary that the Employee devote substantial time outside normal business office hours of the City of Bath. It is also understood between these parties that the work schedule of the City Manager, in view of substantial time outside business hours, will be erratic and there may be instances when the City Manager will not be available during normal business hours.

Section 9. Residence

The residency of the Employee shall be determined in accordance with the provisions of Section 301 of the Charter of the City of Bath.

Section 10. Vacation. and Sick Leave

Employee shall be provided with twenty-five (25) days of vacation per year, with such accumulation of vacation time occurring annually on the Employee's anniversary date of employment with the City. Vacation earned by the Employee as part of the Manager's current position and employment with the City shall be carried forward. Unused yearly vacation leave may be carried forward up to half the amount accrued during the preceding year. Employee will accrue sick leave at the same rate in effect for non-Union administrative employees at the rate of twelve (12) days per year (one (1) day per month) and sick leave accumulated by the Employee as of the execution of this Agreement shall be carried forward. The Employee shall also be entitled to the same paid holidays as provided other employees and as determined by the City's Employment Policies.

Section 11. Health and Other Appropriate Coverage

Employer agrees to provide hospitalization, surgical and comprehensive medical insurance, and other insurance coverage provided other management employees, for Employee and his dependents and to pay the premiums thereon equal to that which is provided all other employees of Employer.

Section 12. Retirement

The Employer agrees to provide and contribute to a retirement plan under the Maine Public Employees Retirement System. The plan will be the same as is offered to all other City employees with regard to plan benefits, contribution rates, and options, under the current City retirement plan and as may be amended by action of the City Council.

Section 13. Dues, Subscriptions, and Professional Development

Employer agrees to budget and to pay for the professional dues and subscriptions of Employee necessary for his membership and full participation in the Maine Town, City and County Management Association (MTCMA) and the International City/County Management Association (ICMA). The Employer agrees to pay, subject to the Budget process, the travel and subsistence expenses for the Employee's attendance at the ICMA Annual Conference, Maine Municipal Association annual convention and the MTCMA Interchange and Institute. Employer hereby also agrees to budget for and to pay the travel and subsistence expenses of Employee for travel when required to officially represent the Employer.

Employer also agrees to budget and to pay for the travel and subsistence expenses for Employee for short courses, institutes and seminars that are necessary for his professional development and for the good of the Employer. These expenditures are subject to the budget process and their expenditure is limited to amounts budgeted by the City Council in their annual budget adoption.

Section 14. General Expenses

Employer recognizes that certain expenses of a nonpersonal and job-affiliated nature are incurred by Employee, and hereby agrees to reimburse or to pay said general expenses as practical and budgeted.

Section 15. Civic Club Membership

Employer recognizes the desirability of representation in and before local civic and other organizations, and Employee is authorized to become a member of one such civic club or organization, for which Employer shall pay all expenses.

Section 16. Indemnification

Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, barring gross negligence, arising out of an alleged act or omission occurring in the performance of Employee's duties, within the scope of his employment as City Manager. Employer will compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon, on its own behalf or in accordance with the terms of applicable liability insurance policies. Nothing herein shall be deemed to be a waiver of any indemnity or protection offered to the City Manager or the City of Bath under the Maine Tort Claims Act.

Section 17. Bonding

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 18. Other Terms and Conditions of Employment

A. The Council, in consultation with the Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Charter or any other law.

B. All provisions of the City Charter and Code, and policies, regulations and rules of the Employer relating to holidays and other fringe benefits and working conditions, except those benefits enumerated herein specifically for the benefit of Employee, shall apply to the Employee as they would to other employees of the Employer, as they now exist or hereafter may be amended.

Section 19. No Reduction of Benefits

Employer shall not at any time during the term of this Agreement reduce the salary, compensation or other financial benefits of Employee, except to the degree of such a reduction across-the-board for all employees of the Employer.

Section 20. Notices

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

- (1) EMPLOYER: Aaron Park, Chair
Bath City Council
55 Front Street
Bath, Maine 04530

- (2) EMPLOYEE: Marc S. Meyers, City Manager
City of Bath, Maine
55 Front Street
Bath, Maine 04530

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 21. General Provisions

A. The text herein shall constitute the entire Agreement between the parties supersedes all prior negotiations and understandings between them, and shall not be altered or amended except by written agreement signed by the parties.

B. This agreement shall be binding upon and inure to the benefit of the heirs at law and personal representatives of Employee.

C. This agreement shall be binding upon and inure to the benefit of heirs at law and personal representatives of the Employee.

D. This Agreement shall become effective upon execution by the parties.

E. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Bath has caused this Agreement to be signed and executed in its behalf by Aaron Park, Chair of the Bath City Council, and duly attested by its City Clerk, and approved as to form by its City Solicitor, and the Employee has signed and executed this Agreement, both in duplicate, the day and the year above written.

CITY OF BATH

By: Aaron Park
Chair, Bath City Council
City of Bath, State of Maine

DULY ATTESTED:

By: Darci Wheeler
City Clerk
(Seal)

APPROVED AS TO FORM:

By: Roger R. Therriault
City Solicitor

Marc S. Meyers
Employee



F9

CITY OF BATH, MAINE

450 Oak Grove Avenue
Bath, ME 04530



DEPARTMENT OF PUBLIC WORKS

Peter H. Owen, P.E., Director
powen@cityofbath.me
207.443.8333
fax 207.443.8333

MEMORANDUM

TO: BATH CITY COUNCIL
FROM: LEE LEINER, PUBLIC WORKS DIRECTOR
SUBJECT: COUNCIL APPROVAL OF TRUCK PURCHASE
DATE: OCTOBER 25, 2021
CC: MARC MEYERS, INTERIM CITY MANAGER

The Public Works Department has accepted a bid proposal from Daigle & Houghton of Hermon, Maine for a 2022 International Model # HV 507 SFA dump truck with front plow equipment. The truck will replace a 2007 International 7300 and will be used for plowing snow and hauling materials & equipment in support of various Public Works projects. The proposal includes the trade-in of the existing truck. The price of the new truck is \$169,859.00, and the trade-in value is \$24,000, bringing the net purchase price to \$145,859.00.

The City Council approved \$180,000 for the purchase of a new Public Works truck in the FY2022 budget and will be paid from capital fund account 05-0520-533.

Staff recommends the council approve this order.



ORDER AUTHORIZING PURCHASE

WHEREAS, the City of Bath Public Works Department intends to purchase a new dump truck; and

WHEREAS, the City has gone out to bid for this equipment; and

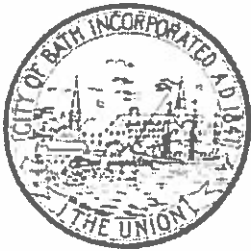
WHEREAS, the City has received and opened a number of bids relative to the equipment purchase; and

WHEREAS, the most qualified bid was provided by Daigle & Houghton of Hermon, Maine for a 2022 International Model # HV 507 SFA at a bid price of \$169,859.00.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the bid price provided by Daigle & Houghton of Hermon, Maine of \$169,859.00 for the purchase of a 2022 International Model # HV 507 SFA, be and hereby is accepted and the City Manager is authorized to execute any and all documentation necessary to finalize the purchase of the equipment. The funds for this purchase are designated in the City's 2021/2022 Fiscal Year Budget in Public Works Capital Fund Replacement Account 05-0520-533.



FI



City of Bath

Finance Department
Bath City Hall – 55 Front Street
Bath, Maine 04530

Juli Millett, C.P.A.
Finance Director

Telephone: (207) 443-8338 - Fax: (207) 443-8397

Juli Millett, Finance Director
jmillett@cityofbath.com

Linda McCourt, Deputy Finance Director
lmccourt@cityofbath.com

Susan Hunt, Payroll Supervisor
shunt@cityofbath.com

October 28, 2021

To: Bath City Council

From: Juli Millett – Finance Director

CC: Marc Meyers – Interim City Manager

Re: American Rescue Plan Act and Budget

The City of Bath has been awarded \$880,624 of American Rescue Plan Grant Funds. To date we have received \$440,312 and anticipate receiving the 2nd payment in 2022. Senior management has worked with department heads to propose how best to use the monies to meet the needs of the community, the city, and staff.

Staff's priority was to use the grant for projects that qualify and are a community need, but that have not made the funding in the annual capital or operating budget.

First on the list was public bathrooms. The need for a public bathroom at McMann field is critical. The City is currently meeting that need with portable toilets. Due to the number of people that are in and out of the McMann complex, this is not a long-term public health solution. Also included are an upgrade to the Waterfront Park bathrooms, replacing the doors and making them handicap accessible. Air exchangers have been budgeted for the City Hall Auditorium and Council Chambers, the Donald Small School gym, and the Public Works Office. These are felt to be the most critical areas of where the public gathers but there is not great air ventilation.

Knowing the City will need to be looking forward to another Wastewater bond, and looking at potential other Water and Sewer grants, staff felt the most critical area to start is the study for Phase 2 of the WWTP. By completing the study, this puts the City "shovel ready" to apply for additional grants as they become available.

Included in the budget is premium for essential workers who during the pandemic performed in person work, interacted with others at work, or physically handled items handled by others. The largest percentage of the premium pay has been earmarked for public safety employees who were considered critical to protect the health and well-being of residents. Premium pay is limited

SHIPS

HERITAGE

PROGRESS



to lower income, (150% of the county's average wage), eligible workers who performed essential duties.

Lastly, Staff has also budgeted critical projects such as Investment in support of housing development, Staffing the Visitors Center through December 24 and Chromebooks for Councilors so if there is a need to be totally remote again, the Council will be ready. This will also save on the copying and disbursing of data and packets.

Below please find some additional Q&A from Maine Municipal regarding ARPA funds.

Source:

https://memun.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=14876&language=en-US&PortalId=0&TabId=204

What is the American Rescue Plan?

The American Rescue Plan Act (ARPA) is a federal law that was signed by President Biden on March 11, 2021. One portion of the ARPA amended the Social Security Act to establish a Coronavirus State Fiscal Recovery Fund (§ 602), and a Coronavirus Local Fiscal Recovery Fund (§ 603). (Public Law 117-2, codified at 42 U.S.C. 802 et seq.)

The State and Local Fiscal Recovery Funds established by ARPA are intended to help state, local, and Tribal governments respond to the impact of COVID-19 on their communities, residents, and businesses. The Fiscal Recovery Funds provide over \$350 million in emergency funding to state and local governments, building on and expanding assistance provided to these governments over the last year, including through the Coronavirus Relief Fund (CRF).

Local Approvals:

Do we need municipal legislative body authorization to accept the fund transfer?

At this point it does not appear that a vote is needed to simply receive the funds from DAFS. 30-A M.R.S. § 5773(1) allows the municipal officers of a municipality to contract for and accept an "offer or a grant of federal or state aid, or both, for any purpose for which a municipality may raise or expend money." However, municipalities will need to closely track and account for the funds within their internal bookkeeping and accounting systems both for reporting purposes and to segregate them from other unappropriated municipal funds.

Do we need municipal legislative body authorization to appropriate the funds for a specific purpose? (Updated 10/1)

Nothing in the ARPA varies the usual rules relating to municipal appropriations of funding and approval of municipal spending. Therefore, the municipality's legislative body will need to appropriate and authorize use of Local Fiscal Recovery Funds toward one or more eligible uses in the same way it would appropriate and authorize expenditure of any other municipal revenues. Moreover, because conditions and limitations accompany the grant funds, the municipal legislative body should affirmatively approve the town's use of the funds.



Are there limits to our municipality’s use of the funds? (Please see attached Example of Uses of Funds)

There are significant limitations to the use of Local Fiscal Recovery Funds, but the guidelines for spending the funds are drafted to provide substantial flexibility for municipalities to meet local needs relating to the COVID-19 pandemic. The U.S. Treasury Interim Final Rule outlines four broad categories of eligible uses for Local Fiscal Recovery Funds:

- To respond to the public health emergency or its negative economic impacts (i.e. assistance to households, small businesses, and nonprofits, or aid to impacted industries – tourism, travel, hospitality);
- To provide premium pay to eligible workers responding to the public health emergency;
- To provide government services to the extent of the reduction in revenue due to COVID-19 relative to revenues collected in the most recent full fiscal year prior to the COVID-19 pandemic (calculation required); and
- For necessary investments in water, sewer and broadband infrastructure.

Within these four eligible use categories, municipalities have flexibility to decide how best to use the funding to meet the needs of their communities.

May we use the funds to reduce the tax commitment? (Added 10/1)

No. The purpose of the American Rescue Plan is to ensure that needed funding and resources are directed to the vital services, public employees, small business, and families that have struggled during the pandemic.





Example Uses of Funds

Support Public Health Response

- **Services to contain and mitigate the spread of COVID-19**, including vaccination, medical expenses, testing, contact tracing, quarantine costs, capacity enhancements, and many related activities
- **Behavioral healthcare services**, including mental health or substance misuse treatment, crisis intervention, and related services
- **Payroll and covered benefits** for public health, healthcare, human services, and public safety staff to the extent that they work on the COVID-19 response

Replace Public Sector Revenue Loss

- **Ensure continuity of vital government services** by filling budget shortfalls
- **Revenue loss is calculated** relative to the expected trend, beginning with the last full fiscal year pre-pandemic and adjusted annually for growth
- **Recipients may re-calculate revenue loss** at multiple points during the program, supporting those entities that experience revenue loss with a lag

Water & Sewer Infrastructure

- **Includes improvements to infrastructure**, such as building or upgrading facilities and transmission, distribution, and storage systems
- **Eligible uses aligned to Environmental Protection Agency project categories** for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund

Equity-Focused Services

- **Additional flexibility for the hardest-hit communities and families** to address health disparities, invest in housing, address educational disparities, and promote healthy childhood environments
- **Broadly applicable** to Qualified Census Tracts, other disproportionately impacted areas, and when provided by Tribal governments

Address Negative Economic Impacts

- **Deliver assistance to workers and families**, including support for unemployed workers, aid to households, and survivor's benefits for families of COVID-19 victims
- **Support small businesses** with loans, grants, in-kind assistance, and counseling programs
- **Speed the recovery of impacted industries**, including the tourism, travel, and hospitality sectors
- **Rebuild public sector capacity** by rehiring staff, replenishing state unemployment insurance funds, and implementing economic relief programs

Premium Pay for Essential Workers

- **Provide premium pay to essential workers**, both directly and through grants to third-party employers
- **Prioritize low- and moderate-income workers**, who face the greatest mismatch between employment-related health risks and compensation
- **Key sectors include** healthcare, grocery and food services, education, childcare, sanitation, and transit
- **Must be fully additive** to a worker's wages

Broadband Infrastructure

- **Focus on households and businesses** without access to broadband and those with connections that do not provide minimally acceptable speeds
- **Fund projects that deliver reliable service** with minimum 100 Mbps download / 100 Mbps upload speeds unless impracticable
- **Complement broadband investments** made through the Capital Projects Fund

Ineligible Uses

- **Changes that reduce net tax revenue** must not be offset with American Rescue Plan funds
- **Extraordinary payments into a pension fund** are a prohibited use of this funding
- **Other restrictions apply** to eligible uses

The examples listed in this document are non-exhaustive, do not describe all terms and conditions associated with the use of this funding, and do not describe all the restrictions on use that may apply. The U.S. Department of the Treasury provides this document, the State and Local contact channels, and other resources for informational purposes. Although efforts have been made to ensure the accuracy of the information provided, the information is subject to change or correction. Any Coronavirus State and Local Fiscal Recovery Funds received will be subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which shall incorporate the provisions of the Interim Final Rule and/or Final Rule that implements this program.



**ORDER
APPROVING AUTHORIZATION
AMERICAN RESCUE PLAN ACT BUDGET**

Be It Hereby Ordered By the City Council of the City of Bath that eight hundred eighty thousand six hundred twenty-four dollars and 00/100 (\$880,624) be and hereby is authorized to be spent from the American Rescue Plan Act Grant Fund – Special Revenue Account from the grant term commencing August 25, 2021 and terminating on December 31, 2024 for the following purposes:

AMERICAN RESCUE PLAN ACT REVENUE	<u>\$880,624</u>
TOTAL REVENUE	<u>\$880,624</u>
EXPENSES	
Support Public Health Response	
Bathrooms at McMann Complex	250,000
Upgrades to waterfront Park Bathrooms	50,000
Air Exchangers PW office/City Hall Auditorium & Council Chambers/ Recreation Gym	199,624
Water & Sewer Infrastructure	
Engineering Study Phase 2 WWTP	150,000
Equity Focused Services	
Investment in support of housing development	100,000
Address Negative Economic Impacts	
Staffing visitors Center Oct 15-Dec 24	5,000
Premium Pay for Essential Workers	122,000
Broadband Infrastructure	
Chrome books Bags etc. Councilors	4,000
TOTAL	<u>\$880,624</u>
SURPLUS (DEFICIT)	<u>\$0</u>





**CITY OF BATH
POLICE DEPARTMENT**

ANDREW M. BOOTH
CHIEF of POLICE
MICHELLE D. SMALL
DEPUTY CHIEF

250 Water Street

Bath, Maine 04530

(207) 443-5563

MEMORANDUM

To: City Council
From: Chief Andrew Booth
RE: Traffic/Parking Ordinance Changes
Date: 10/28/21

Members of the council,

1. The purpose of this memorandum is to address substantive changes to the current Vehicles and Traffic Ordinance, Chapter 17, of the City ordinances, as well as define certain changes to the Parking restrictions on various streets in the City, specifically in the south end.
2. These updates were a combined effort of various City Departments, such as Police, Public Works, City Clerk, City Assessor, and the Transportation Committee, who has approved these changes and directed me to forward them to the Council for review and approval.
3. The reason for these changes is twofold: first, the ordinance needs updating to address the South End Residential Parking Permit program before implementation, and second, to update old language and fees within the ordinance. The below paragraphs summarize these changes:
 - a. Updated references to State laws and current Statutes, such as duty to report motor vehicle accident. Current ordinance references outdated and since-rescinded laws.
 - b. Updated outdated street names (that were changed 20 years ago for E-911)
 - c. Eliminated Morse HS (High Street) parking language (reverts to regular parking zone for central district).
 - d. Updated language to reference either a physical street address or tax map number identification, replacing former business location names.
 - e. Added new streets that were not on the past ordinances.
 - f. Updated information on tow truck/wrecker service (slight increase to response time, updated fees to current rates, and increased location distance requirement for tow truck business location).

Administration/Records
443-8339

Criminal Investigations
443-8367

Fax
443-8343

Emergency
911



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- g. Eliminated references to traffic lights and school stop lights where they no longer exist.
 - h. Added South End parking permit program information (changed all unrestricted or 2-hour parking to 1-hour parking within south end permit zone).
 - i. Added carpool/vanpool permit parking along BIW Washington St side (per request of BIW and recommendation of South End Transportation Study).
 - j. Updated fees for South End permit zone violations per South End Transportation Study recommendations (kept current fees as is elsewhere).
 - k. Elimination of Downtown parking zone designation and difference in fees as compared to overall City.
4. I am seeking council approval on these ordinance changes as well as a decision on current parking violation fees and possible increase of parking permit fees for parking lots/areas south of route 1. The current market price for private parking lots rented out to south end workers is anywhere from \$70 to \$100. Our current permit fees for all municipal permit lots or zones are \$45, which were established in 2015 by council resolution.
 5. With council's approval and decision on fees, the City can implement the South End Residential Parking Permit program in the coming year. We plan to review this program and update the ordinance periodically through the Transportation Committee.
 6. I am available for questions or concerns regarding any of these changes as well as to receive guidance from the Council regarding these issues.

Respectfully,

Chief Andrew Booth

Attachments:

Chpt 17 Traffic and Vehicles DRAFT w/notations
Chpt 17 Traffic and Vehicles DRAFT
Parking Restrictions appendix DRAFT w/notations
Parking Restrictions appendix DRAFT
Map of South End Residential Zone w/notations

Administration/Records
443-8339

Criminal Investigations
443-8367

Fax
443-8343

Emergency
911

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

The provisions of Chapter 17 relating to vehicles and traffic are hereby repealed and replaced with new amended text for Chapter 17, including new provisions of Section 17-159, Parking Restrictions, all as is attached hereto. Deletions from and additions to the original text are shown as strike outs and/or colored text.



CHAPTER 17
Updated 6/5/2019 10/27/21
VEHICLES AND TRAFFIC

Article 1. General Provisions

- 17-1. Definitions.
- 17-2. Powers of the City Manager over traffic.
- 17-3. Applicability of Chapters
- 17-4 - 17-50 Reserved

Article 2. Accidents

- 17-51
- 17-52-17-100 Reserved

Article 3. Impounding Vehicles

- 17-101 Authority to Impound
- 17-102 Records.
- 17-103 Costs.
- 17-104 Reclaiming vehicle.
- 17-105 Alternative to towing and impounding.
- 17-106-17-150 Reserved.

Article 3A. Towing of Vehicles

- 17-121 Statement of Necessity
- 17-122 Applicability
- 17-123 General Requirements
- 17-124 Rotation List
- 17-125 Conditions Precedent
- 17-126 Indemnification
- 17-127 Insurance
- 17-128 Protection of Evidence
- 17-129 Maximum Rates
- 17-130 Condition of the Roadway
- 17-131 Unclaimed Vehicle
- 17-132 Disqualification
- 17-133 Additional Service
- 17-134 Grievance

Article 4. Pedestrians

- 17-151 Pedestrians subject to traffic-control signals.
- 17-152 Right-of-way at crosswalks
- 17-153 Restrictions on pedestrians
- 17-154 Crosswalks
- 17-155 Loitering, discharging passengers on portion of Old Brunswick Road right-of-way
- 17-156-17-200 Reserved

Article 5. Operations

- 17-201 Obedience to police officer, traffic-control devices, signing.
- 17-202 Traffic-control signal legend.
- 17-203 Flashing signals.
- 17-204 Location of traffic-control signals.
- 17-205 ~~School crossing stop signs.~~ Rescinded
- 17-206 No-turn signs and turning markers.
- 17-207 U-turns restricted.
- 17-208 Obstructing free passage when traffic stopped.
- 17-209 Speed limits.
- 17-210 One-way streets.
- 17-211 Stop intersections.
- 17-212 Yield intersections.
- 17-213 Entering traffic.
- 17-214 Sidewalk areas.
- 17-215 Backing of vehicles restricted.
- 17-216 Operation of motorcycle, passengers.
- 17-217 Parade or procession permit required.
- 17-218 Funeral processions, marking of vehicles, manner of operating vehicle.
- 17-219 Commercial vehicles in excess of two axles.
- 17-220 Closure of streets, sidewalks, and public ways.

