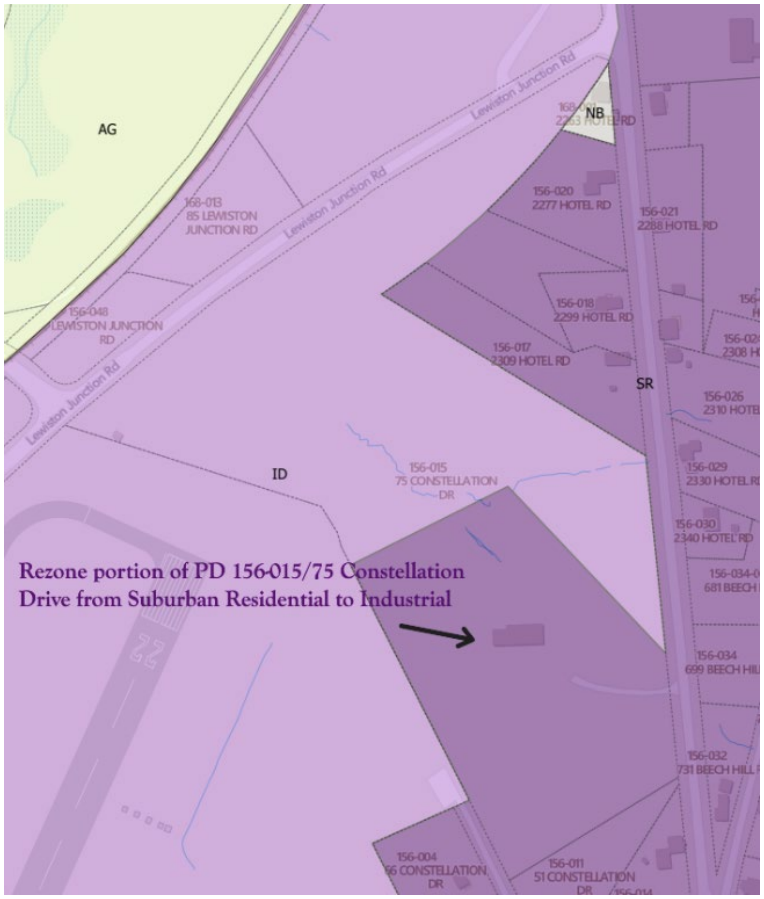
ORDINANCE 01-01052026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances as follows:

Pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance, the official zoning map of the City of Auburn shall be amended so that the Roundy Property (Parcel I.D. 156-015), consisting of approximately 23.96 acres, of which approximately 8.7 acres is currently zoned Suburban Residential, is rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.



1/5/26, passed first reading, 7-0.
1/20/26, passed second reading, 6-0 (Randall absent).

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
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Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

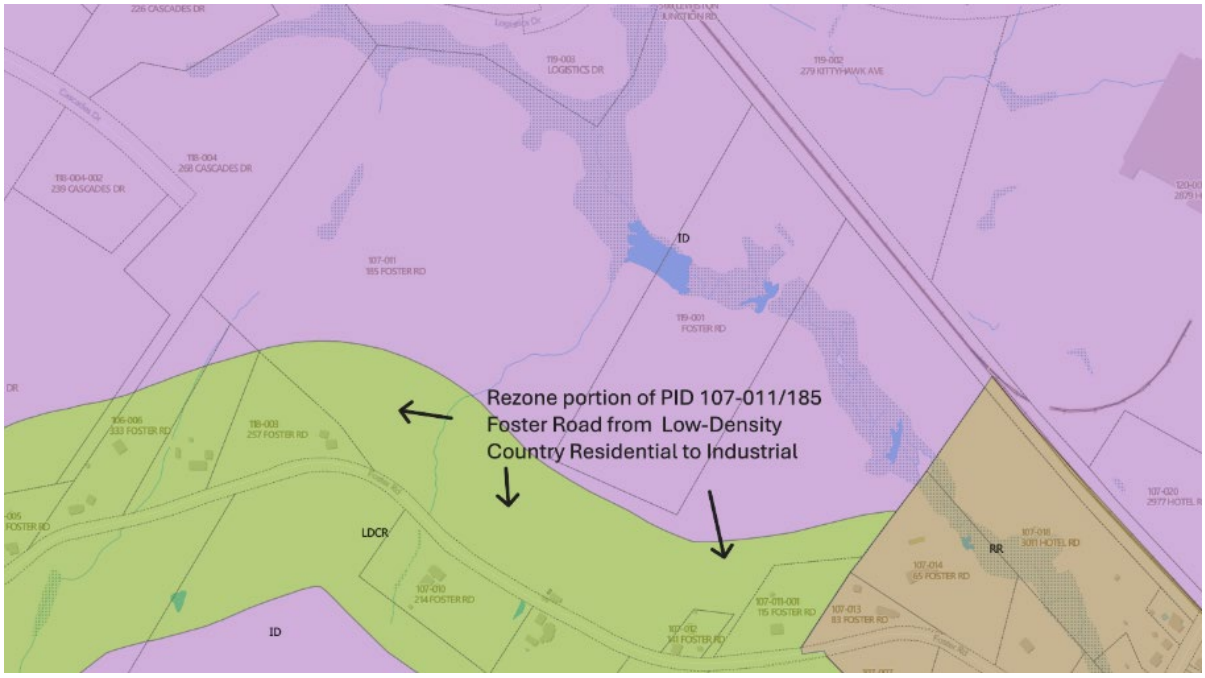
ORDINANCE 02-01052026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances as follows:

Pursuant to Chapter 60, Article XVII, Division 2 of the Auburn Zoning Ordinance, the official zoning map of the City of Auburn shall be amended so that the property at 185 Foster Road (Parcel I.D. 107-011), consisting of approximately 76.29 acres, of which approximately 18.5 acres is currently zoned Low Density Residential, is rezoned to the Industrial District. The remaining acreage of the parcel is already zoned Industrial and will remain unchanged.



1/5/26, passed first reading, 7-0.
1/20/26, passed second reading, 6-0 (Randall absent).

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Phillip L. Crowell, Jr., City Manager

ORDINANCE 03-01202026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that the City of Auburn amends the Moratorium Ordinance on Needle Exchange Services (Ordinance 06-08182025) as follows:

WHEREAS, pursuant to the Auburn City Charter, the Code of Ordinances, and Maine law at 30-A M.R.S. § 4356, the City Council has the authority to enact and extend moratoria to protect the public health, safety, and welfare of the residents of Auburn;

WHEREAS, the City Council previously adopted Ordinance 06-08182025, imposing a moratorium on the establishment, expansion, or operation of needle exchange services within the City of Auburn while the City reviews and evaluates policy and ordinance options;

WHEREAS, the City Council finds that the establishment, expansion, or operation of needle exchange services within the City of Auburn have significant public health, safety, and community impacts that require careful study and possible amendment of existing ordinances;

WHEREAS, the City Council finds that an extension of the moratorium is necessary to allow sufficient time for municipal staff, the Planning Board, and the City Council to complete its review, evaluate options, and, if necessary, amend the City's ordinances governing needle exchange services;

WHEREAS, in the judgment of the City Council, the foregoing findings constitute a necessity within the meaning of 30-A M.R.S. § 4356;

NOW, THEREFORE, the Auburn City Council hereby ordains that Ordinance 06-08182025 is amended as follows:

1. **Amendment to Duration.** Section 3 ("Duration") of Ordinance 06-08182025 is hereby amended to read as follows (new language Bolded for drafting purposes only):

3. Duration. This Moratorium Ordinance shall become effective immediately upon its final passage by the City Council ("Effective Date") and shall remain in effect for a period of **180 days from its effective date, and is hereby extended for an additional 180 days (for a total of 360 days from the Effective Date),** unless extended, modified, or repealed by the City Council.

2. **All Other Provisions Unchanged.** Except as expressly amended herein, all other sections and provisions of Ordinance 06-08182025, including the moratorium imposed and applicability language, shall remain in full force and effect.

Passed first reading, 1/20/26 6-0.
Passed second reading, 2/2/26, 7-0.

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Phillip L. Crowell, Jr., City Manager

ORDINANCE 04-01202026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN adopts a Temporary Moratorium Ordinance on Rent Increases in Mobile Home Parks as follows:

WHEREAS, the City of Auburn has Mobile Home Parks that provide much-needed housing to individuals at or below median income levels;

WHEREAS, the City of Auburn is committed to the preservation of affordable housing within the City;

WHEREAS, rates for rental of Mobile Home Park lots in the City have been increasing rapidly in recent years;

WHEREAS, such increases are beyond the financial means of many mobile home park lot renters;

WHEREAS, many Mobile Home Park lot renters do not have the means or ability to move their mobile homes to alternate locations, which causes a reduction in their bargaining power and their ability to avoid the impact of rent increases;

WHEREAS, residents, especially senior residents, of mobile home parks are uniquely vulnerable to displacement when significant rent increases occur, and significant rent increases create undue hardship for residents through additional relocation costs, stress, anxiety, and the threat of homelessness due to the lack of alternative affordable housing;

WHEREAS, such lot rental increases may result in some lot renters being evicted and becoming homeless;

WHEREAS, certain Mobile Home Parks may be raising rents in response to the enactment of a State Law, P.L. 2025, ch. 399, An Act to Amend the Laws Governing Manufactured Housing Communities to Prevent Excessive Rent and Fees Increases;

WHEREAS, the City of Auburn does not currently regulate rental amounts or rent increases in Mobile Home Parks to ensure that rents remain affordable; and

WHEREAS, the City of Auburn needs time to study and explore options for addressing rent increases in Mobile Home Parks including but not limited to a potential rent stabilization program to prevent excessive rent increases on Mobile Home Park residents and to ensure that Mobile Home Park owner(s) receive a just and reasonable return on their investment(s).

NOW THEREFORE, the Auburn City Council hereby ordains that the following Temporary Moratorium Ordinance be, and is, enacted:

ORDINANCE 04-01202026

City Council Ordinance

1. **Moratorium Imposed.** No Mobile Home Park owner or manager may impose or implement an increase of Lot Rent on any person or entity who is a tenant of the Mobile Home Park while this Temporary Moratorium is in effect.

2. **Definitions.** For the purposes of this Temporary Moratorium Ordinance, the terms "Mobile Home Park" and "Lot Rent" shall have the following meanings:

   Mobile Home Park—A parcel of land under unified ownership approved by the City of Auburn or otherwise used for the placement of three (3) or more manufactured homes.

   Lot Rent—The total amount owed, per month, to maintain a manufactured home, as defined in 10 M.R.S. § 9081, at a Mobile Home Park, including but not limited to any mandatory, fixed charges or fees such as a connection, road maintenance, or recreation fee, but not including utility, telephone or broadband expenses.

3. **Applicability.** This Temporary Moratorium shall prevent the implementation of any Lot Rent increase while this ordinance is in effect, regardless of whether the Mobile Home Park owner or manager previously informed the tenant of its intent to raise the Lot Rent.

4. **Duration.** This Temporary Moratorium shall become effective immediately upon its final passage by the City Council ("Effective Date") and shall remain in effect for a period of one hundred eighty (180) days from its Effective Date, unless extended, modified, or repealed by the City Council.

5. **Purpose.** The purpose of this Temporary Moratorium is to allow the City sufficient time to study the causes and impacts of rent increases in Mobile Home Parks and to consider and adopt appropriate amendments to the City's ordinances.

6. **Enforcement.** This Temporary Moratorium shall be enforced by the City of Auburn City Manager or designee.

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City Council Ordinance

7. **Penalties.** Violation of any provision of this ordinance shall be punished by a civil penalty of $200.00 per offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In the event that the City shall prevail in any action to enforce this section, the City shall recover its costs of suit, including reasonable attorney's fees.

8. **Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance.

Passed first reading, 1/20/26 6-0.
Passed second reading, 2/2/26, 7-0.

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Phillip L. Crowell, Jr., City Manager

ORDINANCE 05-03162026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances Chapter 60, as attached (Version Labeled "Version A" with recommended changes from SNRB and PB), to increase protections of important agricultural soils, wetlands and steep slopes in the Agriculture and Resource Protection District.

Passed 7-0, 4/6/2026.

Rachel B. Randall, Ward One
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DIVISION 2. AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

(1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-1010, as set forth in division 6 of article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming or agricultural operations, recreational uses or natural resource uses and subject to all of the following restrictions:

a. The footprint of residential development associated with the one-family detached dwelling shall comprise no more than 20 percent of the land coverage or two acres, whichever is less, of the lot upon which the dwelling is to be constructed. For purposes of this subsection, "residential development" shall include the following:

1. Residential structures;

2. Impervious and non-vegetated areas accessory to the residential use, such as driveways, parking areas, walkways and patios (areas created using waffle pavers and other semi-impervious surfaces shall be considered non-vegetated surfaces, even if the surface is covered by grass or other similar vegetation;

3. Areas on, over or beneath the surface of the earth devoted to the transmission of water, electricity, telephone or gas to the residential use of pipes, poles, wires, lines, conduits, cables or other devices;

4. Areas on, over or beneath the surface of the earth devoted to the disposal of waste or wastewater generated by the residential use, including, but not limited to, septic tanks, disposal fields, holding tanks, pretreatment filters, and piping;

5. Structures accessory to the residential use; and

6. Uses of the land accessory to the residential use, but not accessory to other allowed uses within the zone.

b. New one-family detached dwellings shall:

1. Not be built within the Lake Auburn Watershed Overlay District;

2. Provide a farm, [agricultural], recreational or natural resource use business or land use plan that has been approved by the planning and permitted director or their designee. The planning and permitting director or their designee must make the following written findings prior to approval of the business plan or land use plan and prior to the issuance of a building permit:

(i) The business or proposed land use is feasible, and, if implemented will constitute a bona fide farming, agricultural, recreational or natural resource use allowed under either subsection (a), permitted uses, or subsection (b), special exception uses, of this section.

(ii) The parcel can reasonably accommodate an enterprise of the size and scope proposed. Parcel size or other lot limitations often restrict potential uses, and the plan must provide for utilization of the parcel's available potential for a farm, agricultural, recreational or natural resource use.

(iii) The parcel lawfully existed as of October 1, 2017, or meets the dimensional standards of section 60-146, and otherwise meets the requirements of this chapter.

3. ~~Avoid being~~Not be sited on ~~soils~~ farmland of statewide ~~significance~~ importance or prime farmland as defined by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) unless it can be demonstrated to the code enforcement officer that land that is not farmland of statewide importance or~~non~~-prime farmland is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;

4. ~~Avoid being~~Not be sited on land determined to be essential habitat, as defined by the state department of inland fisheries and wildlife unless it can be demonstrated to the code enforcement officer that non-essential habitat is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;

5. ~~Avoid being~~Not be sited on wetlands;

6. ~~Avoid being~~Not be sited on slopes greater than 25 percent; and

7. Not be sited on any portion of a parcel that is classified as being:

(i) Currently enrolled in the State of Maine Farmland Tax Program;

(ii) Currently enrolled in the State of Maine Tree Growth Tax Law Program; or

(iii) Currently enrolled in the State of Maine Open Space Tax Program.

c. No certificate of occupancy shall be issued for any such residence until satisfactory evidence that the requirement of subsections (a)(1)a. and (a)(1)b.2. above has been met is presented to the municipal official charged with authority to issue the certificate of occupancy.

d. In no case shall any residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the lot upon which the residence is constructed fails to meet the requirements set forth in subsections (a)(1)a. and (a)(1)b.2. above.

(2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.

(3) Forest products raised for harvest, including, but not limited to, maple sugaring, firewood processing, Christmas tree cultivation, or mushroom cultivation.

(4) Field crop farms.

(5) Row crop farms.

(6) Orchard farms.

(7) Truck gardens.

(8) Plant and tree nurseries.

(9) Greenhouses.

(10) Handling, storage or processing and sale of forestry products or agricultural products.

(11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.

(12) Wayside stands.

(13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.

(14) Adult use and medical marijuana cultivation, but not retail sales of any kind.

(15) Marijuana manufacturing accessory to a licensed cultivation site.

(16) Ground-mounted and dual-use solar energy generating systems less than one acre in total land area as defined in section 60-1501 that are not sited on prime farmland or farmland of statewide importance determined using the method required by 60-145(b)(19)(g).

(17) Natural resource uses.

(18) Small-scale recreational uses of land designed or intended for public use.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

(1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:

a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.

b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.

c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.

(2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.

(3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.

(4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.

(5) Non-small scale recreational uses of land intended or designed for public use subject to the following conditions:

a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.

b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.

(6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:

a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.

b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

(7) Rifle, pistol, skeet or trap shooting ranges, public or private.

(8) Cemeteries, subject to the following conditions:

a. At least 20 acres in area.

b. Not located in any environmental overlay district or over any known aquifer.

c. At least ten acres if designated a conservation cemetery.

(9) Municipal sanitary landfills, subject to the following conditions:

a. Not located in any environmental overlay district or over any known aquifer.

b. Provisions shall be made to avoid surface water and groundwater pollution.

c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.