Article 5A. Restricting Vehicle Weight on Posted Ways

- 17-221 Purpose and Authority
- 17-222 Definitions
- 17-223 Restrictions and Notices
- 17-224 Exemptions
- 17-225 Permits
- 17-226 Administration and Enforcement
- 17-227 Penalties
- 17-228 Severability, Effective Date
- 17-229-250 Reserved

Article 6. Stopping, Standing and Parking

- 17-251 Stopping and parking, generally.
- 17-252 Stopping, standing or parking in specified areas prohibited.
- 17-253 Stop intersections.
- 17-254 Winter parking restrictions.
- 17-255 Loading zone restrictions.
- 17-256 Bus stops.
- 17-257 Bus parking areas.
- 17-258 Manner of standing or parking next to curb.
- 17-259 Parking restrictions.
- 17-260 Municipal parking lots.
- 17-261 Shopping Center parking lot.
- 17-262 ~~Merse High School parking lots-RESCINDED~~
- 17-263 Applicability.
- 17-264 Wastewater Treatment System Pumping Stations.
- 17-265 MDOT-Railroad Right-of-Way
- 17-166 Railroad Station Lot - east side.
- ~~17-267-17-300 Reserved~~

Article 6-A. Residential Parking Permit Program

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- 17-267 Purpose
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- 17-269 Residential Zone Designation
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- 17-271 Residency
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- 17-273 City Council Authorization
- 17-274 Other Violations
- 17-275 Penalties Related to Residential Parking Permit Program
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Article 7. Offenses

- 17-301 Loud or unnecessary noise prohibited.
- 17-302 Following fire apparatus.
- 17-303 Driving across fire hose.
- 17-304 Clinging to moving vehicles.
- 17-305 Display of unauthorized signs.
- 17-306 Displaying for sale or repairing vehicles on street.
- 17-307 Using vehicle for advertising.
- 17-308 Zone of quiet.
- 17-309 Interfering with snow removal.
- 17-310 Deposit of snow.
- 17-311 Limitation of use of motorbikes, all-terrain vehicles and

- 17-312 snowmobiles.
- 17-312 Double parking.
- 17-313 Parking against the flow of traffic.
- 17-314 Idling Motor Vehicles
- 17-315-350 Reserved.

Article 8. Penalties

- 17-351. Penalties for Parking Violations.
- 17-352. Moving Violations.

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- ~~17-401 Establishment~~
- ~~17-402 Purpose~~
- ~~17-403 Powers and Duties~~
- ~~17-404 Appointment and Terms~~
- ~~17-405 Membership~~
- ~~17-406 Meetings~~
- ~~17-407 Rules of Procedure~~
- ~~17-408 Officers~~
- ~~17-409 Quorum~~

CHAPTER 17. VEHICLES AND TRAFFIC

ARTICLE 1. GENERAL PROVISIONS.

Sec. 17-1. Definitions.

(a) As used in this Chapter, unless the context otherwise indicates, the following words shall be ascribed the following meanings:

(1) **All-terrain vehicle ATV** a motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel or low pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this definition, an "all terrain vehicle" does not include an automobile, personal assistive mobility device, a truck, a snowmobile, an airmobile, a construction or logging vehicle used in performance of its common functions, a farm vehicle used for farming purposes, or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

(1A) **Authorized Emergency Vehicle** shall mean those vehicles, such as ambulances, as are designated or authorized by the City Manager as emergency vehicles, and shall specifically include vehicles of the Fire Department and the Police Department.

(2) **Business District** shall mean the territory contiguous to and including the highway when fifty per cent or more of the frontage thereon, for a distance of three hundred feet or more, is occupied by buildings in use for business.

(3) **Crosswalk** shall mean that portion of a roadway at an intersection included within the connections of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edge of the traversable roadways; or any portion of a roadway at an intersection or elsewhere distinctly marked or indicated for pedestrian crossings by lines or other markings on the surface.

(4) **Driver or Operator** shall mean every person who is in actual physical control of a motor vehicle on a highway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(5) **Intersection** shall mean the area embraced within the prolongation or continuation of the lateral side line of two highways which join one another at, or approximately at, right angles, or the area within which the vehicles traveling upon different highways joining at any other angle may come in conflict; or where a highway includes two roadways thirty or more feet apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection and in the event such intersecting highway also includes two roadways thirty or more feet apart, then every crossing of two roadways of such highway shall be regarded as a separate intersection.

(6) **Motorbike** shall include any motor driver vehicle designated to travel with not more than three wheels in contact with the ground and including but not limited to a motorcycle, motorbike, moped, trail bike or motor scooter.

(7) **Motor Vehicle** shall mean every vehicle which is self propelled and not operated upon rails.

(8) **Operate** and all its moods and tenses, when it refers to a vehicle as defined, shall mean the use of that vehicle in any manner whether or not said vehicle is under way.

(9) **Operator** shall mean every person who drives or is in actual physical control of a motor vehicle, or who is exercising control over such a motor vehicle.

(10) **Park** shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading.

(11) **Pedestrian** shall mean any person on foot.

(12) **Police Officer** shall mean every officer of the Police Department of the City of Bath, including Parking Patrol Officers, and any other officer authorized to direct or regulate traffic, or to make arrest for violation of traffic regulations, within the jurisdiction of the City of Bath.

(13) **Person** shall mean any individual, corporation, firm, partnership, joint venture, association, fiduciary trust, estate, or any other legal or commercial entity.

(14) **Private Road or Driveway** shall mean every way or place in private ownership used for vehicular traffic by the owner and those having expressed or implied permission from the owner, but over which the general public has no right of use.

(15) **Right of Way** shall mean the privilege of immediate use of the roadway.

(16) **Roadway** shall mean that portion of a street which is improved, designed or ordinarily used for vehicular traffic.

(17) **Safety Zone** shall mean the area or space officially set aside within a roadway for the exclusive use of pedestrians, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(18) **Sidewalk** shall mean that part of a street between the curb lines, or the lateral lines of the roadway, and the adjacent property line intended for the use of pedestrians, and excludes the use of motor vehicles.

(18A) **Snowmobile**: Snowmobile shall mean any vehicle propelled by mechanical power that is primarily designed to travel over ice or snow supported in part by skis, belts or cleats.

(19) **Standing** shall mean any stopping of a vehicle, whether the vehicle is occupied or unoccupied.

(20) **Stop** shall mean a complete cessation of movement.

(21) **Street or Highway** shall mean the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for traffic purposes.

(22) **Traffic** shall mean pedestrians, ridden or herded animals, vehicles, or any other conveyances, either singly or together, while using any street or highway for purposes of travel.

(23) **Traffic Control Device** shall mean all signs, signals, markings and devices, whether immovable, or whether manually, electrically, or mechanically operated, placed or erected by the authority of a public body or public official having jurisdiction within the City of Bath, by which said device traffic is alternately directed to stop and/or to proceed, or for the purpose of regulating, warning or guiding traffic.

(24) **Vehicle** shall mean every device in, upon, or by which any person or property is or may be transported or drawn on a highway, including bicycles but excepting such devices as skate boards and roller skates, and excepting snowmobiles as defined in M.R.S.A. 1971. (Ord. 11/18/81.)

(25)

(26) **Sec. 17-2. Powers of the City Manager over Traffic.**

(a) Without resort to Council action the City Manager is hereby authorized to:

(1) Establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(2) Mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic ordinances of this City, and to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at intersections.

(3) Establish a permanent zone of quiet upon any street where there is a hospital or convalescent home when requested to do so by the proper authorities of the hospital or convalescent home, such zone of quiet to embrace the territory adjacent to the hospital or convalescent home as the City Manager deems necessary.

(4) Establish temporary zones of quiet upon any street where a person is seriously ill, if requested to do so by the written statement of at least one registered physician certifying to its necessity. The temporary zone of quiet shall embrace all territory within a radius of 200 feet of the building occupied by the person named in the request or the physician. The zone of quiet provided in this Subsection and Subsection (a)(6) hereof shall be designated by the City Manager by placing in a conspicuous place in the street a sign or marking bearing the words "Quiet Zone."

(5) Determine upon what streets angle parking shall be permitted and shall mark or sign such streets.

(6) Designate, by causing lines to be painted, areas within municipal and public parking lots and on the streets and ways of the City, within which vehicles will be parked.

(a) At the direction of the City Council, and upon appropriate Council action either by Resolution or Ordinance, the City Manager shall

1. Establish bus stops for passenger common carrier motor vehicles on such public street, in such places and in such manner, as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop shall be designated by appropriate signs.

2. Erect such signs as would properly reflect traffic control and parking control ordinances as determined by this Chapter.

3. To close any street, sidewalk or public way or portion thereof as so directed by Resolution of the council.

(b) The within designated powers of the City Manager over traffic are subject to the provisions of this Chapter. However, the City Manager shall have the authority to alter, waive, amend or otherwise modify the provisions of this Chapter for a period of time not to exceed three days. In all such instances where said provisions are waived, altered, amended or otherwise changed, such shall be duly posted

(c) The Police Chief shall have the authority to waive, for a temporary and specific purpose, any no parking restriction or any timed parking restrictions contained in this Chapter or to impose temporary no parking restrictions for a temporary and specific purpose. Said restrictions may be waived or imposed only in those instances where in the opinion of the Police Chief danger to the public safety will not be created or must be relieved. (Ord. 11/18/81)

Sec. 17-3. Applicability of Chapter.

(a) **General.** This Chapter shall apply to all persons who are engaged in the operation of any vehicle upon the public ways within the jurisdiction of the City of Bath.

(b) **Public Employees.** This Chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, or any State, County, City or Town, and no such driver shall violate any of the provisions of this Chapter except as otherwise permitted in this Chapter, or by State or Federal statute.

(c) **Emergency Vehicles.** The provisions of this Chapter shall apply to authorized emergency vehicles except that, when operating any such vehicle in an emergency, and unless otherwise directed by a Police Officer, that driver may:

1. Park or stand notwithstanding the provisions of this Chapter.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be deemed necessary for safe operation.
3. Exceed the prima facie speed limits so long as he does not endanger life or property.

4. Disregard regulations concerning direction of movement or turning in specific directions so long as he does not endanger life or property.

This provision regarding emergency vehicles shall not protect the driver of any such vehicle from the consequences of his reckless disregard for the safety of others.

- (d) **Pushcarts and Animal-drawn Vehicles.** This Chapter shall apply to all persons propelling any pushcart, riding an animal upon a roadway, or driving any animal-drawn vehicle. (Ord. 11/18/81, as amended)

ARTICLE 2. ACCIDENTS.

Sec. 17-51. Duty to Report Accidents; use as evidence.

~~The driver of a vehicle involved in an accident resulting in an injury or death to any person, or property damage shall, in addition to the reporting requirements established by 29 M.R.S.A. § 891, and within twenty four hours after such accident, forward a written report of such accident to the Bath Police Department. Such report may be a copy of the accident report required under § 891 to be filed with the Secretary of State. Any officer of the Bath Police Department may require any driver of a vehicle involved in an accident to file a supplemental report or reports whenever the original report is insufficient in the opinion of that officer. Witnesses to accidents may also be required when deemed appropriate, to render reports to the department. Whenever a driver of a vehicle is physically incapable of making the required report, he shall be required to make the report at such time as the physical incapacity is removed. If there is another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made, the required report. The fact that an accident report has been made shall be admissible in evidence solely for the purpose of proving compliance with this section. No report, nor any part thereof, nor any statement contained therein, shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents. (Ord. 11/18/81) Per Maine Motor Vehicle Statutes Title 29-A, §2251, "Reportable" Motor Vehicle Accidents must be reported immediately by the quickest means of communication to the office of the police department, or to an officer, of the municipality in which the accident occurred. The accident must be reported by operator of an involved vehicle, a person acting for the operator of an involved vehicle, or, if the operator is unknown, the owner of an involved vehicle having knowledge of the accident.~~

Definition. As used in this section, "reportable accident" means an accident on a public way or a place where public traffic may reasonably be anticipated, resulting in bodily injury or death to a person or apparent property damage of \$1,000 or more. Apparent property damage under this subsection must be based upon the market value of the necessary repairs and may not be limited to the current value of the vehicle or property.

ARTICLE 3. IMPOUNDING VEHICLES

Sec. 17-101. Authority to Impound.

(a) Members of the Police Department are authorized to cause to be removed any vehicle from a street or highway, or any public way, to the nearest garage or other place of safety, or to an area designated or maintained by the City, in the following instances.

1. When any vehicle is left unattended upon any bridge or causeway where such vehicle constitutes an obstruction to traffic.
2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are incapacitated to such an extent as to be unable to provide for its custody or removal.
3. When any vehicle is left unattended upon any street or highway and is so parked illegally as to constitute a definite hazard to life or property or obstruction to the normal movement of traffic, or
4. When any vehicle is left unattended upon any street or highway and is so parked as to interfere with or hinder snow removal operations by the City.
5. When any vehicle is parked in violation of the provisions of this Chapter, including being parked in excess of the time period specified herein.
6. When a vehicle is found on a street, highway or public way within the jurisdiction of the City of Bath; when such vehicle has three or more outstanding parking citations, whether or not said vehicle is at that place and time in violation of any of the provisions of this Chapter.
(Ord. 11/18/81)

Sec. 17-102. Records.

- (a) Towing. When a vehicle is caused to be removed by a Police Officer, the Police Department shall keep and maintain a record of the vehicle towed, listing its owner as reflected by registration records, the owner's address, the make, year of manufacture and color of the vehicle, the registration number and state of registration, the date and hour of tow, the location towed from, the location towed to, the reason cited for towing, and the name of the officer authorizing the tow.

A copy of this notice shall be given to the operator of the vehicle conducting the towing and impounding activities, and to the operator of the facility where the vehicle is impounded. (Ord. 11/18/81)

Sec. 17-103. Costs.

The owner of any vehicle removed from a street, highway or public way, pursuant to this ordinance, shall be responsible for all towing costs. (Ord. 11/18/81)

Sec. 17-104. Reclaiming Vehicle.

(a) The owner of any vehicle removed from a street or highway under this Article, may reclaim the vehicle by:

1. Furnishing satisfactory evidence of his identity and of his ownership of the vehicle to the officer in charge at the Police Department.
2. Paying the reasonable charges for the towing and storage of the vehicle; and
3. Paying all outstanding fines, fees and assessments for parking violations outstanding against the vehicle, if any.
4. Signing a receipt for the return of the vehicle. (Ord. 11/18/81)

Sec. 17-105. Alternative to Towing and Impounding.

In instances where the registered owner of a vehicle has three or more outstanding parking citations, is found on a street, highway, or public way, as an alternative to the towing and impounding of said vehicle, the officer shall have the option of attaching a device designed to immobilize the vehicle and prevent its operation through the use of devices such as the "Denver Boot". In order to reclaim the vehicle and cause the removal of the immobilization device, the owner shall follow the procedures set forth in Section 17-104. Any tampering with or attempt to disengage the immobilization device shall be deemed a violation of this section and shall be punishable as designated in Section 17-352. Use of an immobilization device shall subject the owner to the penalties set forth in Section 17-351. (Ord. 11/18/81; 8/25/93) (Ord. 5/6/09)

ARTICLE 3A. TOWING OF VEHICLES

Sec. 17-121. Statement of Necessity.

During the course of performing law enforcement functions, including but not limited to criminal investigations and inquiries, control and abatement of circumstances arising from motor vehicle accidents, and the enforcement of traffic and safety Statutes and Ordinances, there will be situations which require the removal of motor vehicles from both private and public ways. In addition, the City of Bath, in Chapter 17, Article 3, provides authority for the Bath Police Department to remove and impound vehicles from public ways under certain circumstances (See Code Section 17-101). This Ordinance is intended to address those circumstances which may arise where the City of Bath Police require the removal of vehicles.

Since the City of Bath does not have the resources or equipment to effect the

removal of vehicles when necessary, the City must depend on the availability of private contractors to effectuate the removal and, if necessary, storage of a vehicle. This Ordinance is intended to provide for the quick and efficient removal of vehicles where required and for the preservation of any evidentiary value that may be necessary in regard to related future court actions.

Sec. 17-122. Applicability.

This Ordinance shall apply in all instances where the removal of vehicles is ordered by the Bath Police Department under circumstances where the vehicle is being impounded or where the vehicle must be removed and the owner/driver is unavailable. It shall not apply to instances, other than impoundment, where the owner or driver is available and requests a particular towing operator, provided that that operator so designated is able to respond in a timely fashion and would not represent an interference with legitimate police functions. Where police contact a towing operator at the request of an owner/driver it shall not be considered a removal ordered by the Bath Police Department. Any final decision in this matter, however, shall always be with the investigating officer on the scene.

Sec. 17-123. General Requirements.

The City will only utilize the services of towing operators who:

- 1) Are prompt, reliable and capable of moving cars safely.
- 2) Have the capability of storing vehicles in a location which is reasonably safe from pilferage and further damage.
- 3) Agree to a schedule of maximum fees for services.
- 4) Conduct themselves and have employees who conduct themselves in a professional and courteous manner in order to avoid conflict and maintain the image and integrity of law enforcement.

Sec. 17-124. Rotation List.

There shall be a rotation list of up to six (6) qualified operators maintained by the Chief of Police or his designee. Should an operator voluntarily or involuntarily be removed from the list, the Chief of Police, after consultation with his staff, will determine whether to add another qualified operator to the list.

The list shall be maintained at the Sagadahoc County Communications Center and will rotate among the operators on the list according to the log maintained. Dispatchers shall move down the list from top to bottom and then back to the top of the list in assigning calls, with each call being assigned to the next available operator on the list. If a particular operator does not respond to a call, then they shall be passed by in favor of the next available operator and shall not be eligible for another call until that operator appears in the normal continuing rotation.

Sec. 17-125. Conditions Precedent.

Towing operators shall demonstrate to the Chief of Police that they have met the following standards and requirements prior to being considered for placement on the rotation list:

- 1) **Equipment.** Service wreckers will be equipped with a qualified 4-ton boom and winch with hydraulic wheel lift. Wreckers must also be equipped with qualified protective equipment, and other equipment necessary for AAA affiliation. All equipment must be in good working order. Wreckers must meet State inspection standards. Each service wrecker shall have permanently affixed to the wrecker in a prominent location(s) a logo or lettering of a size and color to make it readily identifiable, a logo or lettering that identifies the business entity operating the service wrecker.
- 2) Shall be properly licensed as required by State Law, all vehicles used in the towing operation shall be properly licensed and inspected and carry valid inspection stickers. In addition, the wrecker service business, storage area and any other business activity shall comply with all City of Bath land use requirements, if located within the City.
- 3) **Availability.** The wrecker service must provide service twenty-four (24) hours seven (7) days per week and demonstrate that there are sufficient levels of personnel and equipment on-duty or on-call to respond to calls.
- 4) **Storage Requirements.** The towing operator shall have access to and maintain storage facilities for towed vehicles. These storage facilities for impounded vehicles shall be reasonably secure, either fenced-in locations or inside storage, in order to preserve evidence and prevent damage or vandalism to stored vehicles. Vehicles removed for snow removal or other reasons other than impoundment, will be stored in locations protected from damage or pilferage. Staff shall be available at these facilities or on call for the retrieval of vehicles from 8 a.m. to 8 p.m. The existence and adequacy of storage facilities shall be verified by inspection of the Chief of Police. All impound and storage areas will be within a radius of ~~six (6)~~ fifteen (15) miles of the Bath ~~Municipal Building~~ Police Department.
- 5) **Snow Removal.** The towing operator must have access to a storage area for at least ten (10) vehicles.
- 6) **Business Location/Response.** Qualified operators must be located within ~~eight (8)~~ fifteen (15) road miles of the Bath Police Department located at 250 Water Street in Bath. They shall provide evidence satisfactory to the Chief of Police that they will be able to provide a normal response time of not more than Thirty (30) minutes after accepting a call for service under normal road and weather conditions.

Sec. 17-126. Indemnification.

The operator shall defend, indemnify and hold harmless the City of Bath, its employees, officials, and agents from and against all claims, charges, losses and expenses including attorney's fees arising out of or resulting from the performance of services initiated by the City of Bath and provided by the operator under City Ordinances, Guidelines and Policies.

Sec. 17-127. Insurance.

The operator must carry a commercial automobile liability insurance policy in a Combined Single Limit policy, or its equivalent, of at least \$500,000. The policy shall be in a form and with an insurance carrier acceptable to the City of Bath and the City of Bath shall be named as an additional insured on the policy. Certification of having the policy in effect shall be a condition precedent to an operator being placed on the rotation list and shall be in full force and effect at all times while the operator is on the list. Failure to maintain insurance shall be cause for removal from the list. A certificate of insurance shall be provided by January 1st of each year.

Sec. 17-128. Protection of Evidence.

There will be instances where vehicles will be impounded and removal from the scene initiated by the Bath Police Department. In those instances, it is imperative that the integrity of the evidence be preserved, and each towing operator shall be responsible for taking all reasonable precautions required by the Police Department to avoid any damage to or degradation of any evidence. When required, the towing operator or the operator's employee involved in the call will be required to appear in court. The towing operator shall not, by State Law, assist any vehicle involved in an accident before notifying the Police.

Sec. 17-129. Maximum Rates.

Maximum fees for City ordered towing with minimal waiting period, shall conform to the following schedule:

Seventy Five Dollars (\$75.00)	Daytime
Eighty Five Dollars (\$85.00)	Nighttime
One Hundred Dollars (\$100.00)	Day/Night

~~Inside storage~~Storage fees shall not exceed Fifty Dollars (\$50.00) per day/night, and ~~outside not to exceed Thirty Five Dollars \$35.00 per day.~~

~~Daytime and nighttime shall be defined as follows.~~

~~Daytime 7 a.m. to 7 p.m.~~

~~———— Nighttime ——— 7 p.m. to 7 a.m.~~

Day is defined as: A day is considered to be a 24-hour period from time of tow. (Ord. 4/6/11)

Charge will be based on the time the call is initiated as recorded by the Police Communications Officer. Reasonable extra charges may be assessed for service which requires dollies, winching, long waiting periods or other unforeseen services depending on the situation. Any additional charges, above standard fees, shall be listed and specified on bills.

Vehicle release fees shall not exceed \$15.00 for requested releases during non-business hours.

Business Hours are defined as: Business Hours shall be defined as being 8 a.m. to 5 p.m. Monday through Saturday.

In the event that an operator has been requested for tow service and upon arrival the situation has changed and tow services are no longer required, the owner or driver must pay the wrecker the amount of one-half (1/2) of the towing charge. If the wrecker has hooked onto the vehicle then the vehicle's driver or owner must pay a full service wrecker fee as authorized by this Ordinance and Bath Police Department policy.

For purposes of application of the maximum rates set forth in this Section, City ordered towing shall be limited, and these maximum rates shall be limited, to instances where the towing is ordered by the Bath Police Department for the impoundment of a vehicle or removal of a vehicle where the owner/operator is unavailable. In instances where the owner/operator is available but requests the Bath Police to provide a towing operator, these maximum rates shall not apply.

Sec. 17-130. Condition of the Roadway.

The operator will be responsible for removing all broken glass and other vehicular debris from the roadway resulting from an accident. Normal clean-up procedures are considered part of the towing operator's duties and are not chargeable to the involved parties.

Sec. 17-131. Unclaimed Vehicle.

Contact shall be made by wrecker companies to all vehicle owners, or other responsible parties, who have not claimed a vehicle within 48 hours of towing. This contact is for the expressed purpose of obtaining a name and address of the responsible party and to explain the fee structure of the wrecker company for the disposition of said vehicle. The Police Department will assist the wrecker companies who are unable to make effective contact. It is also suggested that wrecker companies keep a log of who and when these parties are contacted for future reference in the

event a dispute arises over towing and/or storage.

Sec. 17-132. Disqualification.

A towing operation will be disqualified at any time if it is not in compliance with the standards of these regulations. To become re-qualified, the towing operation must correct any discrepancies, at which time it will be scheduled into the rotation in the same manner as a newly qualified operation.

Sec. 17-133. Additional Service.

In the event a situation is beyond the capability of the towing operator called, the police will attempt to obtain additional assistance from among the other qualified operators. If special equipment is needed that none of the on-call services possess, then assistance can be obtained from any wrecker service that has the needed equipment.

Sec. 17-134. Grievance.

In the event a complaint arises due to services, additional charges, or violations of these guidelines, the Chief of Police or his designee, shall investigate the matter and initiate a final resolution. The final resolution alternatives available to the Chief of Police or his designee, shall include any one or more of the following: administrative warning, suspension from the rotation list, termination from the wrecker list permanently. In the event formal disciplinary action is taken against a wrecker company, said company shall have a right to an administrative review by the City Manager's office by filing a written request within ten (10) days of notice of said action. The City Manager decisions in such matters shall represent final resolution, subject to Statutory rights of appeal pursuant to Rule 80B of the Maine Rules of Civil Procedure.
(Ord. 8/01/01)

ARTICLE 4. PEDESTRIANS

Sec. 17-151. Pedestrians Subject to Traffic Control Signals.

Pedestrians shall be subject to traffic control signals at intersections as provided in this Chapter and Section 17-202, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as stated in this Article.
(Ord. 11/18/81)

Sec. 17-152. Right of Way at Crosswalks.

(a) Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this Article.

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle, approaching from the rear, shall not overtake and pass such stopped vehicle. (Ord. 11/18/81)

Sec. 17-153. Restrictions on Pedestrians.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk, or within an unmarked crosswalk at an intersection, shall yield the right of way to all vehicles upon the roadway.

(b) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(c) Notwithstanding the provisions of this section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (Ord. of 11-18-81)

Sec. 17-154. Crosswalks.

Crosswalks shall exist, whether marked or unmarked, at all intersections. Crosswalks at areas other than at intersections shall be designated by Resolution of Council, with a list of all such areas to be placed on record at the City Clerk's Office, with these areas to be appropriately marked. At all such areas, whether at intersections or at marked areas other than at intersections, pedestrians shall have the right-of-way. (Ord. of 11-18-81)

<u>Crosswalk on Centre Street, east of Bluff Road (leading to Elmhurst Center)</u>
<u>2 Crosswalks on Commercial Street near Waterfront Park</u>
<u>Crosswalk on Commercial Street at Brackett's Mkt parking lot near Casco Bank</u>
<u>Crosswalk on Congress Ave across from Shipbuilder Drive</u>
<u>2 Crosswalks on Congress Ave near the entrances to McMann Recreation Center</u>
<u>Crosswalk on Congress Ave at 55 Congress Ave</u>
<u>Crosswalk on Front Street at Wellby's Hampton Inn rear entrance</u>
<u>Crosswalk on High Street at Hyde School (north and south bound)</u>
<u>Crosswalk on High Street at Morse 826 High School Street (north and south bound)</u>
<u>Crosswalk on High Street at York Street</u>
<u>Crosswalk on High Street at Wright Drive</u>

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Crosswalk across Richardson Street, at the intersection of Western/Redion and Richardson Street (Ord. 5/3/2017)

Crosswalk on Washington Street near B.I.W's. South Gate (Ord. 10-19-94)

Crosswalk on Washington Street from B.I.W's West Gate Area to the corner of South Street (Ord. 10-19-94)

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Crosswalk on Washington Street just below Weeks Street
Crosswalk at Washington Street at the north side of South Street
Crosswalk at Washington Street adjacent to Wesley Church
Crosswalk at Washington Street near the Post Office
Crosswalk at Washington Street near Washington House
Crosswalk on Washington Street leading from the Union Office Building at 722 Washington Street and running to the gate in the B.I.W. main parking lot. (Ord. 1/4/2008)
Crosswalk on Winship Park Street from the sidewalk near the Mid-Coast Hospital, driveways of 7, 9, and 11 Park Street Winship Street entrance to the employees' parking lot across the street.

Sec. 17-155. Loitering, discharging passengers on portion of Old Brunswick Road right-of-way.

It shall be unlawful for any person to stand, sit or otherwise stay in or about the portion of the right-of-way known as the Old Brunswick Road located beginning at the easterly entrance of the Bath Junior-High Middle School, and extending along the northerly side of the Old Brunswick Road to Judkins Avenue. The discharge of passengers from motor vehicles, in this area, shall likewise be prohibited. (Ord. No. 83-23, 9-21-83)

Secs. 17-156-17-200. Reserved.

ARTICLE 5. OPERATION

Sec. 17-201. Obedience to police officer, traffic-control devices; signing.

(a) The driver of any vehicle and any pedestrian shall comply with any lawful order or direction of a police officer.

(b) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of this City, unless otherwise directed by a police officer.

(c) No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation of an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being erected to give notice thereof. (Ord. of 11-18-81)

Sec. 17-202. Traffic-control signal legend.

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively, the following colors only shall be used and shall indicate as follows:

(1) Green alone or "Go":

- a. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic shield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.
- b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Yellow or "Caution":

- a. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
- b. Pedestrians facing such signals are thereby advised that there is insufficient time to cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) Red alone or "Stop":

- a. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone. Traffic at such signal may turn right and proceed subsequent to a complete stop, and after having yielded to all other traffic and pedestrians, except where such turn is specifically prohibited.
- b. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(4) Red in combination with yellow:

- a. Vehicular traffic facing the signal shall stop.
- b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(5) Red with green arrow, illuminated or otherwise denoted by an appropriate sign:

- a. Vehicular traffic facing such signal may turn in the direction indicated on red, but shall not interfere with other traffic.
- b. No pedestrian, facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.
(Ord. of 11-18-81)

Sec. 17-203. Flashing signals.

When flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

- (1) **Flashing red (stop signal).** When the red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- (2) **Flashing yellow (caution signal).** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Ord. of 11-18-81)

Sec. 17-204. Location of traffic-control signals.

- a. An automatic traffic light control signal shall be installed at the following intersections:
 - 1. Washington and Centre Streets
 - 2. Washington and School Streets
 - 3. Washington and Vine Streets
 - 4. Washington Street and Leeman Highway
 - 5. Washington Street and Leeman Highway Extension

Turning right on red, in accordance with state regulations, shall be permitted at each of these intersections.

~~b. An automatic traffic control signal, consisting of flashing red lights, shall be installed at the following intersections:~~

- ~~1. High and Court Streets~~
- ~~2. High and Centre Streets~~
- ~~3. High and Oak Streets~~
- ~~4. High and North Streets~~

~~These are for the purpose of indicating a fire lane, and when in operation shall cause all traffic to yield to fire apparatus proceeding through these intersections.~~

~~e. An automatic traffic control signal, consisting of flashing red and/or yellow lights, shall be installed at the following intersections:~~

- ~~1. High and Oak Streets~~
- ~~2. High and North Streets~~

d. A pedestrian activated warning system, shall be installed in the following intersection:

- (1) Congress Avenue and Centre Street (Ord. 10-19-94)
- (2) Congress Ave near Shipbuilder Drive
- (3) Congress Ave near McMann Recreation Center
- (4) Old Brunswick Road at Bath Middle School

These are for the purpose of indicating a hazardous intersection, and shall cause all traffic to reduce speed and proceed through the intersection in accordance with Section 17-203 (2). (Ord. of 11-18-81; Ord. No. 84-9, 5-30-84)

Sec. 17-205. School crossing stop signs. Rescinded

~~The City Manager shall designate the time of placing of school crossing stop signs and the location thereof. Whenever traffic is controlled by a school crossing stop sign exhibiting the word "Stop" vehicular traffic facing the sign shall stop before entering the nearest crosswalk or at such other point as may be indicated by a clearly visible line and shall then proceed with due caution having regard to the safety of the pedestrians crossing at that point. (Ord. of 11-18-81)~~
~~School zone warning lights are RSU 1 responsibility~~

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Sec. 17-206. No-turn signs and turning markers.

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. When authorized marks, or other indications are placed within any intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Ord. of 11-18-81)

Sec. 17-207. U-turns restricted.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not, upon any other street, so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (Ord. of 11-18-81)

Sec. 17-208. Obstructing free passage when traffic stopped.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians through that intersection, notwithstanding any traffic-control signal indication to proceed. (Ord. of 11-18-81)

Sec. 17-209. Speed Limits.

(a) A person operating a vehicle on any street, highway or public way within the jurisdiction of the City, shall operate that vehicle at a careful and prudent speed not greater than is reasonable and prudent under the conditions then existing, and not in excess of any posted speed limit, and having due regard to the traffic, surface and width of the way, and to the actual and potential hazards in any other conditions then existing.

(b) In accordance with the authority of the Commissioner of Transportation, pursuant to 29-A M.R.S.A. § 2073, and in view of the City of Bath's election not to exercise its rights to set speed limits within the municipal limits of the City as permitted under 29-A M.R.S.A. § 2075(3)(E), all speed limits along the public ways within the City of Bath are as designated by the Commissioner of Transportation. Unless otherwise designated by the Commissioner, the speed of operation of vehicles within the City is limited to twenty-five (25) miles per hour. Designation of speed limits other than the twenty-five (25) miles per hour speed limit are indicated on lists at the Bath Police Department and the Bath City Clerk's Office and by appropriate signage. (Ord. 1/4/2006)

(c) In all municipal and public parking lots, speed is limited to 10 miles per hour. (Ord. 1/4/2006)

Sec. 17-210. One-Way Streets.

(a) Upon those streets and parts of streets described herein, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(b) The following streets are designated as one-way streets:

STREET	DIRECTION
ACADEMY STREET	Easterly, from Lincoln Street to Maple Street
ARCH STREET	Westerly, from Commercial Street to Front Street
ANDREWS ROAD	Westerly, from Dike Road to former Huse School Property (7-5-2017)
BATH STREET	Westerly, from Washington Street to Middle Street (10-21-92)

STREET	DIRECTION
BOWERY STREET	Westerly, from Front Street to Washington Street (8-24-94)
BROAD STREET	Easterly, from Front Street to Commercial Street
CENTRE STREET	South of monument, one-way east from High to Centre Streets
COBB ROAD	Easterly, from the former Huse School Property to Dike Road (7-5-2017)
COMMERCIAL STREET	Easterly and northerly, from <u>Water King Street</u> to <u>Carlton-Bridge point</u> approximately 500 feet east just south of the bridge (10-12-94)
CREAMER WAY	<u>Southerly from Vine to Leeman Hwy</u>
ELM STREET	Easterly, from Washington Street to Water Street
FRONT STREET	Northerly, from Centre Street to Elm Street Northerly, from Holly Street to Bowery Street (for commercial vehicles in excess of two axles only, except service vehicles) (8-24-94)
HIGH STREET AT WINNEGANCE	Southerly over the western most lane of traffic on High Street At Winnegance (west of the traffic island only), beginning at the North line of Lot 21 on Tax Map 45 and running southerly line of Lot 19-1 on Tax Map 45.*
LEEMAN HIGHWAY CONNECTOR	Easterly, from Leeman Highway Connector to Vine Street
LEEMAN HIGHWAY EXTENSION	Easterly, from Washington Street to Water Street
LINDEN STREET	Westerly, from Front Street to Washington Street
MAPLE STREET	Northerly, from Academy Street to Chestnut Street
RUSSELL STREET	Easterly, from Maxwell Street to Washington Street
SCHOOL STREET	Westerly, from Washington Street to Middle Street
SUMMER STREET	Easterly, from Washington Street to Front Street
UNION STREET	Easterly, from Union Street Court to Washington Street
VINE STREET	Westerly, from Water Street to Washington Street
WATER STREET	Southerly, from Centre Street to the north side of the Carlton Bridge on-ramp
WINTER STREET	Easterly, from High Street to Middle Street

(Ord. of 1981, 1983, 1984, 1991, 1992, 1994, *2015)

Sec. 17-211. Stop intersections.

(a) Except when directed by a police officer or a traffic-control signal to proceed, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall

stop at a clearly marked stop line or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

(b) Stop signs shall be placed at the following locations and shall cause the traffic flowing in the designated direction to stop at the designated intersections.

STREET	DIRECTION
ACADEMY STREET	Eastbound at Lincoln Street; Westbound at Lincoln Street
ADAMS COURT	Southbound at Denny Road
ALLEN LANE	Northbound at Grove Street; Southbound at North Street
ALLEN STREET ROYAL LANE	Northbound at Academy Street; Southbound at Centre Street
ANCONA AVENUE	Westbound at High Street; Southbound at Harward Street
ANDREWS ROAD	Eastbound at Dike Road; Westbound at Dike Road; Eastbound at Lincoln Street
ARCH STREET	Westbound at Front Street
ASPEN LANE	Aspen Lane at Judkins Ave.
BAILEY STREET	Southbound at North Street
BARQUE ROAD	Northbound at Harward Street
BATH STREET	Westbound at High Street
BEACON STREET	Eastbound at Washington Street; Westbound at High Street
BEDFORD ROAD	Eastbound at Lincoln Street
BEDFORD STREET	Eastbound at High Street Westbound at Lincoln Street Eastbound at Lincoln Street
BERNARD STREET	Northbound at Denny Road
BLUFF ROAD	Northbound at Centre Street
BOWERY STREET	Eastbound at Washington Street; Westbound at Drummond Street
BOWMAN STREET	Eastbound at Denny Rd.; Westbound at Noble Avenue
BRIDGE STREET	Northbound at Bridge Street
BROAD STREET	Eastbound at Commercial Street
BROWN STREET	Southbound at Tallman Street
BRUCE STREET MAST LANDING	Eastbound at Washington Street
CARLTON SAGADAHOC BRIDGE OFF-RAMP	Westbound at Vine Street

STREET	DIRECTION
HOLLY STREET	Eastbound at Front Street; Westbound at Washington
CENTRAL AVENUE	Southbound at Lark St.; Northbound at Drayton Rd.
CENTRE STREET	Eastbound at High St.; Westbound at Congress Ave.
CENTRE STREET- EXTENSION	Eastbound at Congress Avenue

CHARLES STREET	Northbound at Centre Street
CHERRY STREET	Northbound at Weeks St.; Southbound at Rose St.
CHESTNUT STREET	Eastbound at High Street; Westbound at Maple Street; Westbound at Lincoln Street
CLIFTON STREET	Northbound at Pine Street
COBB ROAD	Eastbound at Lincoln Street; Eastbound at Dike Road; Westbound at Dike Road
CONGRESS AVENUE	Southbound at Old U.S. Route No. 1 Eastbound at Lincoln St
CORLISS STREET	Eastbound at Washington St.; Westbound at High St.
COTTAGE STREET	Northbound at Leeman Hwy; Southbound at Western Ave
COURT STREET	Eastbound at High St.; Southbound at U.S. Rt. No. 1
COURT STREET EXTENSION	Westbound at Shopping Center Chandler Drive
CRAWFORD DRIVE	Westbound at Oak Grove Avenue
CREAMER WAY	<u>Southbound at Leeman Hwy</u>
CRESCENT STREET	Southbound at York Street
CRESCENT STREET COURT	Westbound at Crescent Street (both locations)
CROOKER STREET	Eastbound at Middle Street
CUMMINGS STREET	Westbound at Washington Street
CURTIS PLACE	<u>Westbound at Washington Street</u>
DAVENPORT CIRCLE	Eastbound at Washington Street
DIKE STREET	Northbound at North Street; Southbound at Bedford St.
DRAYTON ROAD	Northbound at Centre Street
DRUMMOND STREET	Southbound at Washington Street
DUMMER STREET	Southbound at York Street; Southbound at Beacon Street; Northbound at Oliver Street; Southbound at Oliver Street
DUMMER STREET COURT	Eastbound at Dummer Street (Both locations)
EAST BRUNSWICK ROAD	Westbound at Ridge Road
EAST LANE	Westbound at Washington Street
EDGETT STREET	Southbound at Centre Street
EDWARD STREET	Eastbound at Washington Street; Westbound at Dummer Street
EDWARD STREET COURT	Southbound at Edward Street
ELM STREET	Eastbound at Front Street; Eastbound at Water Street

ELSINORE AVENUE

Northbound at Leeman Highway, Southbound at Western Avenue

FARRIN STREET	Northbound at Richardson Street
FISHER COURT	Eastbound at Washington St.; Westbound at Middle Street
FITTS STREET	Southbound at North Street
FLORAL STREET	Southbound at Court St. Ext.; Northbound at Centre St.
FREMONT STREET	Eastbound at Front Street; Westbound at Washington Street
FRONT STREET	Northbound at Oak Street; Southbound at Oak Street; Northbound at Centre Street
GARDEN STREET	Southbound at Oak St.; Eastbound at Washington Street
GRAFFAM WAY	Northbound at Riverview Rd.; Westbound at High St.
GRANITE STREET	Westbound at High Street
GREEN STREET	Eastbound at High Street; Westbound at Lincoln St.
GROVE STREET	Eastbound at Front Street; Westbound at Washington Street
HARVEY JUNIPER STREET	Southbound at Prospect Street
HARWARD STREET	Eastbound at Washington Street; Westbound at High Street
HEATH LANE	Southbound at Denny Road; Northbound at Denny Road
HIGH STREET	Northbound at Bridge Street; Southbound at Bridge St. Connector Northbound at Centre Street; Southbound at Centre Street Northbound at Oak Street; Southbound at Oak Street Northbound at North Street; Southbound at North Street Northbound at Oliver Street; Southbound at Oliver Street
HIGH STREET COURT	Eastbound at High Street
HIGHLAND STREET	Northbound at Pine Street; Southbound at Corliss St.
HINCKLEY STREET	Eastbound at Washington Street; Westbound at Middle Street
HUNT STREET	Eastbound at Washington Street; Westbound at Middle Street
HUSE STREET	Eastbound at Centre Street
JUDKINS AVENUE	Eastbound at Oak Grove Avenue; Westbound at Old Brunswick Road
KING STREET	Westbound at Washington Street
LAMBARD STREET	Eastbound at Commercial St.; Westbound at Front St.
LEEMAN HIGHWAY ON RAMP	Westbound at Route 1
LEMONT STREET	Eastbound at Washington Street; Westbound at High Street
LIBBY COURT	Eastbound at Middle Street
LIBERTY STREET	Westbound at High Street

LINCOLN STREET	Southbound at Centre Street; Northbound at North Street (Ord 9/20/00)
LINDEN STREET	Westbound at Washington Street
MAPLE STREET	Northbound at Chestnut Street; Southbound at Chestnut Street
MAPLE GROVE AVENUE	Southbound at North Street
MARCIA STREET CARRIAGE HOUSE LANE	Southbound at Edward Street; Southbound at Beacon Street Northbound at Beacon Street; Northbound at Oliver Street
MARSHALL AVENUE	Northbound at Rose Street; Southbound at Marshall Street
MARSHALL STREET	Eastbound at Washington Street; Westbound at High Street
MATTHEWS AVENUE	Southbound at Newton Road; Northbound at Crawford Drive
MATTY WAY	Northbound at Richardson Street
MAXWELL STREET	Northbound at Russell Street; Southbound at Palmer Street
MEADOW STREET EVERGREEN STREET	Northbound at Richardson Street
MEADOW WAY	Eastbound at northern intersection with High Street
MECHANIC STREET	Eastbound at Washington Street
MIDDLE STREET	Southbound at Lemont Street; Southbound at Robinson Street Northbound at Robinson Street; Southbound at Marshall Street Northbound at Marshall Street; Southbound at Rose Street Southbound at Weeks Street; Northbound at Weeks Street Southbound at Corliss Street; Northbound at Corliss Street Southbound at Pine Street; Northbound at Pine Street Northbound at Spring Street; Southbound at Russell Street Southbound at Bath Street; Northbound at Bath Street Southbound at South Street; Northbound at South Street Northbound at Union Street; Southbound at Union Street Southbound at Granite Street; Northbound at Granite street Southbound at Leeman Highway (2); Northbound at Leeman Highway (2); Southbound at Centre Street; Northbound at Centre Street Southbound at Winter Street; Northbound at Winter Street Southbound at Oak Street; Northbound at Oak Street Southbound at North Street; Northbound at North Street Northbound at York Street
EAST MILAN STREET	Eastbound at Washington Street; Westbound at High Street
MILL POND DRIVE	Northbound at Old Brunswick Rd.
NEWTON ROAD	Northbound at Crawford Drive
NICHOLS STREET	Eastbound at High Street
NOBLE AVENUE	Northbound at Denny Rd , Southbound at Office Dr.
NORTH BATH ROAD	Southbound at Whiskeag Road

NORTH STREET

Eastbound at Washington Street; Eastbound at Front Street
Westbound at Washington Street; Westbound at Lincoln Street

NORTH STREET- COURTWINDJAMMER WAY	Southbound at North Street; Westbound at Oak Grove Avenue
NORTH STREET- EXTENSION	Eastbound at Lincoln Street
OAK GROVE AVENUE	Southbound at Old Brunswick Rd.; Northbound at Whiskeag Rd.
OAK STREET	Eastbound at Washington Street; Westbound at Washington Street Eastbound at Middle Street; Westbound at Middle Street Westbound at Lincoln Street; Eastbound at High Street (Ord. 9/20/00) Westbound at High Street (Ord. 9/20/00)
OFFICE DRIVE	Eastbound at Meadow Way; Westbound at Heath Lane
OLD SLOOP LANE	Westbound at Barque Road
OLD SOUTH PLACE	Southbound at Union Street; Northbound at Granite Street
OLIVER STREET	Eastbound at Washington Street
PAGE STREET	Southbound at Academy Street; Northbound at Cobb Road
PALMER STREET	Westbound at High Street; Eastbound at Maxwell Street
PARK STREET	Westbound at High Street; Eastbound at Washington Street
PEARL STREET	Eastbound at Front Street; Eastbound at Washington Street Westbound at Washington Street; Westbound at Middle Street
PINE STREET	Eastbound at Washington Street; Westbound at High Street
PLANT STREET	Southbound at Academy Street; Northbound at Cobb Road
PLEASANT AVENUE	Eastbound at Washington Street
PLEASANT STREET	Eastbound at Washington Street; Westbound at Middle Street
PLUM LANE	Southbound at Richardson Street
PRATT STREET	Westbound at Lincoln Street
PROSPECT STREET	Westbound at High Street
QUIMBY STREET	Northbound at Leeman Highway; Eastbound at Elsinore Ave.
RAYMOND COURT	Southbound at Centre Street
REDLON ROAD	Northbound at Western Richardson Street ; Southbound at Richardson Street; Northbound at Western Avenue Avenue
RICHARDSON STREET	Eastbound at High Street; Westbound at State Road
RIDGE ROAD	Southbound at Old Brunswick Road; Eastbound at Bay Road
RIVERVIEW ROAD	Westbound at High Street; Westbound at Middle Street
ROBINSON STREET	Eastbound at Washington Street
ROSE STREET	Eastbound at Washington Street; Westbound at High Street