(10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:

a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.

b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.

(11) Wholesale nurseries, subject to the following conditions:

a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.

b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

(12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:

a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.

b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.

c. An end-use plan must be filed as part of the planning board process.

(13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.

(14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:

a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the watershed of Taylor Pond, the shoreland overlay district or the floodplain overlay district.

b. The proposed use shall not occupy more than 10,000 square feet of building area.

c. The number of employees shall be limited to not more than 15.

d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.

e. Hours of operation shall limited to between 6:00 a.m. and 8:00 p.m.

(15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.

b. Provisions shall be made to avoid surface and groundwater pollution.

c. Provisions shall be made to counteract vermin, insects and odors.

d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.

e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Adaptive reuse of structures of community significance.

(17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;

b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and

c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(18) Reserved.

(19) Ground-mounted and dual-use solar energy generating systems greater than one acre in total land area as defined in section 60-1501, subject to the following conditions:

a. Must comply with the provisions of article XVIII under this chapter;

b. Setbacks, including appurtenant structures and parking areas, shall be subject to the following yard requirements:

1. *Rear.* There shall be behind every structure associated with a solar energy generating system a rear yard having a minimum depth of 25 feet.

2. *Side.* There shall be a minimum distance of 15 feet between any structure associated with a solar energy generating system and the side property line.

3. *Front.* There shall be in front of every structure associated with a solar energy generating system a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.

c. Lot coverage shall not exceed 30 percent, as defined under subsection 60-1506(a)(2).

d. *Total land area.* Once one percent of the agriculture and resource protection district has been developed into solar energy generating systems, the planning board must find that any additional proposed solar energy generating systems will not materially alter the stability of the overall land use pattern of the agriculture and resource protection district. In making this determination, the planning board shall consider the overall effect of existing and potential solar energy generating systems and if it will be more difficult for existing farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the surrounding area. The planning board shall request an assessment of the proposed project based on subsection 60-145(b)(19)d. by the ~~agriculture committee and, if located in the resource protection district, the conservation commission~~ Sustainability & Natural Resource Management Board and carefully consider their recommendations.

e. All applications shall consider the location of existing grid infrastructure and plan to limit the need to extend the amenities for optimal efficiency.

f. If a solar energy generating system is proposed on forestland in the agriculture and resource protection district, on a parcel adjacent to prime farmland or land currently used for farming, clearing of forestland or the use of prime farmland may be permitted under the following conditions:

1. The presence of the solar energy generating system will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property or abutting properties.

2. At the time of decommissioning of any solar energy generating system approved by the planning board, the current sitting planning board shall review the site and proposed decommissioning plan for the conversion of the parcel into prime farmland or forestland, as applicable under the current ordinance standards.

3. A survey of critical wildlife habitat is provided at the time of application, if a project is located in an area determined to be essential habitat, as defined by the state department of inland fisheries and wildlife, an IF&W recommendation shall be secured before a planning board ruling.

4. A vegetative cover plan is provided that demonstrates, where feasible, the replanting of forested areas disturbed during construction and preservation of prime soils throughout the life of the project.

g. *Prime Farmland ~~soils~~and Farmland of Statewide Importance*. ~~All~~ A solar energy generating system~~s~~ proposed in the agriculture and resource protection district shall not be sited on prime farmland or on farmland of statewide importance as defined by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). The determination of whether land is prime farmland or farmland of statewide importance shall be made by a soil scientist licensed by the Maine Department of Professional and Financial Regulation**, whose services shall be paid for by the applicant,** utilizing the most recent guidance provided by the Maine Department of Agriculture, Conservation and Forestry for the determination of prime farmland and farmland of statewide importance for the siting of solar projects.~~include a soil analysis. Such analysis shall demonstrate if the site proposed for development contains prime farmland as defined by the United States Department of Agriculture (USDA). Least productive agricultural soils shall be considered first for development unless it can be demonstrated to the planning board that:~~

~~1. Non-prime farmland is not reasonably available on the subject property.~~

h. All applications for solar energy generating systems in the agriculture and resource protection district shall be subject to the following provisions:

1. Siting of the overall facility and individual panels shall keep with the existing contours of the land;

2. Only pile driven, or ballast block footing shall be used so as to minimize the disturbance of soils during installation;

3. To the extent possible, infrastructure shall not be located on steep slopes; and

4. A plan for topsoil maintenance shall be provided at the time of application to the planning board.

i. All operations and maintenance plans shall also include:

1. A plan prioritizing the ability to co-mingle agricultural and energy generation land uses including but not limited to: apiaries, grazing or handpicked crops.

2. A plan that provides habitat for native plants and animals and native pollinators.

(20) Municipal or public utilities and communication facilities.

(21) Municipal uses.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019; Ord. No. 17-11182019, 12-9-2019; Ord. No. 05-05182020, 6-1-2020; Ord. No. 11-03012021, §§ 5, 6, 3-15-2021; Ord. No. 02-02132023, 2-17-2023; Ord. No. 03-04182023, 5-1-2023; Ord. No. 10-06202023, 7-10-2023; Ord. No. 17-09052023, 9-18-2023)

Sec. 60-146. Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created after October 1, 2017 containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage along a publicly accepted street, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres, except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.

a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.

b. On legally existing nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2.

c. A dwelling may be constructed on lots lawfully existing as of October 1, 2017 and containing less than ten acres, only if approved pursuant to subsection 60-145(a)(1).

(2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per ten acres, unless approved pursuant to subsection (1)c. above.

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less, and having a maximum depth of 30 percent of the average depth of the lot.

(4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.

(5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.31C; Ord. No. 18-11182019, 12-9-2019; Ord. No. 11-03012021, §§ 7, 8, 58, 3-15-2021; Ord. No. 10-06202023, 7-10-2023; Ord. No. 17-09052023, 9-18-2023)

Secs. 60-147—60-199. Reserved.

ORDINANCE 06-04062026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances Chapter 60 to comply with LD-427 "An Act to Regulate Municipal Parking Space Minimums", which prohibits a municipality from requiring more than one off-street parking space per dwelling unit and allows a developer to satisfy parking requirements through an off-site parking agreement within existing facilities located within a ¼ mile of the development site.

Passed first reading 4/6/26, 7-0.
Passed second reading 4/21/26, 7-0.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor
Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE I. IN GENERAL

Sec. 60-1. Terms.

For the purpose of this chapter, certain terms or words used herein shall be interpreted as follows:

Lot. The term "lot "includes the words plot or parcel.

Person. The term "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.

Shall/may. The term "shall" is mandatory, the term "may" is permissive.

Tense. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

Used or*occupied.* The term "used" or "occupied" includes the words intended, designed, or arranged, to be used or occupied.

(Ord. of 9-21-2009, § 2.1)

Sec. 60-2. Definitions.

Parking agreement, means an agreement between a property developer and the owner of an off-site parking facility to provide required parking spaces within 1/4 miles of a development site.

Parking space, off-street, means a rectangular area, not less than nine feet by 18 feet, forming a parking stall within or without a structure, not located in any public right-of-way.

ARTICLE V. OFF-STREET PARKING AND LOADING

Sec. 60-607. General provisions and design standards.

Development of the parking and loading spaces required by this section is subject to the following general provisions and design standards:

~~(5) The required parking and/or loading spaces shall be provided on the same lot as the principal use, building or structure they are required to serve. For buildings other than dwellings, parking spaces may be located not more than 300 feet there from should practical difficulties prevent their provision on the same lot.~~

(10) The planning board may impose conditions for off-street parking serving a business or industrial use which abuts the side or rear lot line of a lot in a residential district regarding location, fencing, screening, drainage, ingress and egress, signs and lighting and total capacity of the parking area designed to protect the residential character of the neighborhood are met. ~~Any parking or loading space serving a business or industrial use which abuts the side or rear lot line of a lot in a residential district or use shall be~~ Screening~~screened~~ shall include~~from said lot by~~ a tight evergreen shrub hedge or similar landscaping, a fence, a solid wall or a combination of two or more of the foregoing. The screen landscaping, wall or fence shall be at least six feet high and may be extended no closer than 15 feet from the street line.

(18) Required off-street parking as permitted in any residential or commercial zoning district~~in the Form Based Code areas~~ for lots which cannot provide their own parking because of location, lot size or existing development may be substituted by parking facilities which, in the public's interest may be provided for by the municipality or private parking resources. No such public or private off-street parking shall be considered as a substitute unless located within 1/4~~1,000~~ mile~~feet~~ of the principal building or use as measured along lines of public access. A developer engaged in an off-site parking agreement shall provide documentation demonstrating the availability of sufficient capacity at the off-site parking facility.

~~(19) In calculating the required number of off-street parking spaces, the gross leasable area shall be used.~~

(Ord. of 9-21-2009, § 4.1A; Ord. No. 0403212016, 4-4-2016; Ord. No. 11-03012021, §§ 39, 71, 3-15-2021)

Sec. 60-608. Parking requirements.

A minimum number of off-street parking spaces shall be provided with each residential use permitted, erected, altered or changed, in accordance with the following standards:

Off-street land use	Minimum number of parking spaces
Residential	
Single-family; farm	1 space/dwelling ~~per~~ unit
Multifamily; two-family	1 space/dwelling ~~per~~ unit
Elderly**	One-half per dwelling unit
Affordable housing development	Off-street parking requirement may not exceed 2 spaces for every 3 units.

**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.

(Ord. of 9-21-2009, § 4.1B; Ord. No. 28-06212021, 7-19-2021; Ord. No. 23-12022024, 1-6-2025)

DIVISION 7. MULTIFAMILY SUBURBAN DISTRICT

Sec. 60-305. Purpose.

This district is intended to stabilize and protect medium to high density residential areas by providing for a varied denser urban pattern made suitable to the needs of the population by encouraging a range of dwelling types. This multifamily zone has a maximum density of 17 dwelling units per acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.

(Ord. of 9-21-2009, § 3.44A)

Sec. 60-306. Use regulations.

(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(1) All uses are permitted by special exception in the Urban Residence (UR) District (division 6 of article IV of this chapter).

(2) Off-street parking lot~~, provided that:~~

~~a. Such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same zone.~~

~~b. Reasonable conditions imposed by the planning board regarding location, fencing, screening, drainage, ingress and egress, signs and lighting and total capacity of the parking area designed to protect the residential character of the neighborhood are met.~~

Sec. 60-361. General standards.

The following provisions apply to all planned unit development districts:

(1) The dimensional requirements as stated in individual zoning districts shall apply within the PUD but may be increased or decreased due to individual site characteristics as determined by the planning board to promote the purposes set forth in section 60-359 of this chapter.

(2) Off-street parking and loading spaces shall be provided in accordance with article V of this chapter.~~The planning board may increase or decrease the required number of off-street parking spaces as stated in article V of this chapter in consideration of the following factors:~~

~~a. The probable number of cars owned by occupants of dwellings in the planned unit development;~~

~~b. The parking needs of any nonresidential uses;~~

~~c. Varying time periods of use, and whatever joint use of common parking areas is proposed.~~

~~(3) Whenever the number of off-street parking spaces is reduced because of the nature of the occupancy, the city shall obtain assurance that the nature of the occupancy will not change.~~

(4) A PUD involving residential uses shall reserve an amount of land equal to that required by section 60-1367 to be held as open space for the mutual use of the residents of the PUD or open to the public. Land reserved to satisfy the open space requirement shall be:

a. Administered through a homeowner's association; or

b. Dedicated to and accepted by the city for public use; or

c. Land occupied by a major recreational use adjacent to a PUD-RR; or

d. Managed by a non-profit organization or land trust deemed capable of management by the planning board; or

e. A combination of a, b, c and/or d above.

(5) All of the requirements of the City Code of Ordinances applicable to the zoning district not addressed in this division, shall apply.

(6) Before granting approval of the final development plans, the planning board must find that said plan addresses each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved::

a. The proposed development has an appropriate relationship to the surrounding area;

b. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust. Proper circulation in parking areas is designed for safety, convenience, separation and screening;

c. Adequate open space has been provided with consideration given to preservation of natural features including trees and drainage areas, topographic features, recreation and views.

d. Privacy in terms of needs of individuals, families and neighbors;

e. Pedestrian and bicycle traffic in terms of safety, separation, convenience and access points;

f. Building types in terms of appropriateness to density, site relationship and bulk;

g. Building design in terms of orientation, spacing, character, storage, signs and lighting;

h. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;

i. Preservation of historically or architecturally significant buildings or places, if any;

j. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by section 60-360(a) in the case of a PUD-RR.

k. That the proposal meets the requirements of section 60-1335, special exception of this ordinance.

(Ord. of 3-16-2009, § 3.51(D); Ord. of 9-21-2009, § 3.51D; Ord. No. 08-08072017, 9-11-2017)

Sec. 60-35. Conversion of one-family dwellings.

In all residential, general business and form based code districts, one-family dwellings erected prior to January 1, 1958, may be converted to two-family dwellings provided that:

(1) Any floor space created by additions to the existing structure after January 1, 1958, shall not be converted to a second dwelling.

~~(2) There will not be less than one accessible off-street parking place of 200 square feet in area, exclusive of driveways, per dwelling unit resulting from such conversion.~~

(3) Stairways leading to any floor above the first floor will be enclosed within the exterior walls of the dwelling and any fire escapes required will be on the rear or one side of the dwelling and not on any wall facing a street.

(4) After such conversion, the building converted will retain substantially the appearance and character of a one-family dwelling.

(5) Single-family dwellings may be converted into two- or multi-family buildings if located in the growth area as delineated in the future land use map of the most recent comprehensive plan and pursuant to sections 60-53 and 60-54.

(6) Lots in the designated growth areas that are zoned urban residential, suburban residential, rural residential, and low-density country residential shall contain no more than two dwelling units per building.

(Ord. of 9-21-2009, § 3.1C; Ord. No. 04-03072016, 5-16-2016; Ord. No. 23-12022024, 1-6-2025)

Sec. 60-499. Use regulation.

(a) *Permitted uses.* The following uses are permitted:

(1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 7 of article IV of this chapter).

(2) Grocery stores and supermarkets.

(3) Clothing stores.

(4) Furniture stores.

(5) Department stores.

(6) Specialty shops.

(7) Hotels and motels.

(8) Funeral homes and mortuaries.

(9) Child day care centers.

(10) Medical and dental clinics.

(11) Wholesale bakeries.

(12) Retail laundries and dry cleaners, but not plants.

(13) Banks, business and professional offices.

(14) Public transportation passenger offices.

(15) Governmental offices.

(16) Municipal, civic or public service buildings and other utility facilities.

(17) Warehouses, wholesale offices, salesrooms and showrooms.

(18) Restaurants, bars, dining rooms or lunchrooms, but not to include drive-in and carry-out restaurants.

(19) Halls, private clubs and lodges, bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.

(20) Animal hospitals and pet shops, but no kennels.

(21) Business equipment repair and business services.

(22) Radio and television studios.

(23) Printing shops, but not publishing plants.

(24) Retail, service, office and commercial uses similar to the foregoing.

(25) Carwashes.

(26) Accessory uses, building and structures.

(27) Shelters for abused persons.

(28) Greenhouses and lawn maintenance services.

(29) Temporary outdoor places of amusement.

(30) Churches and temples.

(31) Adult use and medical marijuana stores subject to the requirements of chapter 14, article XVIII of the City of Auburn Ordinances.

(32) Marijuana cultivation accessory to a licensed retail store on the same property.

(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(1) Automobile filling stations.

(2) Automobile repair and service stations.

(3) Automobile and marine sales lots and sales and service agencies.

(4) Automobile and marine paint and body repair shops.

(5) Hospitals, care homes, boardinghouses and lodginghouses.

(6) Research or philanthropic institutions.

(7) Outdoor theaters.

(8) Drive-in or carry-out restaurants.

(9) Commercial parks.

(10) Sales, rental and service agencies for mobile homes, farm equipment, trucks and trailers, and machine equipment.

(11) Light industrial plants which will not create a nuisance by noise, vibration, smoke, odor or appearance.

(12) Off-street parking as a commercial or municipal use~~ provided that such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same district. The planning board may impose conditions regarding fencing and screening, drainage, ingress and egress, signs and lighting, and total capacity of the parking area as it deems necessary to protect the character of the neighborhood.~~

(13) Trucking terminals and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials.

(14) Convenience stores.

(15) Research, experimental and testing laboratories.

(16) Landscape services.

(17) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under subsection (a) of this section which will occupy an area of 5,000 square feet or more.

(18) Automotive towing and storage.

(19) Major retail development provided that it meets the conditions noted in section 60-45(g).

(20) Outpatient addiction treatment clinics.

(21) Adaptive reuse of structures of community significance.

(22) Public safety services.

a. All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.

(23) Government services.

a. All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.

(24) Manufacture, compounding or assembling of articles using Maine derived forest products, agricultural products or other natural resource inputs.

a. The property is located in the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District.