RUSSELL STREET

Eastbound at Washington Street

SCHOOL STREET	Westbound at Middle Street
SCHOONER LANE	Eastbound at Barque Road
SEEKINS DRIVE	Southbound at Crawford Drive
SHAW STREET	Eastbound at Washington Street; Westbound at Middle Street
SHENANDOAH ROAD	Northbound at Old Brunswick Road
SHEPARD STREET	Eastbound at Washington Street; Westbound at Middle Street
SHERIDAN ROAD	Eastbound at Lincoln Street
SHOPPING-CENTERCHANDLER DRIVE	Southbound at Route No. 1 Westbound at Congress Ave
SHOPPING-CENTER-EXIT	Westbound at Congress Avenue
SNOW PARK	Northbound at Academy Street; Southbound at Centre Street
SOMERSET PLACE	Westbound at Washington Street
SOUTH STREET	Eastbound at Washington Street; Westbound at High Street
SPRING STREET	Eastbound at Washington Street
SUMMER STREET	Eastbound at Front Street; Westbound at Front Street; Eastbound at Commercial Street; Westbound at Washington Street (both locations)
TARBOX STREET	Eastbound at High Street
TOWER CIRCLE	Southbound at Denny Road (at both locations)
TRUFANT STREET	Westbound at Washington Street
TURNER COURT	Southbound at York Street
UNION STREET	Eastbound at Washington Street; Westbound at High Street
UNION STREET COURT	Southbound at Union Street
VALLEY ROAD	Southbound at Oliver Street
VARNEY MILL ROAD	Southbound at Bay Road
VINE STREET	Westbound at Washington Street 2 signs
WALKER STREET	Eastbound at Middle Street; Westbound at High Street
WATER STREET	Southbound at Vine Street; Southbound at Centre Street
WASHINGTON STREET	Southbound at North Street; Northbound at North Street (12/4/02)
WEBBER AVENUE	Westbound at High Street
WEEKS STREET	Eastbound at Washington Street; Westbound at High Street
WESLEY STREET	Eastbound at Washington Street; Westbound at Middle Street

WEST STREET	Northbound at Richardson Street, Southbound at Richardson Street; Northbound at Western Avenue
WEST MILAN STREET	Westbound at High Street
WESTERN AVENUE	Eastbound at High Street; Westbound at Witch Spring Rd U S Rt 1
WESTERN AVE- CONNECTOR LILAC STREET	Northbound at Western Avenue Extension; Southbound at Western Avenue Northemly at Western Ave
WESTERN AVE-EXT--	Northbound at Witch Spring Road
WHISKEAG ROAD	Westbound at Ridge Road
WILLOW STREET	Northbound at Pearl Street, Southbound at North Street
WINSHIP STREET	Eastbound at Washington Street; Westbound at High Street
WINSLOW COURT	Southbound at Court Street (Both intersections)
WINTER STREET	Eastbound at Washington Street
WRIGHT DRIVE	Eastbound at High Street
YORK STREET	Westbound at Washington Street; Eastbound at High Street

Sec. 17-212. Yield intersections.

(a) The driver of any vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for existing conditions and such yield the right-of-way to any vehicle in the intersection or approaching on another roadway too closely as to constitute a hazard during the time such driver is moving across or within the intersection.

(b) Yield signs shall be erected and shall control traffic moving in the designated directions to yield at intersections with the second named street as follows:

STREET	DIRECTION/INTERSECTION
COURT STREET	Northerly at the intersection of Court St. Ext.
CRESCENT STREET	Westbound at High Street
DENNY ROAD	Southerly at Crawford Drive
FRONT STREET	Southerly and turning on to Elm Street
GODDARD STREET	Northerly at Marshall Street
HEATH LANE	Southbound at Adams Court
LEEMAN HIGHWAY	Westerly at Junction with U S Rt. No 1
LILAC STREET	Westerly at Richardson Street
LINDEN STREET	Easterly at Front Street

SUMMER STREET	Eastbound at the eastern tip of the traffic island— Traffic eastbound on the northerly side of the traffic island shall yield to other traffic eastbound on the southerly side of the traffic island and westbound traffic—
TARBOX- PLACESPRUCE ST	Easterly at Tarbox Street
TARBOX STREET	Easterly at Spruce Street
WESTERN AVENUE	Westerly at Richardson Street—Easterly at Western Ave—Ext.
WHISKEAG ROAD	Southerly at Oak Grove Ave Easterly at High Street at the point of the triangle controlling traffic moving northwesterly along Whiskeag Road at the point of the triangle
WNSHIP STREET	Eastbound at Park Street
WNSLOW- STREETCURTIS PLACE	Westbound at Washington Street

(Ord. of 11-18-81; Ord. No. 83-19, 84-8;12/20/00)

Sec. 17-213. Entering traffic.

(a) **Entry from curb.** No person shall drive a vehicle out from the curb on any street without first looking to see that he shall not pull directly into the path of an approaching vehicle, not without giving a signal indicating that he is about to drive out from the curb.

(b) **Emerging from private or public driveway or building.** The driver of a vehicle emerging from a private or public driveway, automobile service station or building shall stop such vehicle immediately prior to driving onto a sidewalk and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. (Ord. of 11-18-81)

Sec. 17-214. Sidewalk areas.

Areas designated as sidewalks, except where a permanent or temporary driveway crosses said sidewalk area, are reserved for the exclusive use of pedestrians and vehicles shall be excluded therefrom, including the operation, parking or standing of any vehicle thereon. (Ord. of 11-18-81)

Sec. 17-215. Backing of vehicles restricted.

The driver of any vehicles shall not back the vehicle into any intersection, over a crosswalk or in any other place, unless such movement can be made in safety and without interfering with other traffic. (Ord. of 11-18-81)

Sec. 17-216. Operation of motorcycle; passengers.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event, a passenger may ride upon the permanent and regular seat as designed for two (2) persons, or upon any other seat firmly attached to the rear or side of the operator and the motorcycle shall be equipped with a passenger footrest. (Ord. of 11-18-81)

Sec. 17-217. Parade or procession permit required.

No procession or parade containing one hundred (100) or more persons or ten (10) or more vehicles, excepting the military forces of the United States, the military forces of this state, and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police, and in accordance with the regulations pertaining to parades and assemblies generally contained in Chapter 10 of this Code. (Ord. of 11-18-81)

Sec. 17-218. Funeral processions; marking of vehicles; manner of operation vehicle.

(a) A funeral composed of a procession of vehicles shall be identified as such by the display of lighted headlights.

(b) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

(c) This section shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. (Ord. of 11-18-81)

Sec. 17-219. Commercial vehicles in excess of two axles.

Section 17-219. Commercial vehicles in excess of two axles.
All commercial vehicles having in excess of two (2) axles shall be prohibited from using Front Street from Vine Street to Cedar Street, Windjammer Way, Floral Street, Cottage Street, Elsinore Avenue, Quimby Street, or Granite Street except by permission of the police chief, with the exception of service vehicles servicing said streets (Ord. 11-18-81; 8/24/94, 12/20/00; 9/7/11)

Sec. 17-220. Closure of streets, sidewalks and public ways.

The City Council, by Resolution, shall have the authority to close any street, sidewalk or public way, or any portion thereof, in such instances as it deemed appropriate. Such a Resolution shall direct the Manager to cause appropriate devices to be placed and maintained which will effect the closure. Resolution of Council shall be deemed necessary for any closure which exceeds a period of twenty-four (24) hours. (Ord. of 11-18-81)

Sec. 17-221. Weight Limits.

The following weight limits and restrictions to vehicle traffic shall apply to the locations listed below:

Sec. 17-221. Overload Movement Permits

The City of Bath, pursuant to 29A M.R.S.A. Section 2382(3) may issue a permit for the movement of nondivisible objects having a length, width, height or weight greater than that specified in Title 29A of the Maine Revised Statutes Annotated, over a way or bridge maintained by the City of Bath. The City Council of the City of Bath, as the municipal officers in and for said City, do hereby delegate to the Chief of Police of the City of Bath the authority to consider, and when deemed appropriate, issue permits for overlimit movement. The permits shall only be granted in those instances where the provisions and conditions of 29A M.R.S.A. Section 2382 have been met and the Chief of Police has determined that there will be no adverse effect to the health, safety and welfare of the inhabitants of the City of Bath, no damage to City ways and bridges, and no inordinate disruption of the orderly flow of traffic.

ARTICLE 5A - RESTRICTING VEHICLE WEIGHT ON POSTED WAYS (Ord. 2/18/09)

Sec. 17-221. Purpose and Authority

The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is to prevent damage to City ways and bridges in the City of Bath (hereinafter the "City") which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of City ways and bridges, and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. §§ 2395 and 2388.

Section 17-222. Definitions

Unless specifically defined in this Code, definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 17-223. Restrictions and Notices

The City council or their duly authorized designee may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the City ways and bridges, and designate the City ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restrictions during any applicable time-period on any way or bridge so posted unless otherwise exempt as provided herein.

The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time-period during which the restriction applies, the date on which the notice is posted, and the signatures of the City council or their duly authorized designee. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way or bridge.

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Sec. 17-224. Exemptions

Vehicles that are exempt from the Maine Department of Transportation's (MDOT) and "Rules and Regulations Restricting Heavy Loads on Closed Ways" a date December 31, 1996 and amended on March 4, 1998, are exempt from this Ordinance.

Vehicles. The following vehicles are exempt from this regulation:

- A. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
- B. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this subsection if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact 23,000 pounds.

- C. Maine Department of Transportation highway maintenance vehicles or vehicles under the direction of a public jurisdiction with permission of the Department engaged in emergency maintenance of public highways or appurtenances thereto.
- D. Passenger cars, pickup trucks, emergency vehicles, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or less under the direction of a public utility and engaged in plant maintenance or repair.
- E. Any vehicle transporting home heating fuel (oil, gas, stove size wood) to a private consumer, gasoline, groceries, bulk milk, bulk feed, solid waste, rubbish, or medical gases may apply for an exemption certificate. These vehicles must be registered in excess of 23,000 pounds and must be carrying a partial load with a weight equal to or less than that indicated on an exemption certificate issued by the Maine Department of Transportation. This certificate shall accompany the vehicle at all times as shall weigh slips, delivery slips, or bill of lading for the load being carried.)
- F. No vehicle delivering home heating fuel shall be required to obtain a municipal permit to travel over a restricted way or bridge if that vehicle operates in accordance with a permit issued by the Maine Department of Transportation.
- G. During a drought emergency declared by the Governor of the State of Maine, no vehicle that is transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well that is no longer supplying sufficient water for residents, or agricultural purposes shall be required to obtain a municipal permit to travel over a restricted way or bridge if the following conditions are met:
 - 1. That vehicle operates in accordance with a permit issued by the Maine Department of Transportation when a department permit is required for a road or way necessary to reach the municipal way on which the property to be drilled is situated; and
 - 2. The City manager or, in the absence of the City manager, a City officer is notified in advance; and
 - 3. The operator of the vehicle is traveling on a road that is posted by the City in accordance with restrictions imposed by the City.

Sec. 17-225. Permits

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the City council or their duly authorized designee for a permit to operate on a posted way or bridge notwithstanding the restriction. The City council or their duly authorized designee may issue a permit only upon all the following findings:

- A. No other route is reasonably available to the applicant;
- B. It is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and

C. The applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of the same.

Even if the City council or their duly authorized designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate safety hazards or cause substantial damage to a way or bridge maintained by the City. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the ways and bridges.

In determining whether to issue a permit, the City council or their duly authorized designee shall consider the following factors:

- A. The gross registered weight of the vehicles;
- B. The current and anticipated condition of the way or bridge;
- C. The number and frequency of vehicle trips proposed;
- D. The cost and availability of materials and equipment for repairs;
- E. The extent of use by other exempt vehicles; and
- F. Such other circumstances as may, in their judgment, be relevant.

The City council or their duly authorized designee may issue permits subject to reasonable conditions, including but not limited to, restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

Sec. 17-226. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the City council or their duly authorized designee. The duly authorized designee shall be the Public Works Director.

Sec. 17-227. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250 nor more than \$1000. Each violation shall be deemed a separate offense. In addition to any fine, the City may seek restitution for the costs of repairs to any damage of a way or bridge and reasonable attorneys' fees and costs. Prosecution shall be in the name of the City and shall be brought in the Maine District Court.

Sec. 17-228. Severability; Effective Date

Any event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

1. STOPPING, STANDING AND PARKING

Sec. 17-251. Stopping and Parking.

The cemeteries and parks of this city and any of the paths, drives, streets, boulevards or roadways contained therein, are closed between the hours of 10:00 p.m. and 5:00 a.m., except for duly authorized personnel or law enforcement officers. No person shall stop, loiter or be or remain in any of the parks or cemeteries of this city, nor shall any person park an automobile and remain within said park or cemetery between the proscribed hours. (Ord. of 11-18-81)

Sec. 17-252. Stopping, standing or parking in specified areas prohibited.

(a) No person shall stop, stand or park a vehicle, except when necessary to avoid with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk.
2. In front of a public private driveway, not within ten (10) feet of either side of the driveway.
3. Within an intersection.
4. Within ten (10) feet of a fire hydrant. In those instances where the hydrant is not immediately adjacent to the curb, the ten (10) feet within which parking is prohibited shall be measured ten (10) feet in either direction from that point on the curb at which the line of the curb and a line drawn perpendicular to the curb to the hydrant intersect.
5. On a crosswalk.
6. Within twenty (20) feet of the near corner of the curbs at an intersection, unless otherwise designated.
7. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the City Manager indicated a different length by signs or markings.
8. Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance (when properly sign-posted).
9. Alongside or opposite any street excavation or obstruction when such stopping or standing or parking would obstruct traffic.
10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street or double parked, so called.
11. Upon any bridge or other elevated structure upon a highway.
12. At any place where official signs prohibit stopping.
13. Within ten (10) feet of a railroad track.

(b) This section is intended to supersede all other portions of this chapter, and all other stopping, standing or parking restrictions are subject to this section. (Ord. of 11-18-81)

Sec. 17-253. Stopping or standing vehicle prohibited.

Once signs have been erected or curbs painted yellow, no person shall stop or park a vehicle on any street or parts of streets so marked except in accordance with the terms printed on the sign. The removal of, or damage to, a sign resulting from sources other than employees of the city shall not affect the validity of any parking ordinance. The department of public works shall notify the office of the City Manager when city personnel have established or removed a sign and that notification, as recorded in the records of the City Manager's office, shall be prima facie evidence that the sign was established or removed under the terms of this section. (Ord. of 11-18-81)

Sec. 17-254. Winter parking restrictions.

From November 15 to March 15 of each year, no person shall park a vehicle on any street for a period of time longer than thirty (30) minutes, between the hours of 12:00 a.m. (midnight) and 6:00 a.m. of any day, except physicians and other persons on bona fide emergency calls.

Under circumstances where winter conditions continue beyond the March 15th date, the City Manager, by Order, may extend the winter parking restrictions hereunder for such additional time as may be necessary until such winter conditions abate. Any such extension by Order of the Manager shall be published in a newspaper of local circulation. (Ord. 11-18-81; Ord. 5-12-93)

Sec. 17-255. Loading zone restrictions.

(a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading or delivery or pickup and loading of materials, in any place marked as a loading zone from 9:00 a.m. to 6:00 p.m. daily, except on Fridays which shall be from 9:00 a.m. to 9:00 p.m. In no case shall the stop for loading or unloading of materials exceed thirty (30) minutes without special permission from the Chief of Police, or, in the absence of the Chief, from the Officer in charge at the Police Station.

(b) This section shall not apply on Sundays and holidays.

(c) Loading zones shall be designated in Section 17-259.
(Ord. of 11-18-81)

Sec. 17-256. Bus Stops.

(a) The driver of any urban or interurban bus shall not stand or park in any business district at any place other than at a bus stop, except for temporary stopping in accordance with other stopping or parking regulations at any place designated for the purpose of, and while actually engaged in, loading or unloading passengers.

(b) The driver of any bus, other than those described in subsection (a) hereof, shall not stop or stand upon any street in any business district.

(c) No person shall stop, stand or park a vehicle, other than a bus, in a bus stop when such stop has been officially designed and appropriately posted, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such a zone.

(d) Locations designated as bus stops are delineated in Section 17-259. (Ord. of 11-18-81)

Sec. 17-257. Bus parking area.

There is hereby established a bus parking area for the exclusive purpose of parking buses from 6:30 a.m. through 5:00 p.m., Monday through Friday. Said bus parking area is designated in Section 17-259. Excluded from this area are those areas adjacent to fire hydrants, which areas shall continue to be no parking areas pursuant to the provisions of this Code. (Ord. of 11-18-81)

Sec. 17-258. Manner of standing or parking next to curb.

(a) No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the roadway, except upon those streets which have been marked or signed for angle parking, upon which vehicles shall be parked at the angle to the curb indicated by such mark or signs, except that motorcycles will have one (1) wheel within twelve (12) inches of the curb.

(b) After notification to the Bath Police Department, and with officer in attendance, double parking may be allowed in the business district for the purposes of loading and unloading a vehicle. (Ord. of 11-18-81)

Sec. 17-259. Parking Restrictions.

(a) In all areas where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 8:00 p.m., except Sundays and holidays, except in the Downtown Business District, where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 5:00 p.m., except Sundays and holidays, unless otherwise specified. For purposes of definition, the Downtown Business District is determined to be that area South of Oak Street, West of the Kennebec River, North of Vine Street, and East of Washington Street. (Ord. 5/6/09)

(b) Parking shall be unrestricted along the streets of the City of Bath except as follows:

(GO TO CODES/PARKING APPENDIX FOR COMPLETE LIST)

Sec. 17-260. Municipal Parking Lots.

(a) **Permitted use of municipal parking lots.** Any area designated as a municipal parking lot is maintained for the sole exclusive purpose of providing an area where motor vehicles may be left parked or standing and for the purpose of allowing their operators and passengers to conduct their affairs.

(b) **Unauthorized uses of municipal parking lots.** The following acts are deemed to be unauthorized uses of a municipal parking lot and in violation of this section:

1. No person shall have alcoholic beverages and/or illegal drugs, nor shall any person drink alcoholic beverages or use illegal drugs at any time in the municipal parking lot.

2. No person shall bring to, or have in his possession, or set off, or otherwise cause to explode, or discharge or burn, any firecrackers, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them, or throw them into any such area from land or highway adjacent thereto. This prohibition includes any substance compound, mixture, or article that, in conjunction with any other substance or compound, would be dangerous from any of the foregoing standpoints

3. No person shall build or attempt to build a fire.

4. No person shall engage in loud, boisterous, threatening, abusive, insulting, or indecent language, or engage in any disorderly conduct or behavior tending to be a breach of the public peace or disturb or interfere unreasonably with any other person or party using the municipal parking lot.

5. No person shall loiter in the municipal parking lots, during the nighttime hours, between sunset and sunrise.

6. No person shall occupy any municipal parking lot for a purpose other than parking and if any such person, subsequent to being told by an authorized law enforcement officer, to quit any municipal parking lot, refuses to quit said lot or, once having quit said lot returns to same for purposes other than parking a motor vehicle in addition to the provision of this chapter, he shall be deemed to be in violation of 17-A M.R.S.A. §402 and/or 17 M.R.S.A. §502 and such violation shall be punishable under the terms of those sections, except that the city manager may waive the within at his discretion for a period of not more than twenty-four (24) hours.

(c) **Designation of parking areas.** The owner and/or operator of any motor vehicle using a municipal or public park lot shall park said vehicle within designated areas as indicated by white or other markings and parking shall be limited to said designated areas.

(Resolution 5-6-92 (fee for use of the Water Street Parking Lot - west side - shall be \$40.00 per month effective for all months commencing September 1, 1992 until further Resolution of this Council))

(Resolution 6-3-2015 (fees for the use of the Water Street Lot (West side), Commercial Street Lot, and the designated parking areas on School Street, shall be Forty-Five Dollars (\$45.00) per month, for each location, effective beginning

January 1, 2016, and for all subsequent months thereafter or until such time as amended by further Resolution of this Council.)

(d) **Water Street parking lot - West side.** Parking on weekdays from 6 00 a.m. to 6 00 p.m. shall be permitted in the Water Street parking area upon obtaining a parking permit ~~or stamp~~ from the Police Department, which shall be affixed on such vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council. Sales of the permit ~~or stamp~~ shall be limited to those persons employed or living in the central business district of the City, ~~from the period of the twenty-first through the twenty-fourth of the month preceding the month of issue of the permit or stamp.~~ Central business district employees may purchase multiple months up to one (1) year. If any permits remain after the twenty-fourth of a particular month, then those remaining permits may be sold to the general public on a month-to-month basis. The general public may not purchase multiple months but shall purchase only on a month-to-month basis as spaces are available after the needs of central business district employees have been met. Parking on weekends and on weekdays from 6 00 p.m. to 6 00 a.m. is unrestricted. (Ord.4/19/00)(Ord.5/6/09)

(e) **Water Street parking lot - East side.** Parking in excess of two (2) hours is prohibited in said municipal parking lot to between 6:00 a.m. and 5:30 p.m., subject to other ordinances, in effect. In addition, access to said lot shall be exclusively from the southernmost access from the east side of Water Street, said access being hereby designated as one-way easterly and egress from said municipal parking lot shall be exclusively by way of the northernmost access to Water Street, said area being designated one-way in a westerly direction. (Ord.5/6/09)

(1) There shall be designated by the painting of lines and posting of signs, two (2) parking spaces in the east side Water Street parking lot parallel to the north side of Reny's Department Store and traveling west for a distance of forty (40) feet for the exclusive use of the ~~disabled~~ handicapped.

(2) The ~~handicapped-disabled~~ shall be described as the owners or operators of any motor vehicle that has been granted a special ~~handicapped-disability~~ license plate by the Secretary of State of the State of Maine or a windshield placard issued by the same authority indicating that the owner, ~~or operator~~ or accompanying passenger is ~~handicapped-disabled~~ according to the Secretary of State and the laws of the State of Maine.

(3) The time limit for parking in these two (2) specific spaces shall be limited to one and one-half (1/2) hours.

(4) The owner or operator of any vehicle parked in these two (2) spaces that does not bear ~~handicapped-disability~~ license plates or windshield placards or that does bear such markings but are not being used to transport the ~~handicapped-disabled~~ shall be in violation of the parking regulations of the City and subject to the penalties as provided in Chapter 8, as well as all other penalties and actions as

provided for illegal parking.

(f) **Patten Free Library Parking Lot.** Municipal parking lot located northerly of Summer Street and westerly of the Patten Free Library:

(1) During the business hours of Patten Free Library, six (6) parking spaces shall be reserved exclusively for the use of persons utilizing the services of said library. The City Manager is hereby authorized and directed to clearly designate six (6) such parking places on the westerly side of the entrance of the lot by appropriate means and to cause to be erected signs setting forth the times when such parking spaces are so reserved.

During the hours when Patten Free Library is open for business, three (3) parking spaces on the northerly side of the lot shall be reserved exclusively for employees of said library. The easterly most space on the northerly side of the lot shall be a handicapped parking space. The City Manager is hereby authorized and directed to clearly designate the three (3) staff parking spaces and the handicapped parking space in the appropriate manner.

(2) Said parking lot shall be closed to traffic of any kind between the hours of 10:00 p.m. and 6:00 a.m. and it shall be unlawful for any person to be present in said parking lot between those hours.

Parking in the library lot, other than staff spaces designated by the City Manager, shall be restricted to two-hour parking, Monday through Friday, from 6:00 a.m. to 10:00 p.m.

(g) **Commercial Street Parking Lot - West side under Sagadahoc Bridge.** The parking area which is shown in Exhibit "A" attached to the License Agreement by and between the State of Maine and the City of Bath, dated October 11, 2000 shall be restricted to permitted parking on weekdays from 6:00 a.m. to 6:00 p.m. and shall require a parking permit ~~or stamp~~ issued by the Police Department, which must be affixed on the vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council. The procedure for acquiring the permit ~~or stamp~~ shall be in accordance with those procedures designated for the Water Street parking lot - West side, Section 17-60(d) of this Ordinance. At all other times, parking shall be unrestricted. This Ordinance and any revision or amendment to this Ordinance shall be in effect as long as the License Agreement or any extension or amendment thereto between the State of Maine and the City of Bath, above-captioned, shall remain in full force and effect. (Ord. 11/15/00)(Ord. 5/6/09)

(h) **Castine Avenue Parking Facility -** The Castine Avenue Parking Facility parking area shall be designated as permit parking only. Permits shall be issued on a month-to-month basis at an initial cost of Forty-Five Dollars ~~(\$45.00)~~ per month. The parking fee may, from time to time, be amended and adjusted by Resolution of the City Council.

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- (i) Washington Street permit spaces: Designated spaces on the east side of Washington Street from Fisher Court south to Russell St alongside Bath Iron Works property shall be designated as permitted parking only. Excluded from this area is otherwise marked 30 min spaces across from South Street/Bath Street area (One Stop convenience store) or other restricted areas as defined in the Parking appendix, such as bus parking areas. These permitted spaces may be designated as carpool/vanpool parking only and shall fall under the management of Bath Police Dept. parking enforcement officer. Said permits shall be issued to employees of Bath Iron Works who possess a current driver's license and have at least one other licensed passenger committed to carpooling/vanpooling with permit holder daily. These permits shall be issued monthly and fall under the same general guidelines as other parking permits. Permit fees shall be set by the City Council (as of 2021 permit fees are \$45 each).
- a. Included in this zone is one designated bus parking/loading zone located just south of the fire hydrant on Washington St across from Wesley Street.
 - b. Excluded in this zone are the six spaces north of Fisher Court on Washington Street's east side, near the BIW main office. These spots shall be designated as 2hour parking to provide visitor access to BIW's main office.
 - c. SEE PARKING APPENDIX FOR SPECIFIC DETAILS

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Sec. 17-261. Shopping center parking lot.

- (a) All provisions of section 17-260 and any and all other provisions of this chapter which may be applicable, shall apply to the parking area of the Bath Shopping Center.
- (b) In addition to said provisions, there shall be maintained along the entire length of the front of the shopping center building a fire lane wherein no parking is permitted from the said front of the building and extending into the said parking lot a distance of twenty-five (25) feet; any vehicle parked in said area shall be subjected to the provisions of Article 8 of this chapter and also subject to the provisions of Article 3 of this chapter providing for the impounding and removal of vehicles.
- (Ord. of 11-18-81)

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Sec. 17-262. Morse High School Parking Lots. (RESCINDED 2021)

- ~~(a) Parking in all parking lots adjacent to Morse High School shall be limited to employees of the said Morse High School and students of said school. All day parking shall be permitted for said employees and students upon obtaining a parking permit or stamp from the Morse High School principal's office. Said stamp or permit shall be conspicuously affixed to the vehicle. Any vehicle found in any parking lot adjacent to the~~

~~Merse High School without a proper parking permit or stamp shall be subject~~

~~to removal and impounding pursuant to Article 3 of this chapter and to such fines and penalties as are designated and appropriate under the provisions of this said chapter. In addition, the parking lots shall be closed to the parking of any vehicles, except for school buses and school-owned vehicles, between 11:00 p.m. and 6:00 a.m. The parking area known as the Maple Street parking lot shall further be restricted to Merse High School faculty parking and the parking area known as the Chestnut Street parking area shall be restricted to Merse High School student parking. On special occasions, the principal of Merse High School, or his appointed representative, with proper notification to the Chief of Police, shall have the authority to waive all requirements of this section between the hours of 6:00 p.m. and 1:00 a.m. (Ord. 11-18-81)~~

~~(b) Recreation Department Parking Lot. The parking area to the south of the Small School and to the west of Hawkes Field shall be restricted, while Merse High School is in session, and between the hours of 6:30am and 3:30pm to parking by Merse High School students. The parking shall be on a permit only basis with the permit being obtained from the Bath Recreation Department. The permit shall be hung from the rearview mirrors and shall be visible while the vehicle is parked in the lot. Any vehicle parked in the lot without a visible permit during the restricted time shall be subject to the enforcement provisions of this Chapter. There shall be a fee established for parking in the lot to be set by the Recreation Department no to exceed that charged by Merse high School for student spaces. If demand for spaces in the lot exceeds capacity, then permits shall be awarded by lottery system. The Recreation Department with the advice and consent of the Chief of Police, shall have the authority to promulgate rules and regulations for the use of the lot and the conduct of the users. (Ord. 9/15/99)~~

Sec. 17-263. Applicability.

This article shall apply to all vehicles not in motion, whether said vehicles are running or not running, occupied or unoccupied. (Ord. of 11-18-81)

Sec. 17-264. Wastewater Treatment System Pumping Stations.

There shall be no parking at any time at all City owned areas adjacent to the City's wastewater treatment system pumping stations except for authorized vehicles on site in connection with the operation, maintenance or repair of the pumping station. (Ord. of 2-24-88)

Sec. 17-265. MDOT-Railroad Right-of-Way

The parking of vehicles within the State of Maine owned railroad right-of-way within the City of Bath is hereby prohibited. Only vehicles belonging to the Maine Coast Railroad and the Rail Transportation Division of the Maine Department of Transportation shall be allowed on said property. As noted, all other parking is prohibited and all remedies available for illegally parked vehicles may be utilized against any such illegally parked

vehicles. (Ord. of 10-21-92)

Sec. 17-266. Railroad Station Lot - East side.

The parking of vehicles on the railroad station lot east of the railroad station building, shall be permitted for patrons and employees of enterprises located within the building during such time as the patron is utilizing the services of the enterprise and during the working hours of the employee. All others shall be prohibited from utilizing said lot and shall be subject to all remedies available for illegally parked vehicles. (Ord. of 11-92)---

~~Sec. 17-267 - 17-300 - Reserved~~

**ARTICLE 6-A.
Residential Parking Permit Program**

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Sec. 17-267. Purpose: The City of Bath Resident Permit Parking program hereinafter "permit," may be issued to Bath residents for parking in excess of one hour on public streets in residential areas, as defined by order of the City Council, when parked within the defined residential parking zone for which the permit is issued. All other parking regulations of the city apply.

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Sec. 17-268. Definitions

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- a. Resident: means a person who has declared or established residency in the city or has been domiciled in this city for a period of at least 30 days.
- b. Residential Zone: a contiguous or nearly contiguous zone containing public streets or parts thereof where residents dwell
- c. Resident Motor Vehicle: a registered motor vehicle owned or leased by a resident of the residential permit parking zone and bearing a valid parking permit issued pursuant to this section. For purposes of this, lease includes permanent assignment of a company vehicle to a resident, which vehicle is principally garaged at that person's residence.

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Sec. 17-269. Residential Zone Designation

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A residential area shall be deemed eligible for residential parking zone if the city council determines that parking therein is impacted by commuter vehicles. In determining whether an area identified as eligible for residential permit parking shall be designated as a residential permit parking zone, the city council shall take into consideration the following factors:

- a. The extent of the desire and need of the residents for residential permit parking.
- b. Proximity of the neighborhood to commuter and transit service
- c. Scarcity of convenient off-street parking for residents
- d. The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking.

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- e. Substantial use of neighborhood curb space by commuters and other nonresidents for parking
- f. Traffic, noise, and safety problems caused by vehicles parking and traveling in their neighborhood
- g. Majority (75%) of the neighborhood residents supporting the permit zone

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Sec. 17-270. Permit Issuance

Eligibility. A person is eligible to apply for a residential parking permit if they own or lease a motor vehicle and resides on property within or immediately adjacent to a street, avenue, or other location on which the residential parking zone of this section are applicable.

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Sec. 17-271. Residency

- a. Proof. Proof of residence in the residential parking zone, in a form reasonably satisfactory to the City of Bath and Bath Police parking enforcement, must be presented at the time application is made. All residents must comply with applicable state registration and operator license requirements in Title 29-A, Section 101, et. seq. in order to be eligible for a resident parking permit.
- b. Application. The application for the permit shall contain the name of the owner or lessee of the motor vehicle, residential address, the make, model, and plate number of the motor vehicle, and the number and state of the driver's license of the applicant.
- c. Documents. The following documents must be presented with the permit application:
 - i. Vehicle registration, and if applicable, the rental agreement for the vehicle or a letter from a company official on company letterhead indicating a vehicle has been permanently assigned to the applicant and is principally garaged at the applicant's residence; and
 - ii. A valid State of Maine driver's license showing applicant's address as being within the zone, or if no such license, a current State of Maine identification, or military identification, and their current driver's license, or a driver's license from another state, proof of residential property ownership within the zone to which the permit will apply and an affidavit, signed under oath, stating that they applicant will be residing within the zone for a period of at least six months and the address of the applicant's principal residence in another state; and
 - iii. Proof of current residency within the zone.

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Sec. 17-272. Permit Stickers

- a. A permit shall be issued for a residential permit parking zone only after approval of the permit application by the Bath Police Department Parking Enforcement Officer. Annual permit stickers shall be issued from January 1st – December 31st and may contain such information that may be determined to be necessary from time to time including without limitation the zone number if more than (1) zone has been

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established pursuant to this section. Permit stickers must be displayed upon the lower center rear windshield of the vehicle or other approved location as determined by the Bath Police Parking Enforcement Officer.

- b. Replacement Stickers shall be issued only on proof of disposition or return of the old sticker.
- c. Residents may renew their permit sticker annually. They will be issued in the same manner as a new permit sticker

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Sec. 17-273. City Council Authorization

The City Council, by order, may authorize the establishment of a residential parking zone applicable to specifically designated residential permit parking zones, with regulation as to the number of permits to be issued, the manner of issuance of the permits, the temporary or permanent nature of the program in the designated parking zone and such other conditions which are not in conflict with this section.

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Sec. 17-274. Other Violations

- a. A residential parking permit shall not authorize the holder thereof to park a motor vehicle in such places or during such times as parking of motor vehicles is prohibited or set aside for specific types of vehicles, nor exempt the holder from the observance of any traffic and/or parking ordinances other than a one(1) hour parking limit within the residential parking zone.
- b. The residential parking permit shall not allow the holder to park on the street in a residential parking zone during the dates and times applicable to the Winter Parking Ban.
- c. No person shall furnish any false information to the city in connection with the obtaining of any permit authorized hereunder. Any permit issued upon such false information or attached to a different vehicle shall be null and void.
- d. No person shall sell, lend, or otherwise transfer any permit and any permit attempted to be sold, lent, or transferred shall become null and void.
- e. Any sticker attached to a vehicle which is sold or transferred to a new owner or lessee shall be removed from such vehicle prior to such sale and transfer.
- f. Any resident eligible for the residential permit, who violates this ordinance, may forfeit their right to obtain a permit and/or have their current permit revoked.

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Sec. 17-275 Penalties Related to Residential Parking Permit Program

- a. Fines will be set by Council Resolution.

- i. Violation of Residential Parking Permit Use
- ii. Falsifying a permit
- iii. If a registered owner of a vehicle has three or more outstanding parking citations, is found on a street, or public way, a police officer or parking enforcement officer may tow or immobilize the vehicle in accordance with Chapter 17, Article 3, Section 17-101(a)(6): Authority to Impound, or Article 3.

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Sec. 17-276 - 17-300 Reserved

ARTICLE 7. OFFENSES

Sec. 17-301. Loud or Unnecessary Noise prohibited.

No person shall operate a motor vehicle upon any street or way in the city so as to make any loud, unusual or unnecessary noise against the peace, quiet or good order of the City. (Ord. 11-18-81)

Sec. 17-302. Following fire apparatus.

No driver of any vehicle, other than one on official business, shall follow less than two hundred (200) feet from any fire apparatus traveling in response to a fire alarm, or drive into or park such vehicle within a block where fire apparatus has stopped in answer to a fire alarm. (Ord. of 11-18-81)

Sec. 17-303. Driving across fire hose.

No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (Ord. of 11-18-81)

Sec. 17-304. Clinging to moving vehicles.

Any person riding upon any motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach such vehicle or object or himself to any moving vehicle upon any roadway; nor shall any driver or operator of a vehicle cause to be towed any person riding upon any motorcycle, coaster, sled, roller skates, or any toy vehicle. (Ord. of 11-18-81)

Sec. 17-305. Display of unauthorized signs, signals or markings.

(a) No person shall place, maintain or display, upon or in view of any highway, any unauthorized sign, signal, marking or device which purports to be, is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic or hides from the view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal. No person shall place or maintain any traffic sign or signal bearing thereon any commercial advertising.

(b) Every such prohibited sign, signal or marking is declared to be a public

nuisance, and the authority having jurisdiction over the highway is empowered to remove such nuisance or cause it to be removed without notice.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
(Ord. of 11-18-81)

Sec. 17-306. Displaying for sale or repairing vehicles on street.

No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or greasing or repairing such vehicle, except for repairs necessitated by an emergency.
(Ord. of 11-18-81)

Sec. 17-307. Using vehicle for advertising purposes.

No person shall operate or park on any street any vehicle for the primary purpose of advertising. (Ord. of 11-18-81)

Sec. 17-308. Zone of quiet.

Whenever authorized signs are erected indicating zone of quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of the vehicle except in an emergency. (Ord. of 11-18-81)

Sec. 17-309. Interfering with snow removal.

No vehicle shall be parked at any time on any public street or way so as to interfere with or hinder the removal of snow from such street or way by the City by plowing or loading and hauling. The Chief of Police may cause any vehicle so parked on any street or way, to be removed from the street and placed in a suitable parking space off the street, at the expense of the owner of such vehicle. (Ord. of 11-18-81)

Sec. 17-310. Deposit of snow.

(a) No person shall deposit, or cause to be deposited, snow upon a public way or sidewalk.

(b) No person shall deposit, or cause to be deposited, snow in a manner which shall result in the snow being left on or near a hydrant, or otherwise interfere with the operation of the hydrant. (Ord. of 11-18-81)

Sec. 17-311. Limitation of use of motorbikes, all-terrain vehicles and snowmobiles.

All motorbikes, all-terrain vehicles and snowmobiles as defined, shall be prohibited from

operating in any park, recreational area, school grounds, public parking lot or cemetery within the City of Bath. The operator of such motorbike, all-terrain vehicle or snowmobile shall be subject to the penalties set forth in section 17-352. Nothing herein, however, shall prevent the operation of lawfully registered motorbikes, all-terrain vehicles or snowmobiles from operating and parking in those areas of the parks, recreational areas, cemeteries, school grounds or public parking lots of the City, as are specifically designated for such purpose. (Ord. 11-18-81) (Ord. 2-4-04)

Sec. 17-312. Double parking.

Double parking shall not be permitted on any of the streets and ways within the City, except as designated in Section 17-258(b).
(Ord. of 11-18-81)

Sec. 17-313. Parking against the flow of traffic.

No parking shall be permitted except with the flow of traffic. No person shall cause a vehicle to be parked in a manner which, when leaving the parked area, will require the vehicle to cross a lane of traffic in order to proceed in the direction in which the parked vehicle was headed. (Ord. of 11-18-81)

Sec. 17-314. Idling Motor Vehicles.(9-4-13)

Notwithstanding the provisions of 38 M.R.S. Section 585-L, in order to further protect and preserve the natural environment, reduce vehicle emissions, and improve the air quality in the City of Bath, owners or operators of motor vehicles within the C1 and C4 Zoning Districts, shall be subject to the following:

- A. Five-minute limitation. No person may cause or allow a motor vehicle to idle for more than five consecutive minutes while that vehicle is parked within the C1 and C4 Zoning Districts.
- B. Exceptions. The limitation set forth in the preceding subsection shall not apply to:
 - 1. Fire trucks, police cars, ambulances, and other emergency vehicles while being used in the course of official business. This provision shall specifically include Public Works vehicles when operating to clear City streets due to inclement weather. Further, for the health and safety of municipal operators, there will be occurrences when vehicles will be left running. Examples include protection from the elements, or for the use of vehicle safety features.
 - 2. Utility vehicles, including contractor's equipment, while engaged in the construction, maintenance, or repair of utility facilities.
 - 3. Motor vehicles idling while in a traffic lane, as the result of congested traffic conditions beyond the driver's control (traffic jams).
 - 4. Refrigeration units of delivery vehicles.
 - 5. Vehicles while warming up in temperatures 20 degrees F and below.
- C. Prima facie evidence. The fact that a parked motor vehicle is idling in violation of this section shall be prima facie evidence that the unlawful idling was caused or allowed by the person in whose name that vehicle is registered, unless the operator of the

vehicle is present and can be identified as the person responsible for the idling
D. Penalties. Any owner or operator of a motor vehicle idling in violation of this section shall first receive a warning, written or oral. A second offense may receive a fine not to exceed Fifty Dollars (\$50.00), which violation shall be a civil infraction only.

ARTICLE 8. PENALTIES

Sec. 17-351. Penalties for parking violations.

(a) Penalty limits designated. Any person, firm or corporation who shall violate any provision of the parking regulations in this chapter shall, upon conviction thereof, and in addition to any other remedies provided herein, or unless another penalty is expressly provided by law, be subject to a fine of not less that fifteen dollars (\$15.00) or more than two hundred dollars (200.00). All fines assessed under this provision shall be payable to and for the exclusive use of the City. (Ord.6/7/06) (Ord. 12/5/2018)

(b) Multiple violations. Each time a vehicle is found to be in violation of any of the items for which a penalty is prescribed, it shall be considered a separate violation. This shall mean that multiple tickets may be issued for violations in the same location.

(c) Payment of waiver fee. Any person, firm or corporation accused of a violation of the provisions of the parking regulations in this chapter may voluntarily waive his right to appear and defend that matter before any court or judicial tribunal, by paying the City, in accordance with the following penalty schedule:

1. Parking in Wrong direction	\$30.00
2. Overtime Parking – Except Downtown Business District or South End Residential Parking Zone	\$30.00
a. The first violation within a six-month period	
b. The second violation within a six-month period	\$35.00
c. The third violation within a six-month period	\$40.00
d. The fourth violation within a six-month period	\$45.00
e. The fifth violation within a six-month period	\$50.00
2a Overtime Parking – Downtown Business District Only	
 The first violation within a six-month period	Warning
 b. The second violation within a six-month period	\$20.00
 c. The third violation within a six-month period	\$25.00
 d. The forth violation within a six-month period	\$30.00
 e. The fifth violation within a six-month period	\$35.00

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f. The sixth or more violation within a six month period	\$40.00
3. Parking too far from curb	\$20.00
4. Too Close to driveway	\$30.00
5. Blocking driveway	\$50.00
6. No parking lot Permit	\$45.00
7. Parking on sidewalk:	
a. Sidewalk not blocked	\$30.00
b. Blocking sidewalk	\$50.00
8. No parking area	\$30.00
9. Parking too near hydrant	\$40.00
10. Parking in bus stop	\$30.00
11. Parking in fire zone or lane	\$50.00
12. Parking too near corner	\$30.00
13. Parking on crosswalk	\$30.00
14. Blocking a public way	\$40.00
15. Blocking snow removal	\$30.00
16. All night parking	\$30.00
17. Parking in loading zone	\$30.00
18. Double Parking	\$30.00
19. Use of immobilization device	\$75.00
20. Parking in an area designated for handicap/ <u>disabled</u> parking	\$200.00
21. All other parking violations	\$25.00
<u>22. SOUTH END RESIDENTIAL PARKING ZONE</u>	
<u>22a. First Violation</u>	<u>\$50</u>
<u>22b. Second Violation</u>	<u>\$75</u>
<u>22c. Third Violation</u>	<u>\$100+Ve</u> <u>hicle</u> <u>Towed</u>
<u>22d. Fourth Violation</u>	<u>\$150+ve</u> <u>hicle</u>

	<u>towed</u>
<u>22e. Fifth Violation</u>	<u>\$300+vehicle towed</u>
<u>22f. Misuse of Residential Parking Permit. First Offense within six-month period</u>	<u>\$50</u>
<u>22g. Misuse of Residential Parking Permit. Second Offense within six-month period</u>	<u>Loss of Permit</u>
<u>22h. Falsifying a Residential Permit</u>	<u>\$100</u>
<u>23. Parking in Carpool/Vanpool permit space without permit</u>	<u>\$50</u>

Late Charges: Any person receiving a parking citation shall, within 30 calendar days from the date of issuance, pay the waiver fee as prescribed in Section 17-351. Failure to pay the waiver fee within the 30 calendar days of issuance of the parking citation will result in a late charge of double the original amount imposed on each violation not paid. (Ord. 6/7/06)(Ord. 12/5/2018)

(d) Hazards to the Public. However, if any of the above-delineated violations, or any other violation of any provision of this Chapter constitutes a hazard to the public, then the offense shall be punished by a fine of no less than fifty dollars (\$50.00) and no more than one hundred dollars (\$100.00). The waiver fee for such violation which constitutes a hazard to the public shall be thirty dollars (\$30.00). In addition, the officer involved shall have the authority to immediately remove the vehicle creating the public hazard, pursuant to Article 3 of this Chapter. A public hazard shall be defined as any violation of this chapter which impedes the free flow of traffic along the streets and ways of this City, reduces visibility of said traffic, or in any way endanger pedestrians, or impedes the operation and/or function of emergency vehicles. (Ord. of 11-18-81; Ord. No. 84-9; Ord. No. 90-27, (Ord. 6-26-91) (Ord. 12/5/2018)

~~(e) Warning for Overtime Parking—Downtown Business District—For the first overtime parking violation occurring in the Downtown Business District, as defined below, a warning shall be issued. Any subsequent violation occurring after the warning during any quarter, also as defined below, shall be subject to the waiver fee as set forth in Subsection 2A under Subsection (c) of this Section (17-351). The Downtown Business District shall be defined as that area within the following boundaries—south of oak Street, west of Kennebec River, north of Vine Street, and east of Washington Street—Six month period shall be defined as any of the time frames inclusive from January through June, July through December. (Ord. 3/20/02)(Ord. 6/7/06)~~

Sec. 17-352. Moving violations.