(Ord. of 9-21-2009, § 3.62B; Ord. No. 11-11072016, 11-21-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 05-05202019, 6-3-2019; Ord. No. 11-03012021, §§ 30, 31, 3-15-2021; Ord. No. 02-02132023, 2-17-2023; Ord. No. 09-05062024, 5-20-2024)

Sec. 60-669. Mobile home park standards.

Mobile home parks proposed to be established must have a minimum of three lots and be located within 1,500 feet of municipal sewer and water. Mobile home parks shall meet all of the following standards set forth in this division:

(1) *Minimum lot size.*

a. The minimum lot size shall be 5,000 square feet.

b. The following frontage and setbacks shall apply:

Frontage	50 feet
Front setback	15 feet
Side	10 feet
Rear	10 feet

(2) *Parking in front yard to zero lot line.* Setbacks may be reduced along rear lot lines of lots adjacent to abutting property where buffers are proposed along the perimeter of the proposed park.

(3) *Siting.* All mobile home lots shall be laid out on the proposed subdivision and site plan showing approximate pad locations prior to final approval. On sites/lots which abut rear lot lines, the pads shall be offset as to not obstruct view from the rear portion of each unit. Units/lots that abut public roads shall meet front yard setbacks established by the zone in which the park is proposed.

(4) *Off-street parking requirements.*

a. Off-street parking in the form of parking lots or carports for mobile home parks shall meet the same standards as provided in article V of this chapter.

~~b. Residential parking spaces need not be located on lots occupied by the dwelling units served, but at least two such spaces per unit shall be reserved for, and located within 100 feet walking distance of the dwelling unit it is intended to serve. No on-street parking will be provided.~~

b.~~c.~~ Parking on each individual lot will be allowed to infringe the principal structure setbacks. All off-street parking must be of an impervious material. All off-street parking lots proposed must be shown on the site and subdivision plans at time of planning board review.

c.~~d.~~ Lots with 50 feet of frontage will allow parking within the ten-foot side yard setback and associated front setback.

(5) *Buffering and landscaping.*

a. All parks shall provide and maintain a buffer strip of 50 feet around the perimeter of the mobile home park. If the per acre density of homes within the mobile home park is at least two times greater than:

1. The density of residential development on immediately adjacent parcels of land; or

2. If the immediately adjacent parcels of land are undeveloped, the maximum net residential density permitted by applicable municipal ordinances or state law. This buffer must include either a wooden stockade fence, a chainlink fence with vegetative cover at a minimum height of six feet or the buffer must be heavily vegetated with coniferous trees that at the time of planting must be six feet in height. Heavily vegetated is considered to mean trees planted in a row at least eight feet on center. The buffer vegetation shall not exceed 25 feet in width. Each row shall be offset from the adjacent row. The planning board may

allow a reduction in the buffer width, if the developer can prove that the intent of this provision is not impaired.

b. Where possible, existing trees shall be preserved, mobile home sites shall be oriented with respect to scenic vistas, natural landscape features, topography and natural drainage areas. Areas such as wetlands shall be preserved in accordance with the Army Corps of Engineers standards.

c. Open space, storage or recreation requirements shall not exceed ten percent of the combined area of the individual lots within a mobile home park. If the developer wishes to develop more than ten percent open space, storage and/or recreation area, he may do so.

(6) *Accessory buildings and utility sheds.*

a. Utility sheds or accessory buildings will be allowed along the rear portion of the lot and along the rear lot line and shall not exceed two percent of the lot size.

b. At least one large storage facility may be required in the park in order to store such items as recreation vehicles, boats, snowmobiles and all other licensed and unlicensed recreation vehicles which might otherwise be stored in a parking space to be utilized by an individual unit. This area shall in total not be less than 50 square feet for each mobile home lot and shall have screening around the storage area on all four sides. Fully enclosed security fencing is encouraged.

(7) *Street design standards.* Privately owned and maintained streets shall meet the following requirements:

a. Streets shall have a right-of-way of 23 feet in width, and pavement shall be 20 feet in width.

b. Intersections proposed as part of the mobile home park which will tie directly into city accepted streets, shall meet minimum intersection geometric design standards as developed by the institute of transportation engineers or the American Association of State Highway and Transportation Officials.

c. All street design plans must be stamped and signed by a registered professional engineer.

(8) *Refuse.* Refuse containers shall be conveniently located throughout the site at a rate of one eight yard garbage container for every 20 mobile home units and shall be fenced in on three sides in order to protect the health and safety of the park residents. This standard is based on a weekly pickup and may be reduced if pick-up is more frequent. In the event lot-to-lot pickup is provided by the park management, this provision shall be waived.

(9) *Fire hydrants.* Fire hydrants shall be placed at a distance of no more than 1,000 feet apart in order to service the complete mobile home park.

(10) *Mailboxes.* Must be established in such a manner that at a minimum five vehicles may be able to either park or be queued in order to pick up mail at the proposed mail box location. This location must also be approved in writing by the local postmaster.

(11) *Design and anchoring of units.* All units being established within an approved mobile home park are subject to all standards noted in section 60-1010(d)(1) through (10).

(12) *Site plan standards for review.* Provisions of this section are subject to both division 4, subdivision, and division 2, site plan review, of article XVI of this chapter for review.

(13) *PUDs.* Planned unit developments (PUDs) are encouraged under section 60-385. If a developer proposes a park under the PUD section, then all standards and sections of that article must be met.

(Ord. of 9-21-2009, § 4.3E; Ord. No. 11-03012021, § 37, 3-15-2021)

DIVISION 14. FORM BASED CODE[1]

Subdivision I. In General

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS(2)
Residential Use Type							
Single family	P	P	P	P	P	P	1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-family	P	P	P	P	P	P	1 sp/DU plus ~~1 guest space/4 DU~~
Bed & breakfast < 4 rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & breakfast > 4 rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room

[1]Editor's note(s)—Ord. No. 04-03072016, adopted May 16, 2016, repealed former Div. 14, §§ 60-546—60-549, in its entirety and enacted new provisions as herein set out. Former Div. 14 pertained to the central business district and derived from Ord. of 9-21-2009, §§ 3.69A—3.69D; Ord. of 2-16-2010.

Elderly/child care facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/8 users
Home occupation	P	P	P	P	P	P	Based on use type (ch. 60, art. IX)
Community based residential facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding house/ lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus 1 sp/employee
Office/Service							
Professional offices	S	S	S	P	P	P	None
Medical and dental clinics	S	S	S	P	P	P	None
Personal services	S	S	P	P	P	P	None
Retail Type Use							
General retail	S	S	S	P	P	P	None
Age restricted retail(3)	S	X	S	S	S	S	None
Specialty shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor	X	X	S	S	P	P	None
Halls, private clubs, indoor amusement	S	S	S	S	P	P	None
Artist studios, performing art center	S	S	S	P	P	P	None
Civic							
Church or places of worship	S	S	S	P	P	P	None
Government offices	X	S	X	P	P	P	None
Art galleries	S	P	P	P	P	P	None
Transportation facilities	X	X	X	S	S	S	None
Adaptive reuse of structures of community significance	S	S	S	S	S	S	None
Public safety services(5)	S	S	S	S	S	S	None
Government service(5)	S	S	S	S	S	S	None
Municipal or public utilities and	S	S	S	S	S	S	None

communication facilities(5)							
Municipal services	P	P	P	P	P	P	None
Detention facility(5)	X	X	X	X	S	X	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

~~(2) * Parking requirements in T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 500 feet of the principal building, subject to planning board approval.~~

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, service and retail uses limited to 1,500 SF footprint and must include a residential unit; no drive through businesses allowed.

(5) All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.

~~(6) For an affordable housing development, off-street parking requirements may not exceed two spaces for every three units.~~

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021; Ord. No. 20-09062022, § 3, 9-19-2022; Ord. No. 02-02132023, 2-17-2023; Ord. No. 23-12022024, 1-6-2025)

ORDINANCE 07-04212026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 2, "Administration" of the City's Code of Ordinances regarding Article VIII. "Citation System of Code Enforcement", as seen on the attached.

Passed first reading 4/21/26, 7-0.
Passed second reading 5/4/26, 7-0

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE VIII. CITATION SYSTEM OF CODE ENFORCEMENT[1]

DIVISION 1. GENERALLY

Sec. 2-605. Applicability; enforcement officials.

(a) This article shall apply to enforcement proceedings under the following:

(1) Chapter 12, article III, the building code.

(2) Chapter 14, article II, licenses

(~~2~~3) Section 18-1, pertaining to prohibited activities in Lake Auburn watershed.

(~~3~~4) Chapter 18, article II, pertaining to soil disturbance and fill standards.

(~~4~~5) Chapter 18, article III, pertaining to post-construction stormwater management.

(~~5~~6) Chapter 20, article III, the fire code.

(~~6~~7) Chapter 12, article III, division 2, the electrical code.

(~~7~~8) Chapter 12, article IV, the housing code.

(~~8~~9) Chapter 44, pertaining to solid waste.

(~~9~~10) Chapter 46, pertaining to streets, sidewalks and other public places.

(~~10~~11) ~~——~~Chapter 60, pertaining to zoning.

(b) The inspectors under the various codes are referred to in this article collectively as enforcement officials.

(Code 1967, § 33-1.1)

Sec. 2-606. Effect of article on other ordinances.

This article does not supersede or repeal other enforcement procedures or preclude the initiation of other enforcement proceedings under state law or other municipal ordinances ~~except to the extent that enforcement proceedings are inconsistent with this article~~. The enforcement official has discretion to enforce violations of ordinance or state law under this article and / or pursuant to other authority.

(Code 1967, § 33-2.10)

[1]State law reference(s)—Enforcement of civil violations, 17-A M.R.S.A. § 17.

Sec. 2-607. Investigation of violation.

Upon receipt of information indicating the likelihood of a violation subject to this article, the enforcement official or a ~~his~~ duly authorized agent shall investigate the facts and may ~~make an inspection of~~inspect the premises when legally authorized to do so.

(Code 1967, § 33-1.2)

Sec. 2-608. Notice of violation and Order of Correction.

(a) If the investigation reveals that a code violation has occurred, the enforcement official shall give written notice of such violation to the person having control of the land, building, structure or sign involved in the violation, referred to in this section as "the violation," and ~~demand~~ order that the violation be corrected.

(b) Notice of the violation may be served as follows:

(1) delivered in hand to the violator or by leaving a copy thereof at the violator's dwelling house or usual place of abode ~~left for him~~ with a person of suitable age and discretion then living therein in the same household. If service is made personally or by leaving at his dwelling house or usual place of abode a statement signed by the person so serving stating the date of service shall be filed in the office of planning and development.

(2), or mailed to ~~him~~ the violator by certified mail to his last known address. If the return receipt is not returned, a notice shall be conclusively presumed to have been served if it is also sent by regular mail, postage prepaid, which is not returned as undeliverable by the postal service.

(c) ~~Such~~ A notice of violation shall

(1) be in writing;

(2) include a statement of the reasons why it is being issued;

(3) describe the violation, including a reference to the ordinance section violated~~,~~;

(4) specify a reasonable period as to each violation within which corrective action must be completed~~;~~ ~~and~~

(5) state the potential consequences if the violation is not corrected; and ~~. The notice~~

(6) inform the violator of the right to dispute the order and how that right is exercised by appeal, and specify the consequences of the failure to appeal~~shall also advise the property owner of his right to appeal to the appropriate authority if he disagrees with the enforcement official's determination that he is violating the ordinance~~.

(Code 1967, § 33-1.3)

Sec. 2-609. Civil proceedings.

If appropriate action to correct the violation has not been taken within the period established in this article, the enforcement official or the city solicitor may initiate appropriate court proceedings to prevent, correct or abate the violation. Such court proceedings may include the initiation of a land use complaint pursuant to rule 80K of the Maine Rules of Civil Procedure.

(Code 1967, § 33-1.4)

Sec. 2-610. Penalties.

~~The following p~~Penalties ~~shall apply to citations issued pursuant to this division as defined in the city's fee schedule.~~ The enforcement official or the city solicitor seek penalties pursuant to 30-A M.R.S. § 4452 as applicable.~~:~~

~~First citation$105.00~~

~~Second citation$210.00~~

~~Third citation$420.00~~

~~Fourth and subsequent citations$840.00~~

~~(Ord. of 5-3-2010)=~~

Secs. 2-61~~1~~0—2-636. Reserved.

DIVISION 2. ALTERNATIVE ENFORCEMENT PROCEDURE

Sec. 2-637. Issuance of citation.

If appropriate action to correct the violation has not been taken within the period established by the enforcement official pursuant to this article, he may, as an alternative to initiating court action, issue a citation to the violator.

(Code 1967, § 33-2.1)

Sec. 2-638. Contents of citation.

(a) ~~The citation provided for in this division shall be in writing, describe the nature of the violations, including the ordinance sections violated, and state the dates by which the violations were to have been corrected, that a civil penalty of $50.00 has been imposed for the violation, the date by which the penalty must be paid and to whom, and the consequences of failing to pay within the period stated.~~

The citation provided for in this division shall be in writing, describe the nature of the violations, including the ordinance sections violated, and state the dates by which the violations were to have been corrected, that a civil penalty as established in the fee schedule set forth later in this chapter has been imposed for the violation, the date by which the penalty must be paid and to whom, and the consequences of failing to pay within the period stated.

(b) The number of days allowed by the enforcement official within which corrective action must be taken shall be reasonable given the notice period previously given to the violator, the nature of the violation to be corrected, and the time which the code enforcement official estimates will be required to perform the corrective work.

(c) The citation shall also advise the violator of his right to request an extension of time to correct the violation as provided in this division. The citation shall state that an additional civil ~~penalty of $100.00~~ penalties will be imposed and that further citations may be issued if the violation has not been corrected within the time specified.

(Code 1967, § 33-2.2)

Sec. 2-639. Time limits for corrective action.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Immediate risk or nuisance means a condition or circumstance which poses an immediate threat to the health or safety of individuals or their property.

Long term risk or nuisance means a condition or circumstance which does not pose an immediate threat to the health or safety of individuals or their property, but could cause a hazard or create a physical or aesthetic nuisance if not corrected.

Short term risk or nuisance means a condition or circumstance which, while posing a serious threat to the health or safety of individuals or their property, is not likely to occur so soon as to be an immediate danger.

(b) *Time periods which corrective action taken.* The following time periods within which corrective action must be taken shall be presumed to be reasonable for purposes of this article:

Description of risk	Corrective action time period
Immediate risk or nuisance	Zero hours to 24 hours
Short-term risk or nuisance	24 hours to one week
Long-term risk or nuisance	One week to 30 days

(Code 1967, § 33-2.3)

Sec. 2-640. Service of citation.

(a) Citations issued pursuant to this division may be delivered in hand to the violator or left ~~for him~~ with a person of suitable age and discretion living in the same household. If the violator is a corporation, citations way be served on an authorized official, or, if none is available, upon any employee of the corporation.

(b) Citations may also be served by certified mail, return receipt requested. If the return receipt is not signed, the citation shall be presumed to have been served if also sent by ordinary mail which has not been returned by the postal service.

(Code 1967, § 33-2.4)

Sec. 2-641. Amount of penalty.

~~(a)~~ The penalties for violations punishable by citations under this division shall be as defined in the city's fee schedule. ~~as follows:~~

~~First citation $105.00~~

~~Second citation $210.00~~

~~Third citation $420.00~~

~~Fourth and subsequent citations $840.00~~

~~(b) The fines imposed shall be cumulative.~~

~~(Code 1967, § 33-2.5; Ord. of 5-3-2010)~~

Sec. 2-642. Further citations.

~~If the corrective action required has not been taken within the time specified in the first citation issued under this division, the code enforcement official may issue a second citation. The second citation shall contain the same information set forth in the first citation regarding the nature of the violation, but may do so by reference to the first citation in the discretion of the code enforcement official. It shall also state that, in addition to the previous civil penalties, a civil penalty of $200.00 will be imposed and that further citations may be issued if the violation has not been corrected within the specified time. The time limit indicated may be the same as the time allowed in the first citation or may be altered if there has been a change in circumstances. The same procedure may be repeated by the issuance of a third citation punishable by a civil penalty of $500.00 if the corrective action has not been taken within the time specified.~~

If the corrective action required has not been taken within the time specified in the first citation issued under this division, the code enforcement official may issue a second citation. The second citation shall contain the same information set forth in the first citation regarding the nature of the violation but, may do so by reference to the first citation in the discretion of the code enforcement official. It shall also state that, in addition to the previous civil penalties, an additional civil penalty ~~of two hundred ten dollars ($210)~~ will be imposed and that further citations may be issued if the violation has not been corrected within the specified time. The time limit indicated may be the same as the time allowed in the first citation or may be altered if there has been a change in circumstances. The same procedure may be repeated by the issuance of a third citation punishable by a civil penalty ~~of four hundred twenty dollars ($420)~~ if the corrective action has not been taken within the time specified. Any fourth and each subsequent citation shall be punishable by a civil penalty as defined in the city's fee schedule. ~~of eight hundred forty dollars ($840).~~ The fines imposed shall be cumulative.

(Code 1967, § 33-2.6)

Sec. 2-643. Interest on unpaid penalties.

All civil penalties imposed by citation under this division shall be due within five days after the date the corrective action specified was to be taken. Interest computed at the rate of 18 percent per annum shall be added to all unpaid civil penalties beginning five days after the date that the civil penalty became due. The code enforcement official or the city solicitor may initiate appropriate proceedings to collect any civil penalties which are not promptly paid, together with all outstanding interest.

(Code 1967, § 33-2.7)

Sec. 2-644. Extension of time to correct violation.

In any case in which the violator asserts that there is good cause for extending the period during which the violation can be corrected under this division, he may request such an extension from the enforcement official in writing, setting forth the reasons for the request. The filing of such an application shall not suspend the running of the time limit specified. The enforcement official shall act upon the request within two working days of its being presented. The decision of the enforcement official shall be final.

(Code 1967, § 33-2.8)

Secs. 2-645—2-661. Reserved.

ORDINANCE 08-04212026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 14, "Business Licenses and Permits", of the City's Code of Ordinances as seen on the attached.

Passed first reading 4/21/26, 7-0.
Passed second reading 5/4/26, 7-0.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE II. LICENSES

Sec. 14-26. Compliance with state and local law and rules required.

(a) Except as otherwise provided, no person shall engage in any business or activity, nor maintain any equipment or device, for which a license or permit is required, without having first complied with all applicable rules and regulations and having paid the proper fee and obtained a license therefore.

(b) Specifically, all licensees and applicants for licenses are required to comply with state statutes and rules, city ordinances and rules and regulations of city departments which pertain to the business or activity for which a license is desired. State rules include and are not limited to:

(1) State of Maine Food Code 2013 as adopted by the Maine Department of Health and Human Services, Health Inspection Program, 10-144 CMR 200 and the Maine Department of Agriculture, Conservation and Forestry, 01-01 CMR 331, October 1, 2013.

(2) Rules Relating to Lodging Establishments, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health 10-144 CMR 206, January 1, 2003.

(3) Rules relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201, last Amended on October 7, 2012.

(Ord. No. 38-02072011-05, att. § 24-26, 2-7-2011; Ord. No. 07-12172012, § 24-36(a), 1-7-2013; Ord. No. 08-09222014, 10-6-2014)

Sec. 14-27. Penalty.

~~The violation of any provision of this division shall be punished by a civil penalty, payable to the city, of not less than $100.00 and not more than $2,500.00 for each offense, based on the severity of the offense and number of occurrences. Each act of violation and every day upon which any such violation occurs shall constitute a new and separate offense. In addition to such penalty, if the court finds for the city, the city shall recover its costs of suit, including reasonable experts' fees, reasonable attorneys' fees and reasonable and necessary investigative costs.~~

The violation of any provision of this division shall be addressed and enforced in accordance with ARTICLE VIII. CITATION SYSTEM OF CODE ENFORCEMENT. Each act of violation, and each day that a violation continues, shall constitute a separate and distinct offense. All enforcement actions, procedures, and associated processes shall follow the citation system established in Article VIII.

(Ord. No. 38-02072011-05, att. § 24-27, 2-7-2011)

Sec. 14-28. License for each location required.

A license is required for each place or premises where a business regulated by this chapter, or any part thereof, including storage, is conducted. No licensee shall engage in such business in any manner at any place without first obtaining such license. The provisions of this section shall not apply to the following licenses, except

that a separate license shall be required for each cart, vehicle, conveyance or other carrier employed by such licensees: peddler, solicitor, sound amplification and taxicab.

(Ord. No. 38-02072011-05, att. § 24-28, 2-7-2011)

Sec. 14-29. Written application to be on approved form; submitted with appropriate fee.

Except when otherwise provided by the ordinances of the city, every application for a license shall be made in writing to the city clerk or designee upon a form to be provided by the clerk. Such application shall be signed by the applicant. The proper fee shall be paid to the clerk at the time of filing the application.

(Ord. No. 38-02072011-05, att. § 24-29, 2-7-2011)

Sec. 14-30. Business beginning after application date.

The license fee for any business shall be due and payable before such business is begun, provided, that when the licensee begins such business after the expiration of six months of the current license year, then such licensee shall be required to pay one-half the applicable yearly license fee prescribed, except as provisions otherwise require payment of the full license fee.

(Ord. No. 38-02072011-05, att. § 24-30, 2-7-2011)

Sec. 14-31. Fees; waiver.

The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the city council The city council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the city council at its next available meeting.

(Ord. No. 38-02072011-05, att. §§ 24-31, 2-7-2011)

Sec. 14-32. Applicants required to furnish information.

(a) Every applicant for a license shall furnish to the city the following information:

(1) Complete and exact name under which the business is proposed to be operated;

(2) If the business is proposed to be operated by an individual under any assumed name, the name of such individual and his address;

(3) If the business is a partnership, the name and address of each partner;

(4) If the business is a corporation, the name and address of the officers of the corporation, and the location of the principal office;

(5) Nature of the business for which a license is desired;

(6) Proposed physical location; and

(7) Proof of ownership or legitimate interest in property where business is to be conducted.

(b) In addition to the foregoing, the applicant shall furnish to the city clerk or designee such other information as may be required by him in order to enable him to determine the proper classification of the applicant and

the appropriate license fee and any other associated costs directly related to the application for a license, such as, but not limited to, the costs of public hearing ads and background check.

(Ord. No. 38-02072011-05, att. § 24-32, 2-7-2011)

Sec. 14-33. Investigation of applicants.

Wherever his approval is required or upon the request of the city clerk, the police chief may cause an investigation of any applicant for a license to be conducted prior to approval of such application for a license or permit.

(Ord. No. 38-02072011-05, att. § 24-33, 2-7-2011)

Sec. 14-34. Certification from city officials.

(a) Before an applicant receives a license, the city clerk shall submit the application for certification to the code enforcement officer, fire chief, police chief and city treasurer or their designee.

(b) Each city official has the authority to use back ground investigations, city records and any other means necessary to review each application in the course of the approval or denial process.

(c) The code enforcement officer shall inspect the premises to determine whether the facilities are sanitary and in compliance with the provisions of land use regulations, building standards and codes as well as all state and city rules and regulations for the type of business activities intended to be conducted.

(d) The fire chief shall determine whether the premises are free of a health safety and fire hazards and in compliance with all applicable standards.

(e) The police chief shall certify that the applicant has not had a history of complaints or problems on the proposed business, applicants, owners or managers; where the approval of the license would be adverse to the public health, safety and welfare of the citizens of the city.

(f) The city treasurer shall certify that all taxes and any monies due to the city have been paid or are current.

(g) In any case where the city requires the approval of the building inspector, code enforcement officer, police chief, fire chief or any other city official prior to issuance of the license, it shall be the duty of the city clerk or designee to notify in writing the officials whose approvals are required.

(h) The officials so notified, or their duly delegated representatives, shall approve or disapprove the application without delay and shall note their approval or disapproval thereon, stating the reasons for any disapproval.

(Ord. No. 38-02072011-05, att. § 24-34, 2-7-2011; Ord. No. 07-12172012, § 24-36, 1-7-2013)

Sec. 14-35. Hearing before city council; notice.

When required by the city council, a hearing will be held at which time the council shall decide whether to approve or disapprove any application for a license or permit. It shall be the duty of the city clerk or designee to notify the applicant of the time and place of the hearing. Such notice shall be mailed by the city clerk, postage prepaid, to the applicant at his last known address at least 48 hours prior to the date set for such hearing.

(Ord. No. 38-02072011-05, att. § 24-34, 2-7-2011; Ord. No. 07-12172012, § 24-36, 1-7-2013)

Sec. 14-36. Inspection of applicant's premises and merchandise.

Whenever required by state law, the ordinances of the city, the regulations of any city department, or upon the request of the city clerk, an inspection may be made of the applicant's premises or merchandise by the city assessors, police chief, fire chief, code enforcement officer, building inspector or other duly authorized city official prior to approval of any application for a license or permit. In addition, the premises or merchandise of every licensee shall be subject to such inspection at any time during the current license year; and the results of such inspections may be grounds for the suspension or revocation of any license issued by the city.

(Ord. No. 38-02072011-05, att. § 24-35, 2-7-2011)

Sec. 14-37. Disapproval by city officials; appeal to city council.

(a) In any case where the city requires the approval of the building inspector, code enforcement officer, police chief, fire chief or any other city official prior to issuance of the license, it shall be the duty of the city clerk or designee to notify in writing the officials whose approvals are required.

(b) The officials so notified, or their duly delegated representatives, shall approve or disapprove the application without delay and shall note their approval or disapproval thereon, stating the reasons for any disapproval. When required by the city council, a hearing will be held at which time the council shall decide whether to approve or disapprove any application for a license or permit. It shall be the duty of the city clerk or designee to notify the applicant of the time and place of the hearing. Such notice shall be mailed by the city clerk, postage prepaid, to the applicant at his last known address at least 48 hours prior to the date set for such hearing.

(c) The decision and order of the council on such hearing shall be final and conclusive.

(Ord. No. 38-02072011-05, att. § 24-36, 2-7-2011)

Sec. 14-38. Grounds and procedure for denial of license applications; exceptions.

(a) Except as otherwise specifically provided in this section, a license under this chapter shall be denied if the council makes a finding that:

(1) The applicant is a corporation that is not licensed to do business in the state;

(2) The applicant is a corporation, of which, at any time during the previous five years, a principal officer, or a person having an actual or beneficial ownership interest or management authority therein has been convicted of (a) any Class A, Class B, or Class C crime, or (b) a crime committed under the laws of the United States of America or of any other state or territory thereof, that is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that that is authorized for the commission of a Class C crime under state law; provided that such conviction was for an offense that is rationally related to the regulation of the business sought to be licensed;

(3) The applicant has been convicted of (a) any Class A, Class B or Class C crime, or (b) a crime committed under the laws of the United States of America or of any other state or territory thereof, that is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that that is authorized for the commission of a Class C crime under Maine law; provided that such conviction was for an offense that is rationally related to the regulation of the business sought to be licensed;

(4) The applicant has had his business license revoked within the five years preceding the date of the application;

(5) The applicant is a corporation, person or other business entity which does or will employ a person (a) who will be substantially in the ownership or management of the business and the employee's business license has been revoked within the five years preceding the application; or (b) who was a principal of any corporation whose business license has been revoked within the five years preceding the application;

(6) The applicant is a corporation, person or other business entity of which any person is a principal who will be substantially involved in the ownership or management of the business and the principal's business license has been revoked within the five years preceding the application;

(7) The proposed licensed premises or its use fails to comply with zoning or other land use ordinances;

(8) The proposed licensed premises or its use fails to comply with any municipal ordinance or regulation;

(9) There exist on or about the premises proposed to be licensed conditions such as waste disposal violations, health or safety violations or other such conditions that unreasonably disturb, interfere with, or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use or enjoy their property in a reasonable manner;

(10) The applicant has knowingly furnished false or misleading information on his application.

(b) No license or permit shall be issued by the city clerk or designee following a hearing at which the city council has disapproved any application for such license. In addition, the city clerk or designee shall deny a license or permit to any person whose application was disapproved by any city official whose approval was required.

(c) No license or permit shall be issued to any person who is indebted to the city upon any claim, tax or account that is more than 60 days delinquent. The city treasurer shall be responsible for making available to the city clerk or designee and any other license-issuing officers such information as is essential for compliance with this section.

(d) In case an application is disapproved, the city clerk or designee shall then notify the applicant in writing of such denial and shall refund the fee paid in. The city clerk or designee shall also notify the city council of such action at the next regularly scheduled meeting of the city council.

(e) In the event that the council, in an exercise of its sound discretion, determines that there exist extenuating circumstances with respect to the grounds for denial of a license or that the circumstances giving rise to the denial can be ameliorated by the imposition of conditions or limitations to the grant of a license, the council may, notwithstanding the grounds set forth in this section, grant a license to the applicant upon such conditions as the council in an exercise of its sound discretion deems to be just and appropriate.

(Ord. No. 38-02072011-05, att. §§ 24-36, 24-37, 2-7-2011; Ord. No. 07-12172012, § 24-36, 24-37, 1-7-2013)

Sec. 14-39. Appeal.

(a) Except as otherwise provided, appeals shall be made by filing a written notice of appeal with the office of the city clerk or designee within 30 days of the date of any such denial to the council in writing, whereupon a hearing will be scheduled, at which time the applicant shall have the right to be heard. It shall be the duty of the city clerk or designee to notify such applicants who have appealed, of the time and place of the hearing.

(b) Such notice shall be mailed by the city clerk, postage prepaid, to the applicant at the address furnished on the application form at least 48 hours prior to the date set for hearing. The city council may, at that time, approve any application previously denied by the affirmative vote of five or more members of the council.

(Ord. No. 38-02072011-05, att. § 24-37, 2-7-2011)

Sec. 14-40. Issuance of licenses.

Except where the ordinances of the city require a license to be signed by some other official or where otherwise provided for by the city council, the city clerk or designee shall issue all licenses for which an application has been submitted and approved.

(Ord. No. 38-02072011-05, att. § 24-38, 2-7-2011)

Sec. 14-41. Display of licenses.

Every license shall be kept prominently displayed at the place of business of the licensee named in the license, or, in the case of equipment licenses, the license shall be affixed to such machines or equipment as required to allow such license to be inspected at any time by any proper city official.

(Ord. No. 38-02072011-05, att. § 24-39, 2-7-2011)

Sec. 14-42. Change of location of licensed business.

No license issued in accordance with the provisions of this chapter for the conduct of any business at a fixed place designated in the license issued therefore shall be valid for the conduct of such business at any place other than that designated in such license.

(Ord. No. 38-02072011-05, att. § 24-40, 2-7-2011)

Sec. 14-43. Nontransferability.

Every license issued by the city shall be a personal privilege and shall not be assignable or transferable.

(Ord. No. 38-02072011-05, att. § 24-41, 2-7-2011)

Sec. 14-44. Duration of licenses; expiration date.

All licenses, except when otherwise provided, shall be for 12 months' duration and shall expire on the last day of the expiration month according to the following schedule:

Type of License	Term of License	Expiration
Adult Amusement Device	One Year	June
Automobile Graveyard	One Year	October
Beano/Bingo	Six Months, Or Up To Three Years Maximum	December
Bowling/Pool	One Year	Coincides With Food License
Circus/Traveling Amusement Show	Per Day	Per Event
Coin-Operated Device	One Year	June
Exhibition/Performance /Show	Per Day	Per Event
Flea Market	30 Days, 60 Days, 90 Days, Or One Year	Per Event
Food Service Establishment Class A—E, G	One Year	One Year From Date Of Issuance
Food Service Establishment Class F	Up To 30 Days	Per Event

Itinerant Vendor	30 Days, 60 Days, 90 Days, Or One Year	Per Event
Junk Collector/ Pawnbroker/Secondhand Dealer	One Year	Date Of Issuance
Mass Gathering/Event	Per Day	Per Event
Massage Establishment	One Year	Date Of Issuance
Motion Picture Theater	One Year	January
Outpatient Addiction Treatment Clinic	One Year	Date Of Issuance
Peddler	Up To 30 Days	Per Event
Roller Skating Rink	One Year	April
Roving Diner/Mobile Food Vendor	3 Months, 6 Months, One Year	April
Special Amusement	One Year	Coincides With Liquor License
Tattoo	One Year	Date Of Issuance
Taxicab/Taxicab Driver	One Year	December

(Ord. No. 38-02072011-05, att. § 24-43, 2-7-2011)

Sec. 14-45. Effective date.

Unless otherwise provided upon issuance of the license, the effective date of all licenses shall be the date of issuance.

(Ord. No. 38-02072011-05, att. § 24-44, 2-7-2011)

Sec. 14-46. Responsibilities of licensee.

It shall be the responsibility of the licensee of establishments regulated by this chapter to make certain that all rules and regulations prescribed by this chapter and state law are complied with, and each licensee shall cooperate fully with city officials to enforce such regulations.

(Ord. No. 38-02072011-05, att. § 24-45, 2-7-2011)

Sec. 14-47. City officials to notify ~~police~~ Planning, Permitting and Code Office of violators; prosecutions.

Any city ~~official having~~official who has knowledge of any person operating any business or activity regulated by this chapter without the required license, or violating any state or local regulations, shall furnish the ~~police chief~~ Planning, Permitting and Code office the name of such person. It shall be the duty of the ~~police chief~~Code Enforcement official to commence proceedings against the offenders of this chapter.

(Ord. No. 38-02072011-05, att. § 24-46, 2-7-2011)

Sec. 14-48. Suspensions and revocations; hearings.

(a) Where provided, duly authorized city officials; police chief, fire chief or code enforcement officer; shall have the power to temporarily suspend licenses, upon written notification of violation, for a period of up to five calendar days, when the continued operation of the licensed business or activity presents a danger to the

health, safety or general welfare of the public. This temporary suspension can be revoked when the licensed business rectifies the deficiencies which presented the danger.