Any violations of the provisions of this Chapter which constitutes moving violations, i.e., are a result of the operation of a vehicle as opposed to the parking of a vehicle, shall be subject to a fine not to exceed one hundred dollars (\$100.00), or imprisonment for a period of time not more than thirty (30) days, or by both. Any fines collected pursuant to this section shall be for the use and benefit of the City. (Ord. of 11-18-81)

ARTICLE 9. PARKING COMMISSION

Section 17-401. Establishment.

~~—The City Council of the City of Bath hereby establishes a Parking Commission for the City of Bath to be known as the Bath Parking Commission.~~

Section 17-402. Purpose.

~~—The purpose of the Bath Parking Commission shall be to monitor and evaluate all parking and parking-related matters affecting the City of Bath, advise City Council and the Planning Board on parking-related policy, and to recommend to City Council for consideration ordinances, resolutions, operating procedures, and other implementation strategies regarding all parking matters.~~

Section 17-403. Powers and Duties.

~~—The Bath Parking Commission shall have the following powers and duties:~~

- ~~a. To advise and make recommendations to City Council on policy matters relating to parking.~~
- ~~b. To evaluate and monitor parking matters affecting the City of Bath.~~
- ~~c. To serve as a conduit on all parking matters drawing together any groups, individuals, or other entities interested in addressing parking or parking-related issues.~~
- ~~d. In conjunction with the Codes and Planning Office, to monitor the review and approval process for all parking lot reviews in order to ensure ordinance standard compliance and the implementation of required improvements.~~
- ~~e. To issue a report at least biannually recommending changes or additions to the Land Use Code and/or Traffic Ordinance.~~
- ~~f. To recommend for implementation by City Council a license and fee program, and recommend changes, revisions, and updates of the program as may from time to time be appropriate. This program will require annual review of each parking lot in order to ensure compliance with original plan approvals and maintenance agreements.~~
- ~~g. To provide an annual report to the City Council that addresses parking issues including supply and demand, efficient use of resources and fine structures. The report on at least the following:~~

~~1. Utilizing records already developed through previous studies, and with the assistance of the planning Office to produce an annual report that tracks the number of parking spaces lost, gained and by type. Concurrently, the report should also track the efficiency of short and medium parking spaces, to be sure that they are being used most efficiently. As part of that process, "user groups" for parking shall be inventoried (by square foot space) and monitored for change in the future.~~

~~2. Review ordinance provisions for both the review process and municipal spaces and make recommendations for changes where appropriate.~~

~~3. Coordination of activities that lead to the reduction of all day parking in the downtown areas; in essence, continue to work with the park and ride program and shuttle bus program to reduce the number of vehicles entering the downtown for all day parking.~~

~~4. Self supporting Fine program. Recommend a Fine structure for all publicly controlled spaces, request an annual report that notes fines, activity areas and the perceptions of continuing problems from the Police Department. Make recommendations for changes in fines where appropriate, adjusting for changes in the market and needs related to increasing or decreasing staff.~~

~~5. Outline successes and failures of the program that year and the likely causes for such.~~

~~6. Summarize, along with other issues related to parking, the present and future problems of parking in Bath.~~

~~h. To develop a marketing strategy in conjunction with downtown merchants and other interested parties.~~

~~i. To make recommendations with regard to signing to ensure that the parking program is well identified and not confusing to persons utilizing parking resources.~~

~~j. To recommend a personnel policy aimed at increasing the level of enforcement of parking provisions in the City of Bath, working with the Police Department and recognizing the self supporting nature of this program.~~

~~k. To develop recommendations for a capital expenditure program aimed at increasing parking resources in the City of Bath. This program shall include monitoring capital fund buildup, identifying appropriate properties for purchase, improvement or development of programs beneficially related to parking, and recommending funding to such programs.~~

~~l. To serve where appropriate as a coordinator of activities relating to parking program management, working with various Departments including Police, Codes Enforcement and Planning, and Public Works.~~

~~m. To provide annual budget recommendations for the City Council, the recommendations~~

shall identify sources of funding intended to make the program self-sufficient and the utilization of these sources of revenue including unappropriated surplus and surplus monies produced by parking related activities, and shall also address expenditures in the areas of enforcement staff, capital improvements, and marketing.

n To address public relations issues relative to methods of informing the public of the location, availability, features and benefits of public parking.

o To respond to such other special projects, tasks or inquiries relating to parking issues as may from time to time be assigned by Council or the Planning Board.

Section 17-404. Appointment and Terms.

—The members of the Bath Parking Commission shall be appointed by the City Council and shall each serve for a three year term. The initial membership shall serve staggered terms with three members serving a one year term, three members serving a two year term, and three members serving a three year term.

Section 17-405. Membership.

—Memberships will be drawn from representatives of the following groups: Bath Iron Works Management, Bath Iron Works Unions, Downtown Merchants, one citizen from North of the Carlton Bridge, one citizen from south of the Carlton Bridge, Bath Area Chamber of Commerce, a parking lot owner/operator, the Transit Group, and one City Councilor. These groups may suggest a member for appointment by City Council, however, City Council shall not be bound by that particular recommendation. If any group has no one willing to serve then City Council may appoint a member to the Commission at its own discretion.

Section 17-406. Meetings.

—The Bath Parking Commission shall meet on at least a monthly basis and at such other times as the business of the Commission require. Meetings may be called by the Chairman, or any three members of the Commission. Notice of meetings shall be given to the members in writing or by telephone at least forty eight (48) hours in advance of the meeting.

Section 17-407. Rules of Procedure.

—The Bath Parking Commission shall have the right to adopt its own rules of procedure.

The Bath Parking Commission shall keep Minutes of its meetings. All action by the Commission shall be by majority vote. All meetings and Minutes shall be open to the public.

Section 17-408. Officers.

~~—The Bath Parking Commission shall elect from its midst on an annual basis a Chairman and a Vice Chairman. It will be the Chairman's duty to conduct all meetings and serve as the spokesman for the Commission. The Vice Chairman shall serve in the absence of the Chairman. Additionally, the members shall elect on a yearly basis a Secretary who shall be responsible for the Minutes of all meetings of the Commission, correspondence, and all other written documentation pertaining to Commission affairs.~~

Section 17-409. Quorum:

~~—Five (5) members of the Bath Parking Commission shall constitute a quorum for the transaction of Commission business. (Ord. 91-1 6/5/91)~~

Article 9 Transportation Committee

Mission: Provide for a safe and efficient multi-modal transportation and parking system for the benefit of residents, customers, merchants, employees, and visitors of the City of Bath.

Members: 3 City Councilors, appointed annually by the City Council
2 Citizens, appointed for three-year terms (staggered) by the City Council

Ex-Officio Members: Police Chief, Parking and Traffic Safety Officer, Public Works Director, City Planner, Chairman of the Bicycle & Pedestrian Committee

Meeting Frequency: As determined by the Chair

Rules of Procedures: Committee may adopt its own rules and procedures and set its meeting time and location

Responsibilities: Advise and make recommendations to the City Council on matters of traffic safety and calming

Assess the need for and make recommendations to the City Council on the locations of crosswalks and traffic control devices (including but not limited to stop signs, traffic signals, signage, and lane striping).

Advise and make recommendations to the City Council on matters of parking regulations, policies, and capital investments.

Advise and make recommendations to the City Council on matters of wayfinding, traffic patterns, street layout, and street designs.

Advise and make recommendations to the City Council on matters of local and regional public transportation needs.

Serve as the administrative board of the Bath City Bus with the authority to approve policies, route locations, and expansions and contractions of service.

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
ACADEMY STREET	North Side: From Maple Street to Lincoln Street, no parking; From Lincoln Street and running westerly to Snow Park, no parking; From Snow Park to Dike Road, 2-hour parking from 6:30am to 3:30pm on days that Morse High School is in session, otherwise no restrictions. (Ord. 999) South Side: From Maple Street to Lincoln Street, no parking; From Lincoln Street to Allen Street, no parking; From Allen Street to Dike Road, 2-hour parking from 6:30am to 3:30pm on days that Morse High School is in session, otherwise no restrictions. (Ord. 999)
ADAMS COURT	No Restrictions
ALLEN STREET	Both Sides: From Centre Street and running northerly to Academy Street, 2 hour parking
ANCHOR ROAD	No Restrictions
ANCONA AVENUE	No Restrictions
ANDREWS ROAD	Both Sides: From Lincoln Street and running westerly a distance of one hundred (100) feet, no parking; From a distance of 100 feet westerly of Lincoln Street, 2-hour parking, from 6:30am to 3:30pm on days that Morse High School is in session, otherwise no restrictions. (Ord. 999)
ARCH STREET	South Side: No Parking. North Side: From Front Street and running easterly one hundred feet (100') 2 hour parking; from a point one hundred feet (100') from Front Street to Commercial Street, no parking.
ASPEN LANE	No Restrictions
BAILEY STREET	No Restrictions
BARQUE ROAD	No Restrictions
BATH STREET	South Side: No parking North Side: From Washington Street running 83 feet westerly, Loading Zone. From a point 83 feet westerly from Washington Street to Middle Street, 2-1 hour parking. From Middle Street to High Street, No Parking.
BAY SHORE BAYSHORE ROAD	No Restrictions
BEACON STREET	No Restrictions
BEDFORD STREET	No Restrictions
BERNARD STREET	No Restrictions
BLUFF ROAD	West Side: From Central Avenue to Centre Street, no parking. East Side: From Central Avenue and running north to a point thirty (30) feet south of Centre Street, unrestricted parking from March 16 th to November 14 th , from November 15 th to March 15 th , no parking; From a point thirty (30) feet south of Centre Street to

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
BOWERY STREET	<p>Centre Street, no parking. (Ord. 4/19/00)</p> <p>East Side: From Washington Street to a point 213 feet southerly of the northerly entrance to the Bath Canning Company facility, no parking. From a point 213 feet southerly of the northerly entrance to the Bath Canning company facility and running northerly for a distance of 50 feet, Loading Zone. From a point 163 feet southerly from the northerly entrance of the Bath Canning Company facility to Washington Street, no parking.</p> <p>West Side : From Washington Street to Washington Street, no parking</p>
BOWMAN STREET	No Restrictions
BRIDGE STREET	Both Sides: From the Phippsburg Town line to High Street, no parking.
BROAD STREET	<p>South Side: No Parking</p> <p>North Side: From Front Street to a point 20 feet from the East side of Front Street, no parking. From a point 20 feet East of Front Street and running for 25 feet, handicapped parking. From a point 45 feet from the East side of Front Street to the Kennebec River, 2 Hour Parking, except that the spaces from Commercial Street to the Kennebec River shall be designated as 4 Hour Parking from November 15th through March 15th. (Ord. 1/6/2021)</p>
BROWN STREET	No Restrictions
CARRIAGE HOUSE LANE	No Restrictions
CASTINE AVENUE	Both Sides: From Washington Street to Spring Street, No Parking.
CARLTON-SAGADAHOOC BRIDGE ON-RAMP	Both Sides: No parking (I WOULD SUGGEST ELIMINATING THIS COMPLETELY)
CARLTON-SAGADAHOOC BRIDGE OFF-RAMP	Both Sides: No Parking (I WOULD SUGGEST ELIMINATING THIS COMPLETELY)
CARRIAGE HOUSE LANE	No Restrictions
CATO AVENUE	No Restrictions
CEDAR LANE	No Restrictions (PRIVATE ROAD)
CENTRAL AVENUE	Both Sides: From November 15 th to March 15 th , no parking. From March 16 th to November 14 th , unrestricted parking. (Ord. 4/19/00)

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
CENTRE STREET	<p>The area on Centre Street adjacent to the Monument, No Parking.</p> <p>North Side: Starting at a point 20 feet from the intersection of Front Street and running in a westerly direction for 45 feet, Loading Zone (Ord. 6/23/99); From the westerly terminus of the loading zone and running west 150 feet, two-hour parking. From a point 150 feet west of the westerly terminus of the loading zone and running west 25 feet, handicapped parking. From a point 175 feet west of the westerly terminus of the loading zone to a point 85 feet east of Washington Street, two-hour parking. (3/2/2005) From a point 40 feet west of Front Street to a point 85 feet east of Washington Street, 2 hour parking, except that the last space before Water Street and the first space after Water Street shall be designated as 30 minute parking. From a point 85 feet east of Washington Street, and running westerly of Raymond Court, no parking. From a point 20 feet west of Raymond Court and running westerly for a distance of 40 feet, Loading zone. From a point 60 feet westerly of Raymond Court, and running westerly to a point a distance of 65 feet west of Lincoln Street, No Parking. From a point sixty-five (65) feet west from Lincoln Street and running westerly a distance of sixty (60) feet, 2 hour parking. (Ord. 12/3/03) From a point one hundred twenty-five (125) feet west of Lincoln Street and running westerly to Snow park, no parking; From Snow Park to a point opposite Charles Street, 2 hour parking. From a point opposite Charles Street to a point 400 feet easterly from Edgett Street, no parking. From a point 400 feet easterly from Edgett Street and running westerly to a point 200 feet from Edgett Street, 2 hour parking. From a point 200 feet easterly from Edgett Street to Congress Avenue, no parking.</p>

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
CENTRE STREET	<p>South Side: From the corner of Front street and running westerly for a distance of 40 feet, no parking. From a point 40 feet from the intersection of Front Street to the first driveway, 2 hour parking, except that the first space shall be designated as 30 minute parking, from the first driveway to the Key Bank exit a point 136 feet from the intersection of Front Street, no parking; From a point 136 feet from the intersection of Front Street the Key Bank exit to Water Street, 2 hour parking, except that the last space before Water Street should be designated as 30 minute parking. From Water Street to a point 116 feet west of the corner of Centre and Washington Streets, no parking From a point 116 feet west of the corner of Centre and Washington Streets to no parking From a point 116 feet west of the corner of Centre and Washington Streets and running westerly to the access drive east of Middle Street, 2 hour parking. From there to Middle Street, no parking. Inconsistent From Middle Street west to 130 Centre St. No Parking. From 130 Centre St west along the southern Y branch of Centre St up to High Street, 2 hr parking. From the northern branch of the Y of Centre St to High St, no parking. From High St to Congress Ave, no parking. From Middle Street for a distance of 101 feet westerly of Middle Street to a point 10 feet easterly of first fire hydrant, 2 hour parking. (11-3-94)(5-6-09)</p>
CHARLES STREET	No Restrictions
CHERRY STREET	No Restrictions 1-hour parking
CHESTNUT STREET	<p>North Side: From High Street running westerly 125 feet, no parking. From a point 125 feet from High Street to a point 40 feet from the easterly side of Maple Street, 2 hour parking. From a point 40 feet east of the southerly easterly side of Maple Street to a point 300 feet westerly of CMP Pole No. 3, no parking. From a point 300 feet westerly of CMP Pole No. 3, to Lincoln Street, no restrictions. From a point 40 feet east of the southerly side of Maple Street to a point 200 feet westerly of CMP Pole No. 3, No Parking. From a point 200 feet westerly of CMP Pole No. 3, to a point 40 feet east of Lincoln Street, 2 hour parking. from a point 40 feet east of Lincoln Street to Lincoln Street, No Parking. (Ord. 2-3-09) Inconsistent South Side: From High Street to Lincoln Street, No Parking.</p>

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
CLIFTON STREET	No Restrictions 1 hour parking
COBB ROAD	<p>North Side: From Lincoln Street and running westerly for a distance of 150 feet, No Parking. From a point 150 feet westerly of Lincoln Street to Dike Road, 2-hour parking from 6:30am to 2:30pm on days that Morse High School is in session, otherwise, no restrictions (Ord. 0/00)</p> <p>South Side: From Lincoln Street to Dike Road, from November 15th through March 15th of each year, No Parking; from March 16th through November 14th of each year, 2-hour parking from 6:30am to 2:30pm on days that Morse High School is in session, otherwise, no restrictions. (Ord. 0/00)</p>
COMMERCIAL STREET	<p>North and West Sides: From Water King Street to the southerly entry to the Customs House parking lot, No Parking.</p> <p>West Side: From the southerly entrance to the Customs House parking lot to Lambard Street, 4 hour parking. From the northerly side of Lambard Street running northerly a distance of 85 feet, Loading Zone; From a point 85 feet northerly of Lambard Street to a point 82 feet south of Summer Street, No Parking. From a point 82 feet South of the South side of Summer Street and running North 55 feet, 30 minute parking. From a point 27 feet South of the South side of Summer Street and running northerly along the West side of Commercial Street to the North side of the South entrance to the Hotel Property, No Parking, thence running from the North side of the South entrance of the Hotel Property and running northerly along the westerly side of Commercial Street to a point which is 140 feet from Front Street, 4 hour parking; thence running northerly and westerly along Commercial Street a distance of 140 feet to Front Street, No Parking. (Ord. 10/5/2005)(Ord. 7/1/2015)(Ord.9/5/2018)</p> <p>South, East and North Sides: From Water King Street to the South side of the Sagadahoc Bridge, No Parking. From the South side of the Sagadahoc Bridge and running North 303 feet, parking by permit only on weekdays between the hours of 6:00 a.m. and 6:00 p.m. Permits may be obtained from the Police Department in the same manner as permits are issued for the parking lot on the West side of Water Street. Parking on weekends and weekdays from 6:00 p.m. to 6:00 a.m. is unrestricted. From a point 303 feet North from the South side of the Sagadahoc Bridge to a point 170 feet North and across from the northerly side of Summer Street, No Parking, except the area on the West side of the Waterfront Park shall be designated as a 4 hour parking area from November 15th to March 15th of each year, and at all other times shall be designated as a 2 Hour</p>

City of Bath Parking Restrictions

Parking area. Except that during the time period from the first of May until the end of October on each Saturday from 7.00 a.m. to 12 noon, parking along the West side of the Waterfront Park shall be restricted to vendors for the Farmers' Market only. From a point 170 feet North and across from the northerly side of Summer Street and running 390 feet along the easterly side of Commercial ~~(MAKES NO SENSE)~~ Street to a point 186 feet northerly and westerly from Front ~~st~~ Street, 4 hour Parking; thence running 186 feet along Commercial Street northerly and westerly to Front Street, No Parking.

(Ord. 10/05/2005)(Ord. 5/6/2009)(Ord. 7/1/2015)(Ord. 9/5/2018) REWORD THIS SECTION TO MAKE MORE CLEAR

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
JESSIE ALBERT MEMORIAL DENTAL CLINIC BATH REGIONAL INFORMATION CENTER AND TRAIN STATION, 15 COMMERCIAL STREET	The property to the west of the <u>Jessie Albert Memorial Dental Clinic Bath Regional Information Center and Train Station</u> defined as that area between the <u>Centre Station</u> , Commercial street, <u>Water King Street</u> and the Maine Central Railroad now State of Maine, shall be designated as restricted parking for the employees/patrons of the <u>Jessie Albert Memorial Dental Clinic Bath Regional Information Center and Train Station</u> and No Parking shall be allowed for any other vehicles except those utilized by employees or patrons of the <u>Centre Station</u> , while at the <u>Centre Station</u> , or for vehicles temporarily utilizing the electric vehicle charging station.
CONGRESS AVENUE	No Parking
CORLISS STREET	North Side: From Washington Street to a point 70 feet east of Highland Street, No Parking. From a point 70 feet east of Highland Street to High Street, No Restrictions. South Side: No Restrictions
COTTAGE STREET	Both Sides: From U. S. Route No. 1 southerly for 100 feet, No Parking. From a point 100 feet southerly from U. S. Route No. 1 to Western Avenue, No Restrictions
COURT STREET	South and East Side: From High Street to U. S. Route No. 1 (L.H.), No Parking North Side: From High Street running in the westerly direction for a distance of 75 feet, No Parking; from a distance of 75 feet westerly of High Street and running a distance of 138 feet, 2 hour parking; from a point 213 feet westerly of High street and running westerly a distance of 80 feet, including the driveway to the Sagadahoc County Courthouse, no parking; from a point 293 feet westerly from High to a point opposite the intersection of Court St. Ext., 2 hour parking.
COURT ST. CONNECTOR	Both Sides: No Parking (UNKNOWN LOCATION)
COURT ST. EXT.	Both Sides: No Parking (UNKNOWN LOCATION)
CRAWFORD DRIVE	No Restrictions
CREAMER WAY	No Parking
CRESCENT STREET	No Restrictions
CRESCENT ST. CT.	No Restrictions
CROOKER STREET	No Restrictions
CUMMINGS STREET	No Restrictions
CURTIS PLACE	No Restrictions
DENNY ROAD	No Restrictions
DETRITUS DRIVE	?No Restrictions
DIKE ROAD	No Restrictions
DIKES LANDING ROAD	No Restrictions
DRAYTON ROAD	West Side: Front Central Avenue and running to a point thirty (30) feet south of Centre Street, unrestricted parking

City of Bath Parking Restrictions

	from March 16 th to November 14 th , from November 15 th to March 15 th , no parking; East Side: From Central Avenue to Centre Street, no Parking. (Ord. 4/19/00)
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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
DRUMMOND STREET	No Restrictions
DOUBLING POINT LANE	No Restrictions
DUMMER STREET	No Restrictions
DUMMER ST. CT.	No Parking (Ord. 12/2/2015)
EAST BRUNSWICK RD	No Restrictions
EAST LANE	? No Restrictions
EAST MILAN STREET	? No Restrictions
EDGETT STREET	No Restrictions
EDWARD STREET	South Side: From Washington Street to a point opposite Mareia Street Carrage House Lane , No Parking. From a point opposite Mareia Street Carrage House Lane to Dummer Street, No Restrictions. North Side: No Restrictions
EDWARD ST. CT.	No Restrictions
ELM STREET	South Side: From Front Street to Water Street straight-in parking. The closest space to Front Street, handicapped parking, the remaining spaces, two-hour parking. (3/2/2005) From Water Street to a point 287 feet from Washington Street, no parking. From a point 287 feet from Washington street and running westerly 40 feet, 2 hour parking; From a point 247 feet to Washington Street, No Parking. North Side: From Front Street to a point across from Water Street, 2 hour parking. From a point opposite Water Street to Washington Street, No Parking.
ELM ST. CT.	No Restrictions
ELSINORE AVE.	East Side: From U. S. Route 1 to Western Avenue, 2 hour parking. West Side: To U. S. Route 1, No Parking.
EVERGREEN STREET	No Restrictions
FARRIN STREET	Both Sides: Two Hour Parking
FEDERAL STREET	No Restrictions
FISHER COURT	Both Sides: From Washington Street to Middle Street, No Parking
FITTS STREET	No Restrictions
FLORAL STREET	West Side: From Centre Street to Court Street-Extension, No Parking East Side: From the intersection of Court Street Extension running northerly to a point 430 feet south of Centre Street, No Parking. From a point 430 feet south of Centre Street running northerly to the intersection with Centre Street, Unrestricted Parking
FRANKLIN STREET	Both Sides: No Parking
FREMONT STREET	Both Sides: From Front Street to Washington Street, No Parking.