(b) Any license issued by the city may be suspended or revoked by the city council and any license fees retained by the city, upon a finding by the council that the licensee has violated the ordinances of the city or the laws of the State, or has willfully or persistently failed to comply with any applicable rules and regulations. Any action to suspend or revoke a license may be commenced upon the initiative of the council, upon the recommendation of any city official charged with approving, inspecting or otherwise regulating the licensee's business or activity, or upon complaint from any resident of the city.

(c) Prior to suspending or revoking a license, the city council shall hold a hearing at the regular meeting of the council or a special meeting thereof called for that purpose. At such a meeting, the licensee shall have the right to be heard. Notice of the hearing for suspension or revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by the city clerk, postage prepaid, to the licensee at his last known address at least 48 hours prior to the date set for hearing. The decision and order of the city council at such hearings shall be final and conclusive.

(Ord. No. 38-02072011-05, att. § 24-47, 2-7-2011)

Sec. 14-49. Exemptions from license requirement or fees.

(a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.

(b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.

(c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.

(d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.

(e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.

(f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.

(g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.

(h) Minors operating a temporary concession stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011; Ord. No. 22-10032022, 10-17-2022)

Sec. 14-50. Food sovereignty license exemption.

(a) *Intent and purpose.* The intent and purpose of Auburn's Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local

food system to the fullest extent permitted by home rule authority under 30-A M.R.S.A. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7-A M.R.S.A. § 201 et seq.

(b) *Definitions.* As used in this section, the following words and phrases shall have the meanings indicated:

Consumer means any individual who purchases or otherwise receives local food or food products from a producer, grower or processor.

Grower means any individual who grows local food or food products.

Local food or food products means food, food products or drink grown, produced and processed by individuals within Auburn who sell or provide directly to consumers.

Local food system means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of Auburn and its residents.

Processor means any individual who processes or prepares local food or food products.

Producer means any individual who produces local food or food products.

(c) *Exemption.* Producers, growers, and processors of local food or food products in the city are exempt from licensure and inspection with respect to their provision or sale of local food and food products to consumers within the local food system of the city. To the extent this section conflicts with any portion of the Code of Ordinances of the city, this section shall prevail and, as it pertains to this section, that portion of code shall be inapplicable.

(Ord. No. 07-08072017, 8-21-2017)

Secs. 14-51—14-71. Reserved.

ORDINANCE 09-05182026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 52, "Traffic and Vehicles" of the City's Code of Ordinances as seen on the attached.

Passed 5/18/26, 4-3 (Walker, Gerry, Randall.)
Passed 6/1/26, 5-2 (Gerry, Walker).

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor
Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 2. NO PARKING AREAS

Sec. 52-320. Parking prohibited at all times.

Parking is prohibited at all times upon any of the streets or portions of streets described below:

Second Street	On the easterly side beginning at Mill Street and extending in a southerly direction for a distance of 70 feet.
Fifth Street	On the northwesterly side between South Main Street and Dunn Street.
Seventh Street	On the westerly side beginning at the northwesterly curbline of Broad Street and extending northerly for a distance of 64 feet.
Academy Street	On the northerly side between High and Main Streets.
	On the southerly side between High and Main.
	On the southerly side beginning at the corner of Main Street and extending in a westerly direction for 140 feet.
Aviation Drive	On the east side from Flight Line Drive to Lewiston Junction Road.
	On the west side from Lewiston Junction Road to Wrights Landing.
Bearce Street	On the west side from Manley Street to the dead end.
Blake Street	On the southeasterly side from Winter Street to Turner Street.
Boone Avenue	On both sides from Seventh Street to Walton Field.
Broad Street	On the southerly side from South Bridge to Mill Street.
	On the north side beginning at Second Street and extending easterly for a distance of 162 feet.
	On the northwesterly side beginning at Ninth Street and extending in a southwesterly direction to CMP Pole #31 for a distance of 300 feet.
Broadview Avenue	On the easterly side beginning at Newall Avenue and extending in a southerly direction for 554 feet.
Brookside Circle	On the ~~westerly~~ easterly side between Dennison Street and ~~the point at which Brookside Circle turns at an angle to the right.~~ Winter Street.
	~~On the northerly side from the angle in Brookside Circle to the westerly side of Winter Street.~~
	~~On the southerly side beginning 68 feet from the westerly curbline of Winter Street and extending 88 feet around the curve.~~
Brown Street	On the southerly side beginning at Center Street and extending westerly for 250 feet.
Burns Street	On the easterly side for its full length.
Center Street	On both sides, beginning at the downtown intersection of Turner Street and extending northerly to the northerly intersection of Turner and Center Streets.
Charles Street	On the east side south of Western Prom
Church Street	On both sides beginning at Turner Street and extending westerly for 300 feet.
Cleveland Avenue	On the easterly side from Minot Avenue to Marshall Avenue.
Cook Street	On the southeasterly side beginning at Ninth Street and extending in a southeasterly direction for 325 feet.

Court Street	On the north side beginning at the city line on the Longley Bridge and extending westerly to Goff Street.
	On the northerly side from Highland Avenue extending in a westerly direction to the corner of Haskell Street.
	On the northerly side beginning at James Street and extending 80 feet easterly.
	On the southerly side beginning at the point of intersection of the southerly side and an extension in a southerly direction of the easterly line of Highland Avenue, and extending in a westerly direction to a point 55 feet beyond the point of intersection of the southerly side and an of the extension southerly side of the northwesterly line of Haskell Street.
	On the southerly side beginning at the Lewiston City line and extending in a westerly direction across Main Street to a point 80 feet westerly of the westerly curbline of Main Street.
	On the southerly side beginning at Spring Street and extending in a westerly direction across intersecting streets to a point 46 feet westerly from the westerly line of South Goff Street.
	On the south side beginning at the easterly curbline of Harris Street and extending easterly for 46 feet.
	On the south side between Harris Street and Weaver Street.
Cross Street	On the northerly side for the entire length of the street.
Dartmouth Street	On the northerly side beginning at Center Street and extending westerly for 130 feet.
Dartmouth Street West	West—North side at 25 feet from Center Street.
Davis Avenue	On the turnaround at the dead-end portion of the street.
Davis Avenue	On the turnaround at the dead-end portion of the street.
Dennison Street	On the northerly side beginning 42 feet westerly of Winter Street and extending easterly to Whitney Street.
	On the southerly side beginning at Winter Street and extending westerly for a distance of 52 feet.
	On the southerly side beginning at Winter Street and extending easterly for a distance of 50 feet.
Drummond Street	On both sides, beginning at Main Street and extending westerly to the top of the hill.
	On both sides, beginning at Spring Street in a westerly direction to the dead end.
East Bates Street	On the northerly side beginning at Center Street and extending to Coolidge Street.
Eighth Street	On the northerly side, beginning at Broad Street in a westerly direction to the dead end.
ELHS	Upper parking lot off Forest Avenue
Elm Street	On the south side beginning at Main Street and extending for 164 feet.
	On either side beginning at Minot Avenue and extending easterly to Spring Street.
Fair Street	On the northerly side from Oak Hill Road and extending in a westerly direction to Center Street.
Fairmount Avenue	On the westerly side from Hunton Place to Harris Street.
	On the easterly side beginning at Harris Street and extending northerly for 330 feet.
Fern Street	On the northwesterly side beginning at Lake Street and extending in a southwesterly direction for a distance of 300 feet between the hours of 7:30 a.m. and 4:30 p.m. on days when Lake Street School is in session.

Forest Avenue	On the west side for the entire length of the street.
	From 155 feet south of Court Street to Court Street
Gamage Avenue	On the north side beginning at a point 65 feet from Dennison Street and extending in a westerly direction for a distance of 75 feet.
	On the northerly side beginning at Park Avenue and extending in an easterly direction for a distance of 80 feet.
	On Gamage Avenue southerly from Oakland (no parking from there to corner)
	From 51 Gamage Avenue to drive.
Gill Street	On both sides between Second Street and Third Street.
Goff Street	On the east side beginning at Court Street and extending to Hampshire Street.
	On the westerly side beginning at the corner of Court Street and extending in a northerly direction for a distance of 110 feet.
Gracelawn Road	On the northerly side beginning at CMP #9 and extending westerly for 950 feet.
Granite Street	On the easterly side between Court Street and Fern Street.
Hampshire Street	On both sides between Turner and Pleasant Streets.
	On the north side beginning at the intersection of Pleasant Street and running in a westerly direction for 60 feet.
	On the southerly side beginning at the corner of Pleasant Street and extending in a westerly direction across Troy Street to a point 100 feet westerly from the westerly corner of Troy Street.
Harris Street	On the easterly side beginning at the southerly curbline of Court Street and extending in a southerly direction for a distance of 90 feet.
	On the easterly side beginning at the end of the street and extending northerly for 132 feet.
	No parking on the westerly side.
Haskell Street	On the southeasterly side from Court Street to Lake Street.
High Street	On the west side beginning at the southwesterly corner of Court Street and extending in a southerly direction for a distance of 130 feet.
	On either side beginning at Minot Avenue and extending to Academy Street.
	On the easterly side beginning at the southeasterly corner of Court Street and extending in a southerly direction for distance of 188 feet.
Highland Avenue	Between Hillcrest and Wedgwood (both sides of street)
James Street	No parking on the easterly side for its full length.
Lake Auburn Avenue	On the easterly side beginning at the northeasterly corner of Whitney Street and extending in a northerly direction for a distance of 141 feet.
	On the easterly side beginning at Stanley Street and extending southerly for a distance of 80 feet.
	On the southeasterly side beginning at a point 180 feet from the northeasterly corner of Lake Auburn Avenue and Whitney Street and extending in a northeasterly direction on Lake Auburn Avenue for a distance of 325 feet between the hours of 7:30 a.m. and 4:30 p.m. when Washburn School is in session.
Lake Shore Drive	On the northerly side beginning at the intersection of Maple Hill Road and extending in an easterly direction for a distance of 2,640 feet.

Lake Street	On the northeasterly side from a point opposite the intersection of Fern Street to a point opposite the intersection to the southwesterly line of Lake Street and the northeasterly line of Court Street.
	On the southwesterly side beginning at Court Street and extending northerly 116 feet.
Laurel Avenue	On the northerly side beginning at the easterly curbline of Main Street and extending northeasterly for a distance of 114 feet.
Main Street	On the easterly side beginning at the southerly side of the northerly entrance of Newbury Street and extending in a southerly direction for a distance of 84 feet.
	Beginning at the northerly side of Laurel Avenue and extending northerly for 157 feet.
	On the east side beginning at Laurel Avenue and extending southerly to Newbury Street.
	On the easterly side beginning at the southerly curbline of Court Street and extending southerly for a distance of 50 feet.
	On the westerly side beginning at the southerly curbline of Court Street and extending southerly for a distance of 78 feet.
	On the easterly side beginning 180 feet south of the southerly curbline of Court Street and extending southerly for 120 feet.
	On the easterly side beginning at the southerly curbline of the northerly alleyway to Miller Street and extending southerly for 42 feet.
	On the easterly side beginning 100 feet northerly of the northerly curbline of the southerly alleyway to Miller Street and extending northerly for a distance of 76 feet.
Main Street	On the westerly side beginning at the northerly curbline of Mechanics Row extended and running northerly for a distance of 106 feet.
	On the westerly side beginning 170 feet from the southerly curbline of Court Street and extending southerly for 76 feet.
	On the easterly side beginning 220 feet northerly of Newbury Street and extending northerly for a distance of 416 feet.
	On the easterly side beginning at the Miller Street entrance at the south end of the Roak Block and extending southerly for a distance of 54 feet.
	On the westerly side between Mechanics Row and Drummond Street.
	On the westerly side between Drummond Street and Academy Street.
	On the westerly side beginning at the southerly curbline of Academy Street and extending southerly for a distance of 100 feet.
	On the easterly side beginning at the southerly corner of 220 Main Street and extending southerly for 260 feet.
	On the westerly side beginning at the northerly curbline of Academy Street and extending northerly for 68 feet.
Manley Court	On the southeasterly side beginning at a point 171 feet northeasterly from Manley Street and extending in a northeasterly direction for a distance of 63 feet and then in a northwesterly direction along the northeasterly terminus of the street for a distance of 28 feet.
Manley Street	On the south side beginning at Willow Street and extending in an easterly direction for a distance of 300 feet.
	On the southwesterly side beginning at Union Street and extending in a northwesterly direction for a distance of 65 feet.

	On the northeasterly side beginning at the corner of Union Street and extending in a northwesterly direction for 53 feet.
Maple Street	On the north side beginning at High Street and extending to Pleasant Street.
Mechanics Row	On both sides beginning at Court Street and extending to the end of the street.
Mill Street	On the northerly side beginning at the easterly curbline of Second Street and extending westerly for a distance of 80 feet.
	On the northerly side beginning at Pole #11 and extending in a southwesterly direction for a distance of 170 feet.
	On the northerly side beginning at Broad Street and of Third Street and extending in an easterly direction for a distance of 54 feet.
	On the northerly side beginning at Broad Street and extending westerly for a distance of 88 feet.
Miller Street	No parking on both sides.
	On both sides of both alleyways leading to Miller Street from Main Street.
Minot Avenue	On the east side beginning at High Street and extending northerly to the intersection of Fletcher Road.
	On the westerly side beginning at the corner of Court Street and running southwesterly to the intersection of Hatch Road.
	On the westerly side beginning at a point directly opposite the southeasterly corner of the Lown Shoe Company Building and extending in a southerly direction to High Street.
Newbury Street	On the west side extending from Laurel Avenue to Pole #6, Central Maine Power Company.
	On the northeasterly side beginning at a point just opposite Pole #4 and extending easterly for a distance of 134 feet.
Niskayuna Street	On the northerly side beginning at Center Street and extending in a westerly direction for a distance of 200 feet.
Northern Avenue	On the westerly side beginning at Cross Street and extending in a northerly direction for a distance of 166 feet.
Old Danville Road	On the westerly side beginning at a point 346 feet from the sideline of Danville Corner Road; thence proceeding in a southerly direction for a distance of 190 feet and being essentially the distance between the two driveways at #711 Old Danville Road.
Park Avenue	On the easterly side beginning at Gamage Avenue and extending in a northerly direction to a point opposite CMP Pole #44, by Auburn Methodist Church.
Parker Street	From Summer Street on both sides northerly to Turner Street.
	On the westerly side between Summer and Winter Streets.
Pettengill Road	On the easterly side from Oak Hill Road in a northerly direction for a distance of 1,060 feet.
	On the westerly side beginning at CMP Pole #3 and extending northerly for a distance of 484 feet.
Pleasant Street	On the east side beginning at Hampshire Street and extending in a southerly direction for a distance of 38 feet.
	On the east side beginning at Court Street and extending in a southerly direction to the intersection of Elm Street.
	On the east side beginning at Court Street and extending in a southerly direction for a distance of 151 feet.

	On the easterly side beginning at Turner Street and extending southerly for a distance of 68 feet.
	On the westerly side beginning at Hampshire Street and extending northerly for a distance of 100 feet.
	On the westerly side beginning 132 feet from Hampshire Street and extending southerly for a distance of 56 feet.
Poland Road	On the southeasterly side between Minot Avenue and Atwood Street.
Pride Road	On the west side beginning at Minot Avenue and running in a southerly direction for 300 feet.
Pulsifer Street	On the westerly side beginning at a point 250 feet northerly of the northerly curbline of Mill Street and extending 140 feet around the corner onto Second Street.
Reed Street	On the southeasterly side between Turner Street and Whitney Street.
Rowe Street	On the southeasterly side from Winter Street to Turner Street.
Sandy Beach Road	On the southerly side for its full length.
School Street	On both sides, from Troy Street to Union Street Bypass.
Sherwood Drive	On the westerly side from Marian Drive to 19th Street.
South Goff Street	On the easterly side for its full length.
South Main Street	On the east side beginning at Memorial Bridge and extending southerly for 41 feet.
	On both sides between CMP Poles 87 and 91 as presently located.
	On the easterly side beginning at a point 83 feet southerly from the end of the Memorial Bridge across the Little Androscoggin River and extending in a southerly direction for a distance of 47 feet.
	On the westerly side beginning at Mill Street and extending northerly to the Memorial Bridge.
	On the easterly side beginning at the southerly curbline of Broad Street and extending southerly for distance of 84 feet.
Spring Road	On both sides beginning at the Auburn Water District gate located nearest to West Auburn Road and extending in a southerly direction for a distance of 173 feet, including the turnaround.
Spring Street	On the westerly side beginning at Elm Street and extending in a northerly direction for a distance of 172 feet.
	On the easterly side beginning at Court Street and extending in a northerly direction for a distance of 100 feet.
	On the west side beginning at a point 278 feet from Court Street and extending in a southerly direction for 330 feet.
	On the westerly side between Hampshire Street and Troy Street.
	On the westerly side beginning at Court Street and extending northerly for a distance of 60 feet.
	On the westerly side beginning at Court Street and extending southerly for a distance of 158 feet.
	On the easterly side beginning at Court Street and extending southerly for a distance of 174 feet.
Stetson Road	On the southerly side beginning opposite Central Maine Power Pole #14 and extending easterly for 790 feet.
Stevens Mill Road	On the southwesterly side beginning at the intersection of Court Street and running in a northwesterly direction for a distance of 450 feet.
	On both sides from Minot Avenue to Court Street.

	On the northerly side beginning at Garfield Road and extending westerly to the end of the street.
Summer Street	On the northerly side from Dennison Street to Rowe Street. On the northeasterly side from Union Street to Dennison Street (No parking 6PM Sunday to 6PM Monday). On the northeasterly side from Rowe Street to Vining Street (No parking 6PM Sunday to 6PM Monday).
Taylor Street	On the southeast side from Dennison Street to Winter Street (No parking 6PM Sunday to 6PM Monday).
Temple Street	On the west side beginning at Manley Street and extending to the dead end.
Troy Street	On both sides, for its full length.
Turner Road	On both sides beginning at the northerly intersection of Turner Street and Center Street and extending northerly to the intersection of Fair Street and Turner Road.
Turner Street	On the easterly side from Court Street to the Turner Street entrance to the Great Falls Plaza.
	On the southerly side beginning at the easterly curbline of Dennison Street and extending easterly for a distance of 104 feet.
	On the easterly side beginning at a point opposite the southerly side of Pleasant Street and extending in a northerly direction to Center Street.
	On the northerly side from Lake Auburn Avenue to French's Lane.
	On the westerly side between Pleasant Street and Center Street.
	On the westerly side beginning at the southerly curbline of Hampshire Street and extending southerly for a distance of 80 feet.
	On the northerly side beginning at Center Street and extending westerly for a distance of 212 feet.
	On the southerly side between Burns Street and Union Street Bypass.
	Opposite Church Street at no parking signs.
Union Street	On both sides from Court Street to the intersection of Center and Turner Streets.
Vernon Street	On the northerly side from Center Street to Turner Street (No parking Sunday 6PM to Monday 6PM).
Vine Street	On the northerly side for its full length.
	On the southerly side beginning at the easterly curbline of High Street and extending in an easterly direction for a distance of 70 feet.
Vining Street	On the southerly side from Winter Street easterly to Summer Street.
Washington Street	On the southbound lane, beginning at Minot Avenue and extending in a southerly direction to Brick Yard Hill.
	On the northbound lane, beginning at Brick Yard Hill and extending in a northerly direction to the intersection of Minot Avenue.
West Auburn Road	On the westerly side beginning at a point opposite the northerly line of Summer Street and extending in a northerly direction for a distance of 1,425 feet.
	On the easterly side beginning at CMP Pole #146 and extending northerly 288 feet.
Western Avenue	On the westerly side beginning at the northerly curbline of Minot Avenue and extending in a northerly direction for a distance of 80 feet.
	Beginning on the easterly side at the northerly curbline of Minot Avenue and extending in a northerly direction for 115 feet.
Western Prom	South side.
Whitman Spring Road	No parking in turnaround area (anytime).

Whitney Street	On the northerly side beginning at the northeasterly corner of Lake Auburn Avenue, extending in an easterly direction for a distance of 70 feet.
Willow Street	On the westerly side beginning at Hampshire Street and extending in a northerly direction to Manley Street, between 7:30 a.m. and 4:30 p.m. on days when Webster School is in session.
Wilson Street	On both sides from Field Avenue to the end.
Wood Street	On the easterly side for its full length.
Youngs Corner Road	On the southerly side beginning at a point located 490 feet easterly of Perkins Ridge Road and extending in an easterly direction for 270 feet.
	On the southerly side beginning at a point 1,230 feet easterly of Perkins Ridge Road and extending in an easterly direction for a distance of 310 feet.

(Ord. of 02-01-2010; Ord. No. 22-12022024, 12-16-2024)

Secs. 52-321—52-343. Reserved.

DIVISION 3. RESTRICTED PARKING

Sec. 52-344. 15-minute parking, 7:00 a.m. to 6:00 p.m.

Vehicular parking on the following streets is restricted to 15 minutes from 7:00 a.m. to 6:00 p.m. in the locations prescribed in the following schedule:

Court Street	On the southerly side beginning at a point located 46 feet westerly from the westerly curbline of South Goff Street and extending in a westerly direction for a distance of 64 feet.
Drummond Street	On the southerly side between Spring Street and Pleasant Street.
Dunn Street	On the northerly side beginning at Third Street and extending easterly for 148 feet.
Hampshire Street	On the northerly side beginning 20 feet from Willow Street and extending easterly for 40 feet.
High Street	On the westerly side beginning at a point located 130 feet southerly from the southerly side of Court Street and extending in a southerly direction for a distance of 60 feet.
Mill Street	On the northeasterly side beginning at a point 130 feet from the Memorial Bridge over the Little Androscoggin River and extending in a southeasterly direction for a distance of 22 feet.
	On the northerly side beginning 80 feet easterly of the westerly curbline of Pulsifer Street and extending westerly for a distance of 20 feet.
South Goff Street	On the westerly side beginning at a point 28 feet southerly from the curbline of Court Street and extending in a southerly direction for a distance of 40 feet.
Spring Street	On the easterly side along the curbline between the two accessways leading to premises presently occupied by the Dairy Joy Ice Cream Bar.

Sec. 52-345. 30-minute parking, 7:00 a.m. to 6:00 p.m.

Vehicular parking on the following streets is restricted to 30 minutes from 7:00 a.m. to 6:00 p.m. in the locations described in the following schedule:

Elm Street	On the southerly side beginning at a point 32 feet westerly from the westerly line of High Street and extending in a westerly direction for a distance of 56 feet.
Main Street	On the easterly side beginning 48 feet from Newbury Street and extending northerly for a distance of 50 feet.
Pleasant Street	On the easterly side beginning 68 feet southerly of Turner Street and extending southerly for a distance of 52 feet.
School Street	On both sides between the MCRR tracks and Spring Street.
Summer Street	On the northeasterly side beginning 30 feet northwesterly of the intersection of Turner Street and extending in a northwesterly direction for a distance of 74 feet.

Sec. 52-346. One-hour parking, 12:01 a.m. to 6:00 p.m.

Vehicular parking shall be restricted to one hour from 12:01 a.m. to 6:00 p.m. on the streets and at the locations set forth in the following schedule:

Court Street	On the south side from Main Street to Spring Street.
Court Street lot	All stalls as indicated by paint on macadam surface.
Spring Street	On both sides from Court Street to Hampshire Street.
Turner Street	On the westerly side between Hampshire Street and Court Street.
	On the westerly side beginning 42 feet northerly of the northerly curbline of Hampshire Street and extending northerly 75 feet.

Sec. 52-347. One-hour parking, 7:00 a.m. to 6:00 p.m.

Vehicular traffic is restricted to one hour from 7:00 a.m. to 6:00 p.m. on the streets and at the locations indicated in the following schedule:

Broad Street	On both sides from Mill Street to Third Street.
Hampshire Street	On the northerly side beginning at a point 21 feet easterly from the easterly line of Spring Street and extending in an easterly direction for a distance of 98 feet.
Mill Street	On the southerly side from Pulsifer Street to a point 60 feet beyond Broad Street.
Spring Street	On the easterly side beginning 174 feet from Court Street and extending southerly for a distance of 52 feet.
	On the westerly side beginning 158 feet from Court Street and extending southerly for a distance of 46 feet.
	On the easterly side beginning 15 feet southerly from the southerly line of Drummond Street and extending in a southerly direction for a distance of 60 feet.
Summer Street	On the northerly side beginning 20 feet from the westerly curbline of Turner Street extending westerly for 80 feet.
Turner Street	On the northerly side beginning at CMP Pole #30 and extending westerly for a distance of 50 feet.

Sec. 52-348. Two-hour parking, 7:00 a.m. to 6:00 p.m.

Vehicular parking is restricted to two hours from 7:00 a.m. to 6:00 p.m. on the streets and at the locations indicated in the following schedule:

Third Street	On both sides beginning at Mill Street and extending to Broad Street.
	On the easterly side beginning at Cook Street and extending northerly for 172 feet.
Broad Street	On both sides from Third Street to Fourth Street.
Cook Street	On the northwesterly side beginning at a point 15 feet northeasterly along Cook Street from the northeast side of Third Street and continuing in a northeasterly direction along Cook Street for a distance of 59 feet.
Cross Street	On the southerly side from Center Street to a point directly opposite the easterly side of Northern Avenue.
Main Street	On the easterly side beginning at a point 164 feet northerly from a point directly opposite the northerly curbline of Elm Street and extending in a northerly direction along the easterly line of Main Street for a distance of 66 feet.
Mechanics Rowe	Two-hour parking limit

(Ord. of 2-1-2010)

Sec. 52-349. 15-minute parking, 7:00 a.m. to 11:00 p.m.

Vehicular parking is restricted to 15 minutes from 7:00 a.m. to 11:00 p.m. on the streets and at the locations indicated in the following schedule:

Hampshire Street	On the northerly side between Pleasant Street and Spring Street.
	On the northerly side beginning at a point 108 feet from Willow Street and extending northwesterly for distance of 42 feet.
Pleasant Street	On the westerly side beginning at a point 15 feet southerly from the intersection of Pleasant Street with the southerly line of Drummond Street and extending in a southerly direction for 22 feet.

Sec. 52-350. Parking prohibited November 15 to April 15.

Parking is prohibited upon any of the streets or parts of streets as follows during the time between November 15 and April 15:

First Avenue	On both sides for its full length.
Academy Street	On the southerly side between High Street and Elm Street.
Carrier Court	On both sides beginning at Riverside Drive and extending in a southerly direction for a distance of 300 feet.
Charles Street	On the southerly side for its full length.
Grant Street	On the northerly side for its full length.
Hampshire Street	On the southerly side between Willow Street and Oak Street.
Harvard Street	On the westerly side beginning at Coburn Street and running in a southerly direction for 500 feet.
Hazel Street	On the north side of the complete street.

High Street	On the westerly side between Academy Street and Elm Street.
	On the easterly side between Court Street and Drummond Street.
Highland Avenue	On the easterly side from Court Street to Western Promenade.
Manley Street	On the southerly side beginning at a point located 300 feet easterly of Willow Street extending in an easterly direction to Union Street.
Myrtle Street	On the westerly side for its full length.
Newbury Street	On the southerly side from Main Street in an easterly direction for 610 feet.
Oak Street	On the easterly side for its full length.
Park Hill Avenue	On the north side beginning at the intersection of Minot Avenue and extending in a westerly direction to Fourth Avenue.
Pearl Street	On the westerly side for its full length.
Pine Street	On the northerly side from Pearl Street to Willow Street.
Prospect Street	On the westerly side for its full length.
Summer Street	On the northerly side between Rowe Street and Vining Street.
Vine Street	On the southerly side between High Street and Main Street.
Western Avenue	On the easterly side for its full length.
Western Promenade	On the south side beginning at the intersection of Highland Avenue and extending in a northerly direction to Gamage Avenue.
Whitney Street	On the southwesterly side from Center Street to French's Lane.
Willow Street	On the easterly side between Pine Street and Hampshire Street.
Wilson Street	On the southerly side between Gamage Avenue and Field Avenue.
Winter Street	On the southerly side beginning at the intersection of Wood Street and extending in a westerly direction to Vining Street.

Sec. 52-351. Handicap parking.

Main Street	At 94 Main street (Rogers Haircutters)

(Ord. of 2-1-2010)

Sec. 52-352. Miscellaneous parking restrictions.

Court Street	No parking on northerly side between Granite Street and Josslyn Street between 7:00 a.m. and 3:00 p.m. on days when Edward Little High School is in session.
	Parking shall be restricted to handicapped persons on the southerly side beginning at a point 32 feet easterly from the easterly line of Spring Street and extending in an easterly direction for a distance of 26 feet.
Main Street	One-hour parking between 2:00 a.m. and 6:00 p.m. on the easterly side from Court Street to the Roak Block, and on the westerly side from Court Street to the Main Street parking lot.
	Parking shall be limited to two hours between 12:01 a.m. and 6:00 p.m. on the easterly side beginning at the north end of the Roak Block and extending to the south end, and on the westerly side between the entrance to the Main Street parking lot and Mechanics Row.

	Parking shall be restricted to handicapped persons on the westerly side beginning at a point 142 feet southerly from the southerly line of Court Street and extending in a southerly direction for a distance of 28 feet.
Pleasant Street	Parking shall be restricted to handicapped persons on the westerly side beginning at a point 31 feet southerly from the southerly line of Hampshire Street and extending in a southerly direction for a distance of 22 feet.
	Parking shall be limited to two hours between 7:00 a.m. and 9:00 p.m. on the easterly side beginning at Great Falls Plaza and extending to a point opposite the southerly side of Pleasant Street.
Willow Street	Parking shall be restricted to handicapped persons on the easterly side beginning 55 feet from Hampshire Street and extending northerly for 30 feet.
Winter relief parking areas	The parking areas hereinafter listed are designated as winter relief parking areas which may be utilized between November 15 and April 15 of the following year for parking by persons living in the vicinity of the parking lots. In order to become entitled to use a particular winter relief parking lot, a city resident shall apply to the traffic division of the police department for authorization to use a particular lot for winter parking. Such authorization is subject to reasonable conditions imposed by the traffic division of the police department, which may include the imposition of a fee or monthly charges as determined by the city treasurer to be used to defray the cost of maintaining the winter relief parking lots and the administration of the winter relief parking program. Persons authorized to use winter relief parking areas may also be required to display a sticker or other device on their cars indicating that they are permitted to park there. Any person who violates the conditions imposed upon his permit to use a winter relief parking lot may have his parking privileges terminated by the traffic division of the police department. Any person who parks in a winter relief parking area who is not authorized to do so may have his vehicle towed and stored under the direction of the police department at his own expense. The winter relief parking lots are as follows:
	Academy Street.
	Cook Street & Second Street.
	Newbury Street & Main Street.
	Library Avenue.
	Pleasant Street & Drummond Street.
	Franklin School (High Street).
	Mechanics Row parking garage.
	53 Broad Street.
	121 Mill Street.

(Ord. of 2-1-2010; Ord. No. 08-12152025, 1-5-2026)

Sec. 52-353 Restrictions for Curbside Solid Waste Collection

The following restrictions remain in effect during designated collection day and/or when bins are present.

MONDAY COLLECTION

Grove Street	On the southwesterly side, year-round (No parking 6PM Sunday to 6PM Monday).
Harvard Street	On the westerly side, year-round (No parking 6PM Sunday to 6PM Monday).
Whitney Street	On the southwesterly side from Center Street to French's Lane, year-round (No parking 6PM Sunday to 6PM Monday).
Winter Street	On the southerly side beginning at the intersection of Wood Street and extending in a westerly direction to Vining Street (No parking 6PM Sunday to 6PM Monday).

TUESDAY COLLECTION

Beacon Avenue	On the easterly side, from Lake Street to top of hill (No parking 6PM Monday to 6PM Tuesday).
Hampshire Street	On both sides from Goff Street to Turner Street (No parking 6PM Monday to 6PM Tuesday).
Pearl Street	On the westerly side (No parking 6PM Monday to 6PM Tuesday).
School Street	On the northeasterly side from Goff Street to Union Street (No parking 6PM Monday to 6PM Tuesday).
Webster Street	On the southwesterly side from Willow to Union (No parking 6PM Monday to 6PM Tuesday).
Willow Street	On the easterly side between Pine Street and Hampshire Street (No parking 6PM Monday to 6PM Tuesday).

WEDNESDAY COLLECTION

Hazel Street	On the north side of the complete street (No parking Tuesday at 6PM to Wednesday at 6PM.
High Street	On the easterly side, Court Street to Drummond Street (No parking Tuesday at 6PM to Wednesday at 6PM).
	On the easterly side, Academy Street to Drummond Street (No parking Tuesday at 6PM to Wednesday at 6PM).
	On the easterly side, from Academy Street to Elm Street (No parking Tuesday at 6PM to Wednesday at 6PM). **Need to move signs from right side to left side*
Library Avenue	On the northerly side, Spring Street to the railroad tracks (No parking Tuesday at 6PM to Wednesday at 6PM).
Newbury Street	On the southerly side from Main Street in an easterly direction for 610 feet (No parking Tuesday at 6PM to Wednesday at 6PM).
Pleasant Street	From Court Street to Elm Street, move signs to other side.

FRIDAY COLLECTION

Fourth Street	Southwest side, Broad Street to Roak Street (No parking Thursday 6PM to Friday 6PM).

Secs. 52-~~353~~354—52-375. Reserved.

DIVISION 4. ONE-WAY STREETS

Sec. 52-376. Designated.

The following streets are designated as one-way streets:

First Avenue	(See Washington Street Rotary.)
Brookside Circle	From Dennison Street to Winter Street with traffic permitted only in a northerly direction becoming easterly and with entry permitted only from Dennison Street.
Chasse Street	(See Washington Street Highway.)
Gill Street	Between Second Street and Third Street with traffic permitted to proceed only in a northeasterly direction.
Jefferson Street	(See Washington Street Rotary.)
Main Street	On Main Street from Miller Street northerly to Court Street.
Maple Street	From High Street westerly to Pleasant Street.
Mechanics Row	One-way southerly between Court Street and Main Street.
Miller Alley	From Main Street easterly to Miller Street.
Minot Avenue	(See Washington Street Rotary.)
Park Hill Avenue	From Fourth Avenue northeasterly to Minot Avenue entering from Fourth Avenue.
Pleasant Street	From Court Street northerly to Hampshire Street.
Pleasant Street	From Court Street southerly to Elm Street with traffic permitted to proceed only in a southerly direction and entry permitted only from Court, Drummond and Maple Streets.
Vine Street	From High Street easterly to Main Street, entering from High Street only.
Washington Street Highway	Washington Street northbound for vehicular travel in a northerly direction only from a point 1,200 feet southerly from the Maine Turnpike exit to First Avenue.
	Washington Street southbound a one-way street for vehicular travel in a southerly direction only from First Avenue to a point 1,200 feet southerly from the Maine Turnpike exit.
	Old Washington Street as designated by the city council by resolution shall be a one-way street for vehicular travel in a southerly direction only.
	Ramp A as designated by the city council by resolution shall be a one-way street for vehicular travel in a westerly direction only.
	Ramp B as designated by the city council by resolution shall be a one-way street for vehicular travel in a southwesterly direction only.
	Ramp D as designated by the city council by resolution shall be a one-way street for vehicular travel in a northeasterly direction only.
	Ramp E as designated by the city council by resolution shall be a one-way street for vehicular travel in an easterly direction only.
	The northerly lane of Chasse Street shall be a one-way street for vehicular travel in an easterly direction only.
	The southerly lane of Chasse Street shall be a one-way street for vehicular travel in a westerly direction only.
	Connector #1 shall be a one-way street for vehicular travel in a southeasterly direction only.
Washington Street Rotary	Minot Avenue shall be a one-way street for vehicular travel in a westerly direction only from Washington Street to a point 150 feet from the westerly line of Minot Avenue.
	First Avenue shall be a one-way street for vehicular travel in a southerly direction only.

	The newly constructed (1958) road running approximately parallel to First Avenue and in part upon the same location shall be a one-way street for vehicular travel in a southerly direction only.
	The newly constructed (1958) connector road between First Avenue and Washington Street in the vicinity of and in part occupying the location of Jefferson Street shall be a one-way street for vehicular travel in an easterly direction only.
	A connector road constructed between First Avenue and Washington Street through property purchased from the Winter Scientific Institute shall be a one-way street for vehicular travel in an easterly direction only.
	Washington Street from Minot Avenue to the junction of First Avenue shall be a one-way street for vehicular travel in a northerly direction only.
Western Promenade	That section of Western Promenade beginning at Beacon Avenue and extending to Highland Avenue shall be restricted to one-way vehicular traffic traveling only in a northeast direction.

(Ord. of 11-5-2007(01); Ord. of 9-15-2008; Ord. of 11-19-2009)

Secs. 52-377—52-395. Reserved.

ORDINANCE 10-05182026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 44, "Solid Waste" of the City's Code of Ordinances as seen on the attached.

Passed 5/18/26, 4-3 (Walker, Gerry, Randall).
Passed 6/1/26, 6-1 (Gerry).

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor
Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

Chapter 44 SOLID WASTE[1]

ARTICLE I. IN GENERAL

Sec. 44-1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial activity means any property or service provider, which is required and/or has received a license from the city to conduct business and/or a structure used for commercial or business purposes including, but not limited to, the following:

(1) Hotels, motels, bed and breakfast facilities, restaurants, warehouses;

(2) Markets, bakeries, grocery stores, food vendors;

(3) Manufacturing or industrial facilities;

(4) Business offices;

(5) Any business establishment adjoining or within a residential structure;

(6) Trailer parks and manufactured home parks; and

(7) Condominiums.

Commercial solid waste means solid waste as defined in 38 M.R.S. §1303-C that is generated by a commercial property or as a result of commercial activity.

Household solid waste means solid waste as defined in 38 M.R.S. §1303-C that is generated as a result of non-commercial activity within and around a residential property.

Multiple-unit apartment building means an apartment building of four or more dwelling units.

Owner means the actual owner of the building. The term "owner" does not include any legal entity, including, but not limited to, a limited liability company, a limited liability partnership, or a limited partnership or a corporation.

Residential properties means any property, located in the city, upon which is situated a residential structure containing between one and three dwelling units and/or owner-occupied apartment buildings containing between four and seven dwelling units. To qualify as an owner-occupied apartment building, the owner would need to demonstrate through ownership documents and vehicle registration, driver's license or some other acceptable forms that he/she does in fact own the building and resides at that address.

[1]State law reference(s)—Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. § 1301 et seq.; Maine Refuse Disposal District Enabling Act, 38 M.R.S.A. § 1726-A et seq.; solid waste management and recycling, 38 M.R.S.A. § 2101 et seq.; municipal recycling, 38 M.R.S.A. § 2133; municipal landfill fees, 38 M.R.S.A. § 2204; municipal authority to abate nuisances, 30-A M.R.S.A. § 3104; municipal acquisition of public dumping grounds, 30-A M.R.S.A. § 3351; prohibited dumping, 30-A M.R.S.A. § 3352.

(Ord. of 11-3-2003, § A)

Secs. 44-2—44-20. Reserved.

ARTICLE II. WASTE COLLECTION AND DISPOSAL

Sec. 44-21. Residential collection; fees.

(a) The city will provide for the collection of household solid waste and recyclable material from all residential properties as defined herein. Fees for residential waste collection shall be in accordance with city costs on a per unit basis.

(b) Occupants of residential properties that receive city waste collection shall utilize city-provided ~~suitable~~ containers for the storage, transportation and disposal of solid waste. This includes all solid waste placed curbside for disposal. ~~The weight of solid waste placed in each suitable container shall not exceed 30 pounds.~~

(c) All residents who live in residential structures receiving city waste collection shall separate recyclable material from their ~~rubbish~~ household solid waste. Recyclable material must either be transported to ~~the facility~~ the recycling bins provided ~~on Gracelawn Road~~at city ~~-~~designated recycling locations or be placed in city-provided ~~suitable~~ recycling containers for curbside collection.

(d) Recyclable material and solid waste are to be set curbside no earlier than 6:00 p.m. of the day preceding regularly scheduled waste collection and no later than 7:00 a.m. of the day of waste collection as established by public works.

(e) Containers for solid waste and recycling must be placed curbside on a hard, level surface clear of obstructions, such as snow, landscaping, mailboxes, and utility poles, and without blocking sidewalks. The containers must be upright, with lids closed and no material outside the container. The front of the containers shall face the road, with a minimum of 1-3' of space between containers.

(f) Residents of one-way streets shall place containers on the right-hand side of the street (according to the direction of traffic on the street). Residents of streets with parking on one side of the street as defined in ~~Sec.~~section 52-320 shall place containers on the non-parking side of the street, even if their residence is located on the other side.

(Ord. of 11-3-2003, § B)

Sec. 44-22. Collection from apartment buildings; fees.

(a) The city will collect solid waste and recyclable material from multiple unit apartment buildings for only those buildings owned by applicants who complete, submit and receive approval of an application to continue this service.

(b) All residential properties containing four to seven units, excluding owner-occupied, will be assessed a fee per unit for solid waste and recycling collection and disposal. To qualify for owner-occupied exemption the applicant must show proof of building residency. Fees per unit will be assessed and billed in accordance with the city's fee schedule ~~billing and collection policy~~. Failure to pay fee will result in termination of service. The city reserves the right to determine whether to provide this~~e~~ service and may adjust the fee annually to reflect the city's costs.

(Ord. of 11-3-2003, § C)

Sec. 44-23. Commercial collection excluded.

Solid waste and recyclable material will not be collected by the city from any commercial activity or property.

(Ord. of 11-3-2003, § C)

Sec. 44-24. Time for setting out waste for collection.

No person shall put out waste for collection sooner than 6:00 p.m. on the day preceding the date on which waste is collected by the city in the city-designated ~~such~~ location, and no person shall allow any waste containers to remain on any street or sidewalk for more than 24 hours after the collection of waste has been completed. Waste must be out for collection no later than 7:00 a.m. on ~~of~~ the day on which waste is collected by the city in such location.

(Code 1967, § 22-3.1)

Sec. 44-25. Standards for waste containers.

No person shall put out waste~~, including garbage,~~ for collection by the city except in ~~suitable, durable~~city-issued containers. ~~covered by a tight fitting cover or securely closed plastic bags designed for trash disposal, which are:~~

~~(1) Watertight and flytight;~~

~~(2) Free from sharp edges and not exceeding 30 pounds in weight, including contents; and~~

~~(3) No larger than 33 gallons in capacity.~~

(Code 1967, § 22-3.3)

Sec. 44-26. Types of waste collected by city.

No person shall put out waste for collection by the city other than household solid waste~~, except that waste from construction repairs or household waste which is too large to fit inside standard containers may be put out for collection by special permission of the public works director~~. . All household waste and recycling must be contained within the city-provided containers. Waste that exceeds the container capacity or that is placed outside the container will not be collected and will be subject to code enforcement action. Organic household waste will be collected at designated drop-off locations throughout the city.

(Code 1967, § 22-3.4)

Sec. 44-27. ~~Collection of l~~Leaves and yard waste.

~~The term "household waste," includes leaves, grass cuttings, weeds, branches and the like. Such materials, not to exceed four containers per week, must be contained, and branches and prunings shall not exceed two inches in diameter and 24 inches in length.~~ Leaves, grass cuttings, weeds, and small items of yard waste can be bagged and placed inside the city-provided solid waste containers (not the recycling container) as capacity allows. ~~Residents wishing to dispose of y~~Yard waste that exceeds bin capacity shall ~~should consult public works staff for guidance on the~~be disposed of through the city's yard waste disposal program.

(Code 1967, § 22-3.5)

Sec. 44-28. Disposal of ashes.

No person shall put out ~~hot~~ ashes for collection~~, and all ashes put out for collection shall be separated from all other kinds of waste and secured in a closed container.~~ .

(Code 1967, § 22-3.6)

Sec. 44-29. Duties of landlords.

Every owner of rental property shall be responsible for educating tenants on proper use and placement of solid waste and recycling containers, as outlined in this chapter, whether provided by the city or not.

For rental units that receive city-provided curbside collection, city-provided bins must be used. Owners of multi-unit properties as defined within this ordinance that do not receive city-provided collection must provide his/her tenants with a sufficient number of waste containers ~~meeting the requirements of section 44-25~~per the requirements below to meet their normal weekly requirements for waste disposal. Such containers shall be stored in a sightly manner on the premises at locations reasonably accessible to the tenants at all times when not legally upon the street or sidewalk for collection.

Containers must be covered by an attached, tight-fitting cover and securely closed plastic bags designed for trash disposal, which are watertight and fly-tight.

(Code 1967, § 22-3.7)

Sec. 44-30. Right of city to refuse to collect certain waste.

The city may refuse to accept for collection any waste ~~which~~ that has been put out for collection in a manner ~~which~~ that does not comply with the requirements of sections 44-24 through 44-28, including sharp objects ~~which~~ that could protrude from waste containers, such as broken glass and other sharp objects such as razors, hypodermic needles, etc., which materials shall be contained in a puncture-resistant container. The owner of such waste shall transport it or cause it to be transported to the municipal solid waste disposal facility at their~~his~~ own expense.

(Code 1967, § 22-3.8)

Sec. 44-31. Unauthorized removal of waste set out for collection.

No unauthorized person shall remove any garbage or waste or any portion of any garbage or waste that has been placed for collection by the city.

(Code 1967, § 22-3.9)

Sec. 44-32. Accumulations of refuse.

No person shall allow any material to collect or lie on property ~~which~~ that he/she owns, occupies or controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or repose of the public, emits odors, or is unsightly or is offensive.

(Code 1967, § 25-2.1)

Sec. 44-33. Transporting offensive substances.

No person shall carry or convey through any street or public place any substance or any package or bag containing any substance in such a manner that it drips, leaks or drops and emits odors, or is offensive, nor shall such a conveyance or containers be left standing in any street or any public place.

(Code 1967, § 25-2.2)

Secs. 44-34—44-54. Reserved.

ARTICLE III. RECYCLING STANDARDS

Secs. 44-55. Recycling bins.

No residential property shall place recycling materials curbside for collection by the city except in city-issued recycling containers.

Recycling standards and materials are defined through the city's recycling program, with accepted materials clearly defined on the city's website.

Secs. 44-56—44-83. Reserved.

ARTICLE IV. WASTE DISPOSAL FACILITIES

Sec. 44-84. Designation of place.

The city manager shall designate a place as a public waste facility for the depositing of rubbish, ashes, cinders, tin cans, junk, and other household or commercial or industrial waste or refuse, and no person shall deposit such materials elsewhere than at such designated facility.

(Code 1967, § 25-2.3)

Sec. 44-85. Unauthorized removal of materials.

It shall be unlawful for any person to take any materials of any kind or nature from or about any waste disposal facility without a permit from the city manager.

(Code 1967, § 25-2.6)

Sec. 44-86. Regulations for use.

Use of any waste disposal facility shall be governed by this article and by such regulations not inconsistent with the provisions of this article as the city manager may establish for this purpose. Notice of any such regulations shall be given by publication in a local newspaper and by conspicuous posting at the site of any waste disposal facility. The term "waste disposal facility," for purposes of this article, includes the waste facility located on Goldthwaite Road.

(Code 1967, § 25-2.7)

~~Sec. 44-87. Fees for use of waste disposal facilities.~~

~~(a) The city manager may levy fees in accordance with a schedule adopted by Mid Maine Waste Action Corporation for disposal of nonresidential solid waste at the energy recovery plant upon those persons who generate such waste. The fees assessed shall also include the city's cost of administering the billing process.~~

~~(b) For purposes of this subsection (b), the term "nonresidential solid waste" means all industrial and commercial waste, including waste from multiunit apartment buildings in common ownership consisting of eight or more dwelling units.~~

~~(c) Contractors and utilities with prior credit approval will be billed on a monthly basis for services provided.~~

~~(d) Interest shall be due upon any disposal fees which remain unpaid for more than 30 days from the date of billing. The rate of interest shall be the same as that which has been currently established for unpaid municipal property taxes and may be amended from time to time by the city council.~~

(Code 1967, §§ 25-2.8, 25-2.9)

ORDINANCE 11-06012026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 2, "Administration" of the City's Code of Ordinances to repeal Article V. Division 6. "COMPLETE STREETS COMMITTEE" and replace with "PARKING AND TRAFFIC SAFETY COMMITTEE", as seen on the attached. The Complete Streets Committee is hereby repealed with the adoption of this ordinance.

Passed 6/1/26, 7-0.
Passed 6/15/26, 7-0.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

PART II - CODE OF ORDINANCES
CHAPTER 2 - ADMINISTRATION
ARTICLE V - BOARDS, COMMISSIONS AND COMMITTEES
DIVISION 6 - PARKING AND TRAFFIC SAFETY COMMITTEE

Sec. 2-842.2. – Established, membership.
There shall be a parking and traffic safety committee, which shall be composed of the following five members:

1. A city councilor, nominated by the mayor and appointed by the city council.
2. Four residents of the city to be nominated by the appointment committee and appointed by the city council.

Sec. 2-842.3. – Term of Members.
All appointed members of the parking and traffic safety committee, other than the city councilor member who shall serve coterminous with their term of office, shall serve staggered three-year terms from the date of their appointment and thereafter until their successors are appointed. At the time the initial appointments are made, the city council shall assign each member to a term with one member appointed to a one-year term; one to a two-year term; and two to a three-year term.

Sec. 2-842.4. – Officers, vacancies.
The parking and traffic safety committee shall elect a chair and vice-chair, each of whom shall serve a one-year term and may be re-elected. A chair or vice-chair may be removed by a majority vote of the full committee membership. Upon the death, incapacity, or establishment of permanent residence outside of the city of any member, or if any member shall be absent without excuse for three consecutive meetings, the chair of the board shall advise the city council that a vacancy exists and request the appointment of a replacement.

Sec. 2-842.5. – Rules of procedure.
A quorum necessary to conduct an official meeting shall consist of at least three members. The committee shall develop such rules to govern its meetings and operations as it deems advisable. Such rules shall include procedures for residents and businesses to present parking and traffic safety concerns to the committee for consideration. Minutes shall be kept of all meetings. Agendas and minutes will be made public through posting on the city's website.

Sec. 2-842.6. – Duties.