City of Bath Parking Restrictions

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
FRONT STREET	<p>East Side: From Vine Street to a point across from the southerly side of Centre Street, two-hour parking. From a point across from the south side of Centre Street to the northerly side of the entrance to the southerly parking lot of The Bank of America Lot 123 on Tax Map 27183 Front Street, no parking. From the northerly side of the entrance to the southerly parking lot of The Bank of America Lot 123 on Tax Map (83 Front Street) for a distance of 30 feet, (4/4/12) Bus Stop for Bath Municipal Buses only. (6/7/06)</p> <p>From the northerly terminus of the bus stop to Broad Street, two-hour parking, with the northern most 25 feet being designated handicapped parking. (3/2/2005)</p> <p>From Broad Street to Arch Street, fifteen-minute parking. From Arch Street to a point 39 feet north of the fire hydrant located just south of Elm Street, two-hour parking, except for a 20 foot area located 10 feet north and 10 south of the fire hydrant which shall be no parking, and except for a 29 foot area beginning 10 feet north of the hydrant and running north 29 feet which is designated handicapped parking. (3/2/2005)(6/7/06)(4/4/12)</p> <p>From a point 39 feet north of the said fire hydrant to Summer Street, No Parking. From the North side of Summer Street running North 310 feet, No Parking. From a point 310 feet North of Summer Street to a point 430 feet North of Summer Street, 4 hour Parking. From a point 430 feet North of Summer Street to Bowery Street, No Parking. (Ord. 4/4/12)(Ord. 7/2/15)</p> <p>West Side: From Vine Street to a point 30 feet south of Centre Street, 2 Hour Parking, except for the last space before Centre Street shall be designated as 30 minute parking. From a point 30 feet south of Centre Street to Centre Street, No Parking. From Centre Street to Summer Street, 2 Hour Parking, except that the first space North of Centre Street shall be designated as 30 minute parking. (5/6/09) From Centre Street to Summer Street, two-hour parking. (3/2/2005) From Summer Street to a point 170 feet south of Linden Street, 4 Hour Parking. From a point 170 feet south of Linden Street to Linden Street, RV Parking Only. (Ord. 10/5/05) From Linden Street to Oak Street, no parking. From Oak Street to Grove Street, 2 hr. parking. From Grove Street to Holly Street, no restrictions. From Holly Street to Bowery Street, No Parking.</p>

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
GARDEN STREET	<p>East Side: From Oak Street and southside to Washington Street, no parking. West Side: From Oak Street, 2 hour parking. North Side: To Washington Street, no parking.</p>
GERALD STREET	No Restrictions
GETCHELL STREET	No Restrictions 1 hour parking
GODDARD STREET	No Restrictions 1 hour parking
GRAFFAM WAY	No Restrictions
GRANITE STREET	<p>South Side: From Franklin Street to High Street, No Parking North Side: From Franklin Street to High Street, 2 1 hour parking</p>
GREEN STREET	<p>South Side: From High Street to Lincoln Street, 2 hour parking, from 6:30am to 3:30pm on days that Morse High School is in session, otherwise, no restrictions. (Ord. 9/99) North Side: From High Street to Lincoln Street, 2 hour parking, from 6:30am to 3:30pm on days that Morse High School is in session, otherwise, no restrictions. (Ord. 9/99)</p>
GROVE STREET	<p>South Side: From Front Street to Washington Street, No Parking North Side: From Front Street to Washington Street, No Restrictions.</p>
HARVEY STREET	No Restrictions
HARKNESS LANE	? No parking
HARWARD STREET	No Restrictions
HEATH LANE	No Restrictions

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
HIGH STREET	<p>East Side: From the West Bath town line to the Southern end of the East Side of the traffic median located between High Street and Bridge Street, no parking. From the Southern end on the East side of the traffic median between High Street and Bridge Street to the Northern end of the traffic median, 2-1 hour parking. From the Northern end of the East side of the traffic median to Pine Street, no parking. From Pine Street to Russell Street, 2 hour parking.</p> <p>From Russell Street to South Street, no parking. (Ord. 7/1/15) From South Street to Union Street, 2-1 hour parking. From Union Street to a point 20 feet north of the northerly driveway to the Medical Center of Lot 16 on Tax Map 28 (765 High Street), no parking. From a point 20 feet north of the northerly driveway of the Medical Center 765 High Street to South Entrance to Daigle Funeral Home Lot 91 on Tax Map 26 (819 High Street), 4 hour 2 hour parking. From the South Entrance to southern property line of Lot 91 on Tax Map 26 (819 High St) Daigle Funeral Home 819 High Street to the North Entrance of northern property line of Lot 91 on Tax Map 26 Daigle Funeral Home (819 High Street) Daigle Funeral Home Parking Only. From the North Entrance of Daigle Funeral Home 819 High Street to Winter Street, 4-2 hour parking (11-240). From Winter Street to a point 265 feet north of Oak Street, no parking. From a point 265 feet north of Oak Street to a point 171 feet north of North Street, no restrictions. (Ord. 12/02/20) From a point 171 feet north of North Street to a point 400 feet north of North Street no parking. From a point 400 feet north of North Street to termination, no restrictions. (Ord. 7-15-92) (Ord. 2/07/01)</p> <p>West Side: From the West Bath town line to the southerly line of Frisbee Lane, no parking. From the southerly line of Frisbee Lane to a line extending easterly from the southern side of the building on Lot 20 of Tax Map 45 (36 High St) the Winnegance Store-Restaurant and Bakery (36 High Street) entrance, 2 hour parking. From a line extending easterly from the southern side of the building on Lot 20 of Tax Map 45 (36 High St) the Winnegance Store-Restaurant and Bakery entrance to 36 High Street entrance to the driveway entrance to Lot 21 on Tax Map 45 (40 High St), no parking. From North of the driveway entrance to Lot 21 on Tax Map 45 (40 High St) to the North Line of Lot 21 on Tax Map 45 (40 High St), 2 hour Parking. From the North Line of Lot 21 on Tax Map 45 (40 High St) to Richardson Street, no parking. From Richardson Street to Western Avenue, 2-1 hour parking. (Ord. 7-1-15) From Western Avenue to Centre Street, no parking. From Centre Street to a point 20 feet north of the north side of the vehicular entrance to the Vocational School 800 High Street, 4-2 hour parking. From a point 20 feet north of the north side of the vehicular entrance to the Vocational School 800 High Street and running a distance of 260 feet north to a point, 4-2 hour parking. except Bus Parking Only from 7:00 am to 2:30 pm on days when school is in session. From a point 260 feet north of a point 20 feet north of the north side of the vehicular entrance to the Vocational School 800 High Street and running north a distance of 65 feet to a point, 4-2 hour parking. From a point 325 feet north from a point 20 feet north of the north side of the vehicular entrance to the</p>

City of Bath Parking Restrictions

	<p>800 High Street and running north a distance of 78 feet, Handicap parking Only. From a point 403 feet north from a point which is 20 feet north of the north side of the vehicular entrance to the Vocational School 800 High Street and continuing north to Chestnut Street, Parking by Permit only, permits to be obtained from Morse High School (11-3-10) (8-2-2017) 2 hour parking.</p>
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STREET	PARKING RESTRICTION
HIGH STREET	<p>West Side: cont'd From Chestnut Street to the entrance of the Bath Fire Department, no parking. From the entrance of the Bath Fire Department to Green Street, 2 hour parking (12/20/00) From Green Street to a point 90 feet south from Oak Street, 2 hour parking. From a point 90 feet south from Oak Street to Oak Street, no restrictions. From Oak Street to Bedford Street, no parking. From Bedford Street to North Street, no restrictions. From North Street to a point opposite York Street, no parking. From a point opposite York Street to the southern intersection of Meadow Way, no restrictions. From the southern intersection of Meadow Way to the Northern intersection of Meadow Way, No Parking. From the northern intersection of Meadow Way to termination, no restrictions.</p>
HIGHLAND STREET	<p>Both Sides: From Pine Street to Corliss Street, 2-1 hour parking.</p>
HINCKLEY STREET	<p>Both Sides: From Washington Street to Middle Street, No Parking</p>
HOLLY STREET	<p>No Restrictions</p>
HUNT STREET	<p>No Restrictions 1 hour parking</p>
HUSE STREET	<p>No Restrictions</p>
JUDKINS AVENUE	<p>No Restrictions</p>
JUNIPER STREET	<p>? No Restrictions</p>
KEEL STREET	<p>? No Restrictions</p>
KENNEBEC CIRCLE	<p>? No Restrictions</p>
KING STREET	<p>Both Sides: No Parking</p>
LAMBARD STREET	<p>South Side: From Commercial street to the west side of the entrance to 1 Front Street (Customs House), No Parking. From the west side of the entrance to 1 Front Street to Front Street, 2 hour parking North Side: From Commercial Street to Front Street, No Parking</p>
LARK STREET	<p>South Side: From Bluff Road to Drayton Road, no parking. North Side: From Bluff Road and running west a distance of Thirty (30) feet, no parking. From a point Thirty (30) feet west of Bluff Road to a point thirty (30) feet east of Drayton Road, unrestricted parking from March 16th to November 14th, from November 15th to March 15th, no parking; From a point thirty (30) feet west of Drayton Road to Buff</p>

City of Bath Parking Restrictions

	Road, no parking (Ord. 4/19/00)
LEEMAN HIGHWAY	Both Sides: From intersection of U. S. Route No. 1 to Washington Street, No Parking
LEEMAN HIGHWAY OFF-RAMP	Both Sides: No Parking (UNKNOWN LOCATION)
LEEMAN HIGHWAY ON-RAMP	Both Sides: No Parking (UNKNOWN LOCATION)
LEEMAN HIGHWAY CONNECTOR	Both Sides: No parking (UNKNOWN LOCATION)
STREET	PARKING RESTRICTION
LEEMAN HIGHWAY EXTENSION	Both Sides: No Parking
LEOMONT STREET	No Restrictions 1 hour parking
LEONARD COURT	Both Sides: From Route 1 for a distance of 100 feet, No Parking. From a point 100 feet from Route 1 to end, No Restrictions
LIBBY COURT	Both Sides: No parking. From Middle Street to termination, 6:00 a.m. to 8:00 p.m., No Parking
LIBERTY STREET	Both Sides: No Parking Turnaround: No Parking
LILAC STREET	From Western Ave to Richardson St, no parking
LINCOLN STREET	East Side: From Centre Street to North Street, 2 hour parking. West Side: From Centre Street to a point 115 feet south of Academy Street, 2 hour parking. From a point 115 feet south of Academy Street to Cobb Road, No Parking (12/7/94) From Cobb Road to Andrews Road, 2 hr parking (0-46-98); From Cobb Road to the access road to St. Mary's Parking Lot, 2 hour parking, from 6:30am to 2:30pm on days that Morse High School is in session, otherwise, no restrictions (0-90). From the access road to St. Mary's Parking Lot to Sheridan Road, No Parking. From Sheridan Road to North Street, 2 hour parking, from 6:30am to 2:30pm on days that Morse High School is in session, otherwise, no restrictions (0-90)
LINDEN STREET	South Side: From Front Street for a distance of 46 feet westerly, No Parking. From a point 46 feet from Front Street to a point heading 236 feet west of Front Street, four hour parking. North Side: No Parking
MAPLE GROVE AVENUE	No Restrictions
MAPLE STREET	South and East Sides: From Academy Lincoln Street to Chestnut Street, No Parking. From Chestnut Street to Pratt Street, No Restrictions

City of Bath Parking Restrictions

	<p><u>North and West Sides:</u> From Academy-Lincoln Street for a distance of 320 feet northerly to a point 41 feet south of Chestnut Street, No Parking From a point 41 feet south of Chestnut Street to Chestnut Street 320 feet north of Academy Street to Pratt Street. One Hour Parking.</p>
MARINERS WAY	? No Restrictions
MARSHALL AVENUE	No Restrictions 1 hour parking

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
MARSHALL STREET	<p>South Side: From High Street to Goddard Street, 2-1 hour parking. From Goddard Street to Middle Street, No Parking. From Middle Street to Washington Street, No Restrictions.</p> <p>North Side: From High Street to Washington Street, No Restrictions.</p>
MAST LANDING	No Restrictions
MATHEW'S MATTHEWS AVENUE	No Restrictions
MAITTY WAY	? No Restrictions
MAXWELL STREET	<p>West Side: From a point 50 feet south of Palmer Street to Russell Street, No Parking</p> <p>East Side: From a point 50 feet south of Palmer Street to Russell Street, 2-1 hour parking.</p>
MEADOW WAY	No Restrictions
MECHANIC STREET	No Restrictions
MIDDLE STREET	<p>East Side: From Lemont Street to Weeks Street, No Restrictions. From Weeks Street to Pine Street, 2-1 hour parking. From Pine Street to a point 80 feet north of Shaw Street, 2-1 hour parking; from a point 80 feet north of Shaw Street and running for a distance of 80 feet, no parking; From a point 160 feet north of Shaw Street to the southern side of Hinckley Street, 2-1 hour parking. From the northern side of Hinckley Street to Spring Street, no Parking (7/5/2017) From Castine Avenue to Russell Street ???? No Parking, From Russell Street to the a point fifty-eight feet northerly of Granite Street, no parking; from a point fifty-eight feet northerly from Granite Street and running northerly for a distance of thirty feet, loading zone (except from 1:00 p.m. to 5:00 p.m., no parking); from a point eighty-eight feet from Granite Street and running northerly to a point 20 feet north of the northerly side of School Street, no parking; from a point 20 feet north of the northerly side of School Street to a point 30 feet south of the southerly side of Centre Street, 2 hour parking; from 30 feet south of the southerly side of Centre Street to Winter Street, no parking. From Winter Street to Oak Street, no parking. From Oak Street to North Street, 2 hour parking. From North Street to a point 150 feet north of York Street, No Restrictions.</p> <p>West Side: From Lemont street to Weeks Street, No Restrictions. From Weeks Street to Pine Street, 2-1 hour parking. From Pine Street to Spring Street, no parking. (9/6/06) From Castine Avenue to Russell Street ???? No Parking, From Russell Street to Granite Street, 2-1 hour parking. From Granite Street to Centre Street,</p>

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City of Bath Parking Restrictions

	No Parking. From Centre Street to Oak Street, 2 hour parking. From Oak Street to North Street, 2 hour parking. From North Street to <u>a point 150 feet north of York Street.</u> No Restrictions.
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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
MILAN STREET	East and West Side: No Restrictions
MILL POND DRIVE	?No Restrictions
MITCHELL- MITCHELLS LANE	South Side: No Parking with the exception of two (2 fifteen-minute parking spaces running easterly from the northwesterly corner of the City Hall building.
NEWTON ROAD	No Restrictions
NICHOLS STREET	No Restrictions
NOBLE AVENUE	No Restrictions
NORTH BATH ROAD	Both Sides: From New England Telephone Co. pole No. 61 to New England Telephone Co. pole No. 67, No Parking West Side: From New England Telephone Company Pole No. 78 to New England Telephone Company pole No. 80, No Parking. All other areas: No restrictions.
NORTH STREET	North Side: From Front Street to Washington Street, No restrictions. From Washington Street to Willow Street, No Parking. From Willow Street to a point 40 feet easterly of High Street, Unrestricted Parking. From a point 40 feet easterly of High Street, and running westerly to a point 40 feet westerly of High Street, No Parking. From a point 40 feet westerly of High Street to <u>Maple Grove</u> , Lincoln Street -No Restrictions- <u>Restrictions other than parking must occurred in designated parking areas along the road.</u> From <u>Maple Grove</u> to <u>Lincoln Street</u> , No Parking. South Side: From Front Street to Washington Street, No restrictions. From Washington Street to High Street, No Parking. From High Street to <u>the entrance to 203 Lincoln Street</u> , No restrictions. <u>From the entrance to 203 Lincoln Street</u> , No Parking
NORTH STREET EXT.	Both Sides: From Lincoln Street to Congress Avenue, No Parking
NORTH STREET CT.	West Side: From North Street the entrance to Northwood Court, No Parking, from the entrance to Northwood Court to a point 625 feet from Oak Grove Avenue, no restrictions, from a point 625 feet from Oak Grove Avenue to Oak Grove Avenue, no parking. (8-5-08) East Side: From North Street to Oak Grove Avenue, No Restrictions

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
OAK GROVE AVE.	No Restrictions
OAK STREET	<p>South Side: From Front Street to Washington Street, 2 hour parking. From a point 40 feet westerly of Washington Street to a point 20 feet easterly of Middle Street, Unrestricted Parking. From a point 20 feet easterly of Middle Street to a point 30 feet westerly of Middle Street, No Parking.</p>
OAK STREET	<p>South Side Continued: From a point 30 feet westerly of Middle Street to a point 30 feet easterly of High Street, 2 hour parking. From a point 30 feet easterly of High Street to a point 235 feet westerly of High Street, No Parking. From a point 235 feet westerly of High Street to Lincoln Street, No Restrictions.</p> <p>North Side: From Front Street to a point 235 feet westerly of High Street, No Parking. From a point 235 feet westerly of High Street to Lincoln Street, No Restrictions.</p>
OFFICE DRIVE	No Restrictions
OLD BRUNSWICK ROAD	<p>Northeast Side: From North Street to Mill Pond, no parking</p> <p>Southwest Side: From North Street to the southerly driveway of the Bath Jr-High Middle School, 2 hour parking. From the southerly driveway of the Bath Jr-High Middle School to Mill Pond, no parking</p> <p>Both Sides: From the Mill Pond to the Brunswick town line, no restrictions.</p>
OLD SLOOP LANE	No Restrictions
OLD SOUTH PLACE	<p>West Side: No Parking</p> <p>East Side: From 6:00 a.m. to 8:00 p.m., 2-1 hour parking. From 8:00 p.m. to 6:00 a.m., Unrestricted Parking.</p>
OLIVER CIRCLE	No Restrictions
OLIVER STREET	<p>North Side: From Washington Street to the easterly most intersection of Oliver Street Circle, No Restrictions. From the easterly most intersection of Oliver Street Circle to a point opposite Carriage House Lane, No Parking. From a point opposite Carriage House Lane to High Street, No Restrictions.</p> <p>South Side: No Restrictions</p>
PAGE STREET	No restrictions
PALMER STREET	<p>Both Sides: From High Street to Maxwell Street, 6:00 a.m. to 8:00 p.m., No Parking.</p>

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
PARK STREET	<p>South Side: From the westerly side of the Mid Coast Hospital Employees Parking Lot, and running westerly 175 feet, 2-hour parking (from 6:00 a.m. to 6:00 p.m., weekdays... unrestricted parking weekends and holidays and from 6:00 p.m. to 6:00 a.m.); from 175 feet westerly of the Mid Coast Hospital Employees Parking Lot to High Street, no restrictions.</p> <p>North Side: From the intersection of Winship and Park Street, running westerly 90 feet, No Parking. From a point 90 feet westerly from the intersection of Winship and Park Streets and running westerly 160 feet, 2 hr. parking (from 6:00 a.m. to 6:00 p.m., weekdays... unrestricted parking weekends and holidays and from 6:00 p.m. to 6:00 a.m.); from a point 250 feet westerly from the intersection of Winship and Park Streets, and running westerly to High Street, no restrictions.</p>
PEARL STREET	<p>(1-3-2018) South Side: From Middle Street to Willow Street, no restrictions. From Willow Street to Washington Street, no parking. From Washington Street to Front Street, no restrictions.</p> <p>North Side: From Middle Street to Front Street, no restrictions.</p>
PINE STREET	<p>South Side: From Washington Street to High Street, 2-1 hour parking.</p> <p>North Side: From Washington Street to High Street, 2-1 hour parking.</p>
PLANT STREET	No Restrictions
PLEASANT STREET	<p>South Side: From Washington Street to Middle Street, 6:00 a.m. to 8:00 p.m., no parking</p> <p>North Side: From a point 140 feet westerly from Washington Street to a point 30 feet easterly of its intersection with Middle Street, 6:00 a.m. to 8:00 p.m., 2 hour parking.</p>
PLUM LANE	No Restriction
PRATT STREET	?South Side, no parking. North Side, no restrictions except around curve from Chestnut St to 8 Pratt St
PREBLE LANE	No Restrictions
PROSPECT STREET	No Restrictions

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
QUIMBY STREET	West Side: From Route #1, easterly for a distance of 100 feet, no parking, this portion is Leonard Ct. Both Sides: From a point 100 feet easterly of U.S. Route No. 1 to Elsinore Avenue, no restrictions. No restrictions (Does this include the portion north of Route 1?) No Restrictions
RANGER CIRCLE	? No Restrictions
RAYMOND COURT	Both Sides: From Centre Street to Dead End, No Parking.
REDLON ROAD	Both Sides: From Western Avenue to termination, No Parking.
REGATTA LANE	No Restrictions
RICHARDSON STREET	South Side: From High Street to Western Avenue State Road, No Parking. North Side: From High Street to Western Avenue State Road, No Parking.
RIDGE ROAD	No Restrictions
RIVERVIEW ROAD	No Restrictions
ROBINSON STREET	No Restrictions 1 hour parking
ROSE STREET	No Restrictions 1 hour parking
ROYAL LANE (9-5-2007)	West Side: No Parking. East Side: From North Street to a point 20 feet north of North Street, No Parking. From a point 20 feet north from North Street proceeding 77 feet, unrestricted, parking; From a point 97 feet and proceeding north to Grove Street, no parking.
RUSSELL STREET	North Side: From Washington Street to High Street, 2 1/2 hour parking. South Side: From Washington Street to a High Street, No Parking.
SCHOOL STREET	North Side: Washington Street to Middle Street, No Parking. South Side: From Washington Street to a point 110 feet westerly, No Parking; From a point 110 feet westerly from Washington Street to a point 20 feet easterly from Middle Street, on weekdays between the hours of 6:00 a.m. and 6:00 p.m., parking by permit only. Parking permits may be obtained from the Police Department in the same manner as permits are issued for the parking lot on the West side of Water Street (see Section 17-260(d)). Parking on weekends and on weekdays from 6:00 p.m. to 6:00 a.m. is unrestricted. (Ord. 4/19/00)(5/6/09)
SEAFARER LANE	?PRIVATE?
SEEKINS DRIVE	No Restrictions
SHAW STREET	Both Sides: From Washington Street to Middle Street, 6:00 a.m. to 8:00 p.m., No Parking.
SHENANDOAH ROAD	No Restrictions