The parking and traffic safety committee shall review and make recommendations to the city council regarding:

1. Traffic safety conditions in and around school zones, such as crosswalk placement, signage, speed limits, and enforcement measures.
2. Traffic safety conditions related to pedestrian and bicycle transportation, such as sidewalk conditions, crosswalk infrastructure, bicycle lanes, multi-use trails, and accessibility accommodations.
3. Traffic safety conditions related to motor vehicle traffic, such as speeding and speed management, distracted and impaired driving, intersection movements, and signage and signal compliance.
4. On-street parking regulations, such as pricing, time limits, no parking zones, street cleaning and solid waste pickup zones, permit zones, overnight restrictions, loading zones, clearance rules, seasonal rules, and accessibility accommodations.
5. Off-street municipal parking regulations, such as pricing, time limits, no parking zones, permit zones, overnight restrictions, seasonal rules, and accessibility accommodations.
6. Wayfinding signage that directs pedestrians, bicyclists, and motor vehicle operators to parking facilities and points of public interest.
7. Policy adoption including policies such as Vision Zero, Complete Streets, comprehensive plan and zoning district regulations, traffic enforcement, capital improvements, and public education and outreach.

The parking and traffic safety committee shall, in coordination with the city manager, present an annual report to the city council.

Sec. 2-842.7. – Staff Support.

The city manager shall designate a planning, engineering, fire, police, and public works staff member to serve as liaisons to the committee. A staff member shall be designated by the city manager to assist the committee with the preparation and posting of meeting agendas, the taking of minutes, and the drafting of correspondence or reports to constituents or the city council as needed.

ORDINANCE 12-06152026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Chapter 14 of Auburn's Code of City Ordinances to adopt Article XX – Syringe Service Programs, as seen on the attached.

Passed first reading 6/15/26, 4-2 (Gerry, Walker opposed; Randall absent).
Amended 7/6/26 and postponed to 7/20/26.
Amended and passed second reading 7/20/26, 5-2 (Gerry, Walker opposed).

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

[New Article to Be Added to Auburn Code of Ordinances
Chapter 14 – Business Licenses and Permits]

ARTICLE _____. – SYRINGE SERVICE PROGRAMS

Sec. 1. - Purpose.

The purpose of this article is to protect the public health, safety, and welfare of Auburn residents and visitors by requiring licensure of syringe services programs. The city council finds that appropriate regulation and siting of the operations of syringe services programs, including consideration of the proximity of syringe services program operations to schools, is important in order to protect the public health, safety, and welfare; that with the reasonable and necessary restrictions listed in this ordinance there remain sufficient suitable areas within the city to operate syringe services programs; and that licensing and regulation of syringe services programs is appropriate and consistent with the city's policies and practices to review and license business activities that impact its citizens. For these reasons, the intent of this ordinance is to impose requirements to protect public health, safety, and welfare that are separate from any licensing or certification done at the state level, including pursuant to 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

Sec. 2. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Administrator means a person having the authority and responsibility for the operation of a syringe services program and for staff performance.

Brick-and-Mortar Site means a type of service model for the provision of syringe services to consumers within a permanent building pursuant to 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

Business operator means a specific individual person with a legal ownership interest in a legal owner who makes financial, maintenance, and policy decisions regarding the syringe services program. The business operator need not have a legal ownership interest if the applicant provides proof that legal owner is an entity that does not have ownership interests (for example, a nonprofit corporation.)

Certified syringe services program means a syringe services program that holds a current certification from the Maine Center for Disease Control and Prevention (Maine CDC).

City inspector means the city assessor, police chief, fire chief, health officer, building inspector, code enforcement officer, sanitarian, or other duly authorized city official.

Delivery services means a type of service model for the provision of hypodermic apparatuses to participants by delivery within an operation area pursuant to 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

Emergency contact means the individual who responds to emergency after-hour calls from public safety personnel to the certified syringe services program.

Legal owner means the individual or legal entity, including but not limited to a corporation, limited liability company or limited partnership, holding the deed or the lease to the premises of the syringe services program.

Licensing authority means the city clerk.

Mobile site means a type of service model for the provision of syringe services that may include temporary setups or rotating locations at set or variable schedules within the operation area pursuant to 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

Operation area means the sites and geographic territory where the syringe services program is approved by the Maine CDC to operate and provide syringe services.

School means a primary or secondary school approved by the Maine Department of Education.

Syringe means a compressible tube used with a hollow needle for the injection of material beneath the skin, which definition incorporates the term as used in 10-144 C.M.R. Ch. 252 and the term “hypodermic apparatus” as used in 22 M.R.S. §1341.

Syringe services include, but are not limited to, the furnishing of new syringes, the exchange of used syringes, referrals, and educational materials about prevention, treatment, and proper disposal of syringes.

Syringe services program means a program that provides syringe services.

Syringe services program participant or “participant” means a person eighteen (18) years of age or older who has enrolled in a certified syringe services program.

Sec. 3. License required.

No person, corporation, partnership, association, or other entity shall establish, operate or maintain a syringe services program within the city without obtaining a valid license from the city pursuant to this article.

Sec. 4. Application.

This section shall apply to an application for an initial license to operate a syringe services program as well as an application for the renewal of a license to operate a syringe services program. All applications for licenses under this article shall be filed with, and in a form satisfactory to, the city clerk. An application shall include, but is not limited to, the following:

A. All information required by section 14-32.

B. The name, address, and contact information including the phone number of the applicant, the administrator, the business operator, the legal owner, and all other persons having a legal ownership interest in the syringe services program and the individual(s) hired by the applicant to manage operation of the syringe services program.

C. The name, address, and contact information of the emergency contact of the syringe services program.

D. A description of all service models offered by the syringe services program, in accordance with 22 M.R.S. § 1341 (5), including any site location(s), as specified below for each service model.

Brick-and-Mortar Sites: Description must include the building address(es), city tax map and lot number(s), floor plan and contact information of the owner(s) of each building utilized by the syringe services program.

Mobile Sites: Description must identify the address of each location or venue temporarily set-up for Syringe Service Program operations, and the name and contact information of the Administrator.

Delivery services: Description must identify the intended area within the city where syringes may be lawfully delivered.

E. An operations plan with a detailed description of the proposed syringe services program that describes how the syringe services program will satisfy the operations requirements outlined in section 8 of this article and also to include the following: population to be served; services to be provided;

staffing requirements; security provisions; and hours of operation; anticipated parking demand; and anticipated peak hour traffic.

F. A good neighbor community engagement policy that establishes a process for the syringe services program to engage with and maintain relationships with the local community and expectations for how syringe services program participants, staff and volunteers will be respectful of neighbors within 250 feet of any bricks-and-mortar or mobile site and in the immediate area of any delivery by the syringe services program. Such a policy should include the following: a prohibition against public drug use, mechanisms for area residents and business to submit complaints, procedures for the syringe services program to respond to complaints from surrounding areas, procedures for making calls for public safety services, and compliance with public nuisance laws.

G. Evidence of all land use approvals or conditional land use approvals required to operate brick-and-mortar sites and mobile sites, including, but not limited to, development review approval, conditional use approval, building permit, change of use permit, and/or certificate of occupancy.

H. Any information that the police chief may require for an investigation of applicants, pursuant to section 14-33.

I. All names, including but not limited to maiden name, ever used by the applicant must be noted on the application.

J. A copy of the current certification to operate a syringe services program granted by the Maine CDC and a copy of the application materials submitted to the Maine CDC for certification to operate a syringe services program, including but not limited to:

1. A copy of the syringe service program's consumer confidentiality protocol.

2. A copy of the syringe services program's consumer education and referral plan

3. A copy of the syringe services program's needle or syringe disposal plan.

4. A copy of the syringe services program policy for the handling and exchange of syringes that is consistent with this Code and state and federal law.

5. A copy of the syringe services program's staff training plan.

6. A copy of the syringe services program's data collection protocols.

7. A copy of the syringe services program's policy and procedures manual.

K. A copy of the most recent annual notice (if any) provided to the Maine CDC of all data gathered for the prior year pursuant to 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

L. Each applicant for a syringe services program license shall submit to the city clerk the applicable license fee in accordance with sections 14-29, 14-30 and 14-44 and one complete paper copy and one digital copy of the application, except that a first-time applicant must submit 12 complete paper copies.

No person shall make any false, untruthful or fraudulent statement, either written or oral, or in any way conceal any material fact, or give or use any fictitious name in order to secure or aid in securing a license required by this article. Any application with false information shall be denied and any license so secured shall be void.

Sec. 5. Location Criteria.

A. Any brick-and-mortar site or mobile site of a syringe services program may only be located within the following land use zones: T-5.1, T-5.2, T-6, GB I, and GB II.

B. A location for delivery of syringes by a syringe services program shall not be within 1000 feet of any school, and no brick-and-mortar site or mobile site of a syringe services program shall be located within 250 feet of any school. Distances shall be measured in a straight line from the nearest property line of a delivery location or a proposed brick-and-mortar site or mobile site to the nearest property line of the school.

C. No brick-and mortar site or mobile site of a syringe services program shall be located within or share the premises of a for-profit commercial business. This shall

not prevent a brick-and-mortar site or mobile site of a syringe services program from sharing the premises of an organization that provides social services or healthcare services.

Sec. 6. Inspections authorized; Right to enter.

Holding a syringe services program license or submitting an application for a syringe services program license shall constitute permission for any city inspector to enter and inspect any brick-and-mortar site or mobile site, or conveyance used for the delivery of syringes, subject to the license or application.

It shall be the duty of every person responsible for the management or control of a syringe services program to afford free access to every part of such establishment or conveyance and to render all aid and assistance necessary to enable any City Inspector to make a full, thorough and complete inspection. This access shall include, but is not limited, to, all rights of inspection and access afforded to the Maine CDC under Section 4(C) of 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule. Failure to cooperate with an inspection shall be grounds for license suspension or revocation.

This section augments section 14-36 of this article.

Sec. 7. Administration

A. Limitation on number of licenses and determination of priority.

1. No more than two syringe services programs shall be licensed to operate within the city at one time. No licensing authority may issue a license to any applicant for any time period that there are two licenses in effect in the city.

2. The clerk shall review submitted applications in the order that they are submitted or resubmitted, as the case may be.

3. Licenses shall be issued on a first-come-first-served basis, with the priority established as follows:

a. For a renewal application submitted by a current licensee, the current licensee has priority if it submits an application to the city clerk no later than 80 days from the expiration date.

b. For an initial application, if there are fewer current licensees than the maximum number allowed, priority shall be established by the date and time of completed applications as determined by the city clerk.

c. For an application received after the city clerk has published notice that a license is available and that applications shall be accepted on a date certain, priority shall be established by the date and time of completed applications as determined by the city clerk. Applications may only be submitted after the date set by the city clerk.

4. An initial or renewal application shall maintain its priority until the final determination on the application and shall lose its priority if the applicant fails to timely comply with any deadline imposed by this ordinance for an application.

5. After the city clerk determines that a current licensee has not timely complied with a deadline imposed by this ordinance for an application for license renewal, the city clerk shall distribute, file and publish a notice that one or more licenses is available and that applications shall be accepted by the city clerk beginning one week after the notice is published.

B. Process for the issuance of a license.

1. The city clerk shall be responsible for the initial review of the application to ensure compliance with the requirements of this chapter and to obtain recommendations from other city officials as required.

2. If the city clerk determines that a submitted application is not complete, the applicant shall be notified within ten (10) business days after receipt of the application of the additional information required to process the application. If such additional information is not submitted within fourteen (14) days of the city clerk's request, or such later time that the city clerk provides, the application shall be deemed denied. If the city clerk deems the application complete, the city clerk shall notify the applicant and the review procedures set forth in this section will take place.

3. The city clerk shall provide a copy of the license application to the police department, fire department, planning and code enforcement department, and public health division of the business and community development department. along with a form upon which each department or division shall promptly note its findings and

conclusions, as well as any recommended conditions of approval. No license shall be granted by the licensing authority until the completion of any inspections requested by the clerk and until these departments have all set forth their recommendations regarding the applicant's ability to comply with this article and any other applicable city ordinance, state, or federal law.

5. All applications for an initial license or the renewal of an existing license shall be reviewed by the city clerk. In reviewing license applications, the clerk shall consider the approval standards under this article as well as other applicable local, state, or federal laws and, for license renewals, the licensee's record of compliance with the same.

7. The clerk shall have the authority to impose any conditions on a license that may be reasonably necessary to ensure compliance with the requirements of this article or to otherwise address concerns about operations.

8. The clerk shall, upon review of all staff recommendations, applicable laws, and the factual circumstances, determine whether to grant, grant with conditions, or deny the license application, and shall provide written notice of the decision to the applicant.

C. Standard. Applicants and licensees must demonstrate to the satisfaction of the licensing authority that a license application meets all standards and requirements of this article, that it can meet and is meeting the operating requirements of section 8, and that it is meeting and has met over the past year all applicable local, state, or federal laws.

D. Revocation or Suspension of a License. Revocation or suspension of a license may occur pursuant to article 2 of chapter 14 of this Code.

E. Appeal.

1. An applicant may appeal a decision by the city clerk regarding an application for an initial license or renewal of an existing license, including placing conditions of such approval, to the city council by filing an appeal within thirty (30) days of such decision pursuant to section 14-39.

2. Appeals of a final determination issued by the city council may be made to the Androscoggin Superior Court within thirty (30) days of the date of the decision being appealed.

F. Enforcement.

A city inspector may enforce this article by the authority in 30-A M.R.S. § 4452. Failure to timely remedy a notice of violations shall be grounds for license suspension. This section does not affect any existing enforcement authority of any city inspector.

G. Civil Penalties.

Any person who violates this article shall be subject to civil penalties or other amounts imposed by sections 1-15 or 14-27 of this Code or 30-A M.R.S. § 4452.

Sec. 8. Operating requirements.

During the term of the license, the licensee shall comply with each of these requirements:

A. At all times, the licensee shall maintain and timely renew its certification with the Maine CDC to operate a syringe services program.

B. The licensee shall not permit and shall take reasonable measures to prevent individuals served by the program from the injection of illicit drugs on or near the premises of any brick-and-mortar site or mobile site.

C. The licensee shall not knowingly distribute syringes to participants under 18 years of age.

D. The licensee shall only operate from any brick-and-mortar site and mobile site for which it was granted a license, and shall only provide delivery services within the operation area for which it was granted a license, subject to the location criteria applicable to delivery services set forth in section 5 of this article.

E. The premises of any brick-and-mortar site and mobile sites shall be clean and well-maintained, meeting applicable requirements for sanitation, property maintenance, and life safety for the exterior and interior of the site. Any conveyance used for delivery shall be clean and well maintained, meeting applicable requirements for sanitation and vehicle maintenance.

F. The licensee shall perform criminal history record checks through the Maine State Police, State Bureau of Identification, of all individuals who will be working on a paid staff or volunteer basis for the syringe services program within the city. The licensee shall not engage as a staff member or volunteer any person if the licensee determines, through an individualized assessment, that there exists a direct and demonstrable relationship between the conviction and the specific duties and responsibilities of the position, such that the person's engagement would pose an unreasonable risk to the property, safety, or welfare of specific individuals or the general public.

In determining whether the requisite relationship exists, the employer shall consider, at minimum, the following factors when performing an individualized assessment:

1. The specific duties and responsibilities necessarily related to the position sought;

2. The bearing, if any, that the criminal offense has on the applicant's fitness or ability to perform one or more of those duties or responsibilities;

3. The nature and seriousness of the offense;

4. The amount of time that has elapsed since the offense occurred;

5. The age of the applicant at the time the offense occurred;

6. The frequency and recency of criminal activity;

7. Any information produced by the individual, or produced on the individual's behalf, regarding rehabilitation, good conduct, or mitigating circumstances; and

8. The legitimate business interest of the licensee in protecting the property, safety, and welfare of specific individuals or the general public.

Criminal history record checks shall not be required for volunteers who work under the direct supervision of a paid staff member.

G. All staff members and volunteers performing services for a syringe services program within the city shall display on their person identification that is clearly visible to public.

H. Hours of operation for a syringe services program within the city shall not be scheduled or held outside the hours of 7 a.m. to 7 p.m. on Mondays through Saturdays and 1 p.m. to 5 p.m. on Sundays.

I. A syringe services program shall locate and maintain sharps disposal containers at each brick-and-mortar site and mobile site.

J. At the end of each business day, a syringe services program shall inspect within 250 feet of each brick-and-mortar site and mobile site to remediate litter and needle waste.

K. At the conclusion of any delivery, a syringe services program shall inspect the immediate area of the delivery location to remediate litter and needle waste.

L. The licensee shall comply with all applicable state and federal laws, rules, or regulations, including but not limited to the following:

1. 38 M.R.S. § 1319-O(3) and any applicable rules for the handling and disposal of biomedical waste.

2. The Syringe Services Programs Rule, 10-144 C.M.R. Ch. 252, including but not limited to:

    a. Notifying all participants of all rules and laws applicable to syringe services programs;

    b. Providing appropriate and/or required training to staff; and

    c. Posting the certification granted by the Maine CDC in a public area of the licensee.

M. Prior to distributing syringes to a participant, the licensee shall conduct an individualized assessment of the participant to determine the appropriate

quantity of syringes to be provided. In conducting this assessment, the provider shall consider:

1. the days and hours of operation of the program location(s) and the frequency with which the participant is reasonably able to access the program;
2. the participant's substance(s) of use, recognizing that participants