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
SHEPARD STREET	<p>South Side: From Washington Street to Middle Street, No Parking.</p> <p>North Side: From Washington Street to Middle Street, <u>2-1</u> hour parking.</p>
SHERIDAN ROAD	No Restrictions
SNOW PARK	Both Sides: From Centre to Academy, 2 hour parking.
SOMERSET PLACE	<p>West/South Side: No Parking.</p> <p>East Side: No Restrictions (Ord. 12/3/03)</p> <p>What about North-South side portion?</p>
SOUTH STREET	<p>North Side: From Washington Street to Middle Street, No Parking.</p> <p>From Middle Street to High Street, <u>2-1</u> hour parking</p> <p>South Side: From High Street to Middle Street, No Parking.</p> <p>From Middle Street to Washington Street, <u>2-1</u> hour parking</p>
SPRING STREET	<p>South Side: From Washington Street to Pleasant Avenue, 6:00 a.m. to 8:00 p.m. No Parking.</p> <p>North Side: From Washington Street to a point 20 feet from the easterly side of Pleasant Avenue, 6:00 a.m. to 8:00 p.m. <u>2-1</u> hour parking; from said point westerly to Pleasant Avenue, No Parking.</p>
SPRUCE STREET	No Restrictions
STACEY STREET	Both Sides: From Washington Street to Middle Street, No Parking.
STATE ROAD	?No Parking
SUMMER STREET	<p>South Side: From Front Street west to Washington Street, No Parking.</p> <p>North Side: From Front Street west to Washington Street, four hour parking.</p>
TALLMAN STREET	No Restrictions
TARBOX STREET	No Restrictions
TOWER CIRCLE	No Restrictions
TOWN LANDING ROAD	?From Bowery to Entrance to Water Treatment Plant, no parking. All else unrestricted.
TRUFANT STREET	No Restrictions
TRUFANT STREET COURT	
TURNER COURT	No Restrictions

City of Bath Parking Restrictions

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
UNION STREET	<p>South Side: From Washington Street to a point across from the easterly line of Union Street Court, No Parking. From a point across from the easterly side of Union Street Court to High Street, 2-1 hour parking.</p> <p>North Side: From Washington Street to Middle Street, 2-1 hour parking. From Middle Street to High Street, No Parking.</p>
UNION ST. CT.	Both Sides: From Union Street to termination, No Parking
VALLEY ROAD	No Restrictions
VARNEY MILL ROAD	No Restrictions
VINE STREET	Both Sides: From Washington Street to Front Street, No Parking.
WALKER STREET	Both Sides: From Middle Street to High Street, No Parking.
WASHINGTON STREET	<p><u>East Side: From Lemont Street and running northerly to Pleasant Street, no parking. From Pleasant Street to the fire hydrant across from Hinckley Street, Carpool/vanpool permit parking only. From that point north to South Gate, no parking. From South Gate to the beginning of the bus zone across from the south side of Castine Ave, no parking except in designated parking stalls along BIW. From a point 60 feet north of the northerly side of Spring Street and running northerly for a distance of 262 feet, bus parking only, Monday through Friday, 6 a.m. to 4:30 p.m., other times limited to 1 hour. From here to a point 40 feet south of a point across from the north side of Bath Street, Permitted parking for carpool/vanpool. From a point 40 feet south of a point across from the north side of Bath Street to a point across from the northerly side of South Street at the BIW west gate, 30-minute parking from 6 a.m. to 1 a.m.</u></p> <p><u>From a point across from the northerly side of South Street and running northerly to a point 50 feet south of a point across from the south end of Wesley Street, carpool/vanpool permit parking only. From here to the hydrant, bus parking/loading zone only.</u></p> <p><u>From Lemont Street and running northerly to a point 60 feet south from a point across from the southerly side of Weeks Street, no parking.</u></p> <p><u>From a point 60 feet south from a point across from the southerly side of Weeks Street and running northerly to a point across from the southerly side of Weeks Street, fifteen-minute parking.</u></p> <p><u>From a point across from the southerly side of Weeks Street, and running to a point 125 feet south of hydrant #10 located southerly and across from Hinckley Street, no parking (Ord. 2-2-05)</u></p> <p><u>From a point 125 feet south of hydrant #10 located southerly and across from Hinckley Street and running 120 feet northerly, two-hour parking 6:00 a.m. to 2 p.m., and at all other times, no parking (Ord. 2-2-05)</u></p> <p><u>From a point 15 feet south of hydrant #10 located southerly and across from Hinckley Street to a point across from the northerly side</u></p>

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City of Bath Parking Restrictions

~~of Spring Street, no parking. From the northerly side of Spring Street to a point 60 feet north of the northerly side of Spring Street.~~
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 From a point 60 feet north of the northerly side of Spring Street and running northerly a distance of 113 feet, bus parking; from a point 173 feet north of the northerly side of Spring Street to a point 10 feet south of a point across from the north side of Bath Street, 2 hour parking (9-19-01)
 From a point 10 feet south of a point across from the north side of Bath Street to a point across from the northerly side of South Street at the DW west gate, 30 minute parking from 6 a.m. to 1 a.m. From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1:00 a.m., fifteen minute parking.
 From a point across from the northerly side of South Street and running northerly 480 feet, permit Parking. From a point 180 feet northerly from a point across from the northerly side of South Street and running northerly 250 feet to the southerly side of Union Street, 2 hour parking. (Ord. 5-3-2017)

Commented [A83]: PERMIT PARKING?

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City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
<p><u>WASHINGTON STREET</u></p>	<p>East Side - Continued: <u>From Wesley Street to Fisher Court, carpool/vanpool permit parking only. From Fisher Court to the south side of Union Street, 2 hour visitor parking. From Union Street to Vine Street, no parking. From Vine St to Five Counts Credit Union, only in designated spots (1 hour parking) Summer Street--From credit union exit to a point ten feet from the northeast corner of Centre St, no parking. From this point north to Elm Street, 1 hour parking from 6am to 8pm, otherwise unrestricted. From Elm Street north to Oak Street, 2 hour parking from 6am to 8pm, otherwise unrestricted. From Summer Street northerly to a point 40 feet south of the southerly side of Oak Street, two-hour parking.</u></p> <p>From a point 40 feet south of the southerly side of Oak Street to a point 40 feet north of the northerly side of Oak Street, no parking.</p> <p>From a point 40 feet north of the northerly side of Oak St. to a point 40 feet south of the southerly side of North Street, 2 hour parking.</p> <p>From a point 40 feet south of the southerly side of North Street to a point 40 feet north of the northerly side of North Street, no parking.</p> <p>From a point 40 feet north of the northerly side of North Street to a point which is 225 feet north of northerly side of Cummings Street, No restrictions. From a point 225 feet north of the northerly side of Cummings Street to Bowery Street, No Parking. From Bowery Street to Winslow <u>Curtis</u> Place, No Restrictions. From Winslow <u>Curtis</u> Place to Harward Street, No Parking. From Harward Street to termination, No Restrictions.</p>

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
<p>WASHINGTON STREET</p>	<p>West Side: From Lemont Street to Robinson Street, no restrictions <u>1 hour parking</u>; From the northerly side of Robinson Street and 20 feet north, <u>No Parking</u>.</p> <p>From a point 20 feet north of the northerly side of Robinson Street to a point 70 feet south of the southerly side of Hunt Street, no trailers allowed at anytime, otherwise No Restrictions; From a point 70 feet south of Hunt Street to the northerly side of Hunt Street, <u>No Parking</u>.</p> <p>From Hunt Street to a point 20 feet south of Marshall Street, no restrictions <u>(5-05-00) 1 hour parking</u>.</p> <p>From a point 20 feet south of Marshall Street, and running in a northerly direction to a point 40 feet north of Marshall Street, no parking <u>1 hour parking</u>.</p> <p>From a point 40 feet north of Marshall Street to Rose Street, no <u>1 hour parking</u>.</p> <p>From Rose Street and running northerly a distance of 375 feet, <u>no parking</u>.</p> <p>From a point 375 feet north of Rose Street and running to a point 150 feet north of Weeks Street, <u>2-1 hour parking</u>. From a point 150 feet north of Weeks Street to Pine Street, <u>No Parking</u>.</p> <p>From Pine Street to a point 95' feet north, <u>No Parking</u>. From a point 95' feet north of Pine Street to a point 50' feet south of Pleasant Street, <u>2-1 hour parking</u>. (3-7-2018)</p> <p>From a point 50 feet south of Pleasant Street to Pleasant Street, Loading Zone.</p> <p>From Pleasant Street to Spring Street, <u>No Parking</u>.</p> <p>From Spring Street running north for 80 feet, <u>fifteen minute parking</u>.</p> <p>From a point 80 feet north of Spring Street to Russell Street, <u>one hour parking</u>. From Russell Street to a point sixty (60) feet south of Bath Street, <u>No Parking</u>. From a point sixty (60) feet south of Bath Street to South Street, <u>30 minute parking from 6:00 a.m. to 1:00 a.m. (5/26/93)</u></p> <p>From South Street and running northerly 40 feet, <u>No Parking</u>. From a point 40 feet from South Street and running northerly 23 feet, Loading Zone.</p> <p>From a point 63 feet northerly from South Street to School Street, <u>No Parking</u>.</p> <p>From a point 63 feet northerly from South Street to a point 177 feet southerly from Centre Street, <u>No Parking</u>. From a point 177 feet southerly from Centre Street to a point 112 feet southerly from Centre Street, <u>15 minute parking</u>. From a point 112 feet southerly from Centre Street to the southerly driveway of the Chocolate Church <u>804 Washington Street</u>, <u>No Parking</u>.</p> <p>From the southerly driveway to the Chocolate Church <u>804 Washington Street</u> to a point 200 feet from the southerly side of Winter Street, <u>2 hour parking</u>. From a point 200 feet from the southerly side of Winter Street and running northerly for a distance of 20 feet, a handicapped parking space. From a point 180 feet south of Winter Street and running northerly to a point 40 feet from the south side of Winter</p>

City of Bath Parking Restrictions

Street, 2 hour parking.

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
WASHINGTON STREET	<p>West Side - Continued: From a point 40 feet south of the south side of Winter Street to Winter Street, No Parking. From Winter Street to a point 40 feet south of the southerly side of Oak Street, two-hour parking. From a point 40 feet south of the southerly side of Oak Street to a point 40 feet north of the northerly side of Oak Street, no parking. From a point 40 feet north of the northerly side of Oak Street to a point 40 feet south of the southerly side of North Street, two-hour parking. From a point 40 feet south of the southerly side of North Street to a point 40 feet north of the northerly side of North Street, No parking. From a point 40 feet north of the northerly side of North Street to Oliver Street, No restrictions. From Oliver Street to <u>Winship-Park Street</u>, no parking. From <u>Winship-Park Street</u> to a point 393 feet north of <u>Winship-Park Street</u>, no restrictions. From a point 393 feet north of <u>Winship-Park Street</u> and continuing northerly for a distance of 255 feet, no parking. From a point 648 feet north of the northerly side of <u>Winship-Park Street</u> to termination, no restrictions.</p>
WATER STREET	<p>East Side: From Vine Street and running northerly 40 feet, No Parking; From a point 40 feet northerly of Vine Street to Centre Street, 1 Hour Parking; From Centre Street to Elm Street, No Parking. (Ord.5/6/09)</p> <p>West Side: From Vine Street to a point 40 feet South of Centre Street, 1 Hour Parking; From a point 40 feet South of Centre Street to Centre Street, loading zone; From Centre Street to Elm Street, No Parking. (Ord.5/6/09)</p>
WEBBER AVENUE	<p>South Side: From High Street running easterly 100 feet, No Parking. From a point 100 feet easterly of High Street to Washington Street, No Restrictions, 1 hour parking North Side: No Restrictions 1 hour parking</p>
WEEKS STREET	<p>North Side: From Washington Street to Middle Street, 2-hour parking. From Middle to High Street, No Restrictions 1 hour parking. South Side: No Restrictions 1 hour parking</p>
WESLEY STREET	<p>South Side: From Washington to Middle Street, No Parking. North Side: From Washington to Middle Street, 2-1 hour parking.</p>
WESLEY STREET COURT	<p>No Parking</p>
WEST STREET	<p>Both Sides: 2 hour parking</p>

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
<u>WEST MILAN STREET</u>	?No Restrictions
<u>WESTERN AVENUE</u>	<p>South Side: From U.S. Route No. 1 to Reddon Road, Lilac Street, no parking.</p> <p>From Reddon Road, Lilac Street to a point westerly 185 feet from the west side of High Street, two-hour parking.</p> <p>From a point westerly 185 feet from the west side of High Street, to the west side of High Street, no parking.</p> <p>North side:</p> <p>From U.S. Route No. 1 to Western Avenue connector, Lilac Street, no parking.</p> <p>From Western Avenue connector, Lilac Street to a point 170 feet westerly of the west side of High Street, two-hour parking.</p> <p>From a point 170 feet westerly of the west side of High Street to the west side of High Street, no parking.</p>
<u>WESTERN AVENUE CONNECTOR</u>	Both Sides: From Western Avenue to Western Avenue Extension. No Parking.
<u>WESTERN AVENUE EXTENSION</u>	Both Sides: From Western Avenue to U.S. Route No. 1. No Parking.
<u>WHISKEAG ROAD</u>	<p>Both Sides: From the bridge and running 100 feet north, No Parking.</p> <p>From the bridge and running 100 feet south, No Parking.</p>
<u>WILLOW STREET</u>	No Restrictions
<u>WINDJAMMER WAY</u>	<p>West Side: From North Street the entrance to Windjammer Way. No Parking; from the entrance to Windjammer Way to a point 625 feet from Oak Grove Avenue, no restrictions; from a point 625 feet from Oak Grove Avenue to Oak Grove Avenue, no parking (8-5-98).</p> <p>East Side: From North Street to Oak Grove Avenue. No Restrictions.</p>
<u>WINDLASS COURT</u>	No Restrictions
<u>WING FARM PARKWAY</u>	No parking
<u>WINSHIP STREET</u>	<p>North Side: From Washington Street and running 133 feet westerly, no parking.</p> <p>From a point 133 feet westerly of Washington Street and running westerly for 170 feet, two-hour parking from 7:00 a.m. until 1:00 p.m.</p> <p>From a point 203 feet westerly from Washington Street East end of road to High Street, no parking.</p> <p>South Side: From Washington Street and running westerly to a point 250 feet westerly from the intersection of Winship Street and Park Street, no parking.</p>

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City of Bath Parking Restrictions

	From a point 250 feet westerly from the intersection of Park Street East end of road to High Street, no restrictions.
WINSLOW COURT	?No restrictions
WINTER STREET	Both Sides: From High Street to Washington Street, No Parking - Fire Lane
WINTER STREET COURT	West Side: No Parking (1/8/03) East Side: No Restrictions (1/8/03)
WRIGHT DRIVE	No Restrictions

City of Bath Parking Restrictions

STREET	PARKING RESTRICTION
YORK STREET	South Side: Running westerly for a distance of 477 feet from Washington Street, No Parking. Other areas: No restrictions.



RESOLUTION SETTING PERMIT PARKING FEES
WASHINGTON STREET CARPOOL/VANPOOL PARKING

WHEREAS, the City Council of the City of Bath has designated the area on Washington Street, east side, from Union Street to Pleasant Street as permitted parking for carpool/vanpool only, with limited exceptions, and

WHEREAS, an initial parking permit fee needs to be established by Council during the pendency of the proposed Ordinance designating the area as permit only parking; and

WHEREAS, Section 17-260 provides for the administration of permits and the setting of permit fees by Resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the permit fees for the use of the Washington Street carpool/vanpool permit zone, shall be Sixty Dollars (\$60.00) per month, for each individual parking area, and for all subsequent months thereafter or until such time as amended by further Resolution of this Council.





Potential Site of Future Sewer lot

South End Residential

Rose St

Carpool/Vanpool Permit Parking



713

RESOLUTION SETTING PERMIT PARKING FEES
CASTINE AVENUE PARKING FACILITY

WHEREAS, the City Council of the City of Bath has designated the Castine Avenue Parking Facility as permit parking only; and

WHEREAS, Section 17-260 provides for the administration of permits and the setting of permit fees by Resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the permit fees for the use of the Castine Avenue Parking Facility, shall be Sixty Dollars (\$60.00) per month, for each individual parking area, and for all subsequent months thereafter or until such time as amended by further Resolution of this Council.



FIL

City of Bath

55 Front Street
Bath, Maine 04530

Dept: 207/443-8363
Fax: 207/443-8389



**Planning &
Development**

MEMORANDUM

TO: Aaron Park, Chair
City Councilors

FROM: Ben Averill, City Planner

DATE: November 3, 2021

RE: Request for land use code amendment

Background

The Planning Office has received a request to amend the text of the Land Use Code (LUC) to change a portion of Article 11: Performance Standards; Specific Uses. The applicant requests to modify Section 11.35, which deals with accessory uses not on the same lot as the principal use. The applicant is requesting an amendment to the Code to increase the distance in which an accessory use can be located from the principal use. Currently the Section 11.35 of the LUC requires an accessory use to be located within 200 feet of the principal use. The applicant is requesting that distance requirement to be increased to 350 feet from the principal use. If the Code is amended the distance in which accessory uses can be located from the primary use will increase in all zoning districts.

Council Action

If the Council determines that the Land Use Code amendment has merit the Council can refer the land use code amendment to the Planning Board for a workshop and public hearing. If the Council determines that the application lacks merit, it will not be referred to the Planning Board and action on the application will cease.



OFFICE USE ONLY
Check for \$275.00
Project Number: _____

CITY OF BATH
PLANNING DEPARTMENT
(207) 443-8363

APPLICATION FOR LAND USE CODE AMENDMENT

RECEIVED

To: The City Council and the Planning Board of Bath, Maine

OCT 14 2021

Date:

CODES & PLANNING
BATH, ME

Name:

George Sprague

Telephone #: 207-596-3066

Address:

14 Park St Bath, ME

This is a request for an amendment of the text of the Land Use Code of the City of Bath, Maine.

Please describe in detail the proposed addition or deletion and refer specifically to the relevant code article, section and paragraph.

Section 11.35

C. Must be within 100 feet of principal building or use structure

••• 350 feet lot-line to lot-line of principal building.

Signature:



Return form to Planning Dept. - City Hall - Bath, Maine

The Planning Department will place this request for an amendment on the Planning Board agenda as a public hearing (advertised twice; 14 days prior and 7 days prior). You or someone representing you must be present at that hearing to present this request to the Planning Board. The Planning Board will then make a recommendation on the amendment and forward its recommendation to the City Council. The City Council will then take final action on the amendment.



K15



City of Bath
Application for (Re)Appointment
to City Board/Commission/Committee

Full Name: DANA L. McCURDY

Residence Address: 3 SHERIDAN ROAD

I live in Council Ward # (circle one) 1 2 3 4 5 6 7

Phone #: 443-6337 E-mail address dmccurdy34@comcast.net

Preferred Method of Contact? (circle one) phone email
I wish to be considered for: (circle one) appointment reappointment

BATH WATER DISTRICT BOARD OF TRUSTEES
(Name of Board/Commission/Committee)

We are asking applicants to attend some actual meetings of this committee and/or to speak with some members of the board/committee to get a sense of what the committee does before submitting their application. Information about the committee meetings, who is chair and committee membership is available from the City Clerk's office and on the City of Bath website.

Please list the following:

A) Date(s) you attended this committee's meetings: monthly for past 19 years

B) Members of the committee or board with whom you spoke and when: ..

C) How did these experiences affect your interest in the committee?

Have you ever served on a City Board/Commission/Committee? (circle one) (Y) N

If yes, please list the Board/Commission/Committee and years of service:

SCHOOL BOARD - 7 years
Water District - 19 ± years

Please outline past and present expertise/skills/employment that you think may be relevant (Resumes are welcome):

Past President of this board - multiple years

Why do you want to be a member of this Board/Commission/Committee or list your accomplishments during your last term(s)?

I would like to continue to serve and use the knowledge that I have gained.

How many months are you away from Bath in a 12-month period? 0

10/20/20
Date

Dana S. McIndy
Signature

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530 or email dwheeler@cityofbath.com

FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: 10/21/2021

Received by: MTC

Date emailed to Appointment Review Committee: 10/21/2021

Date interviewed by Appointment Review Committee: _____

Date application on City Council agenda: _____

Date appointed by City Council: _____

Date applicant notified by City Clerk's office: _____

Date applicant sworn in: _____

Term to begin: _____

Term to expire: _____

Darci Wheeler

From: no-reply@www.cityofbath.com
Sent: Monday, October 25, 2021 4:25 PM
To: Darci Wheeler
Subject: Appointment Application - New Form Submission for Bath, Maine

A new submission has been received for Appointment Application at 10/25/2021 4:24 PM

First Name:: Renner
Last Name:: Maureen
Address:: 210 High Street
Phone:: 2074093339
Your Council Ward Number:: 1
Email Address:: maureenerenner@gmail.com
Preferred Method of Contact:: Phone
I wish to be considered for:: Reappointment
Name of Board/ Commission/ Committee:: Bath Community Forest Committee
Committee Experience:
Date(s) you attended this Board/Commission/Committee's meetings:: Monthly for the past year
Members of the Board/ Commission/ Committee with whom you spoke and when:: All of them
How did these experiences affect your interest in the Board/ Commission/ Committee?: I enjoy being involved with the community
Have you every served on a City Board/ Commission/ Committee?: Yes
If yes please list the Board/ Commission/ Committee and years of service: Bath Community Forest Committee
Please outline past and present expertise skills employment that you think may be relevant:: Board of Directors, Mad Horse theatre Board of directors, Maine Craft Association CPA, Candidate Full time Tax Accountant
Resume (Optional): No File Uploaded
Why do you want to be a member of this Board/ Commission/ Committee or list your accomplishments during your last term or terms?: I'd like to be able to continue the work I have started with the committee
How many months are you away from Bath in a 12 month period?: 0
Date: 10/25/2021
Signature: maureen renner

Please outline past and present expertise/skills/employment that you think may be relevant (Resumes are welcome):

Why do you want to be a member of this Board/Commission/Committee or list your accomplishments during your last term(s)?

How many months are you away from Bath in a 12-month period?

Date

Signature

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530 or email dwheeler@cityofbath.com

FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: 10/25/21

Received by: email DFW

Date emailed to Appointment Review Committee: 10/25/21

Date interviewed by Appointment Review Committee: _____

Date application on City Council agenda: _____

Date appointed by City Council: _____

Date applicant notified by City Clerk's office: _____

Date applicant sworn in: _____

Term to begin: _____

Term to expire: _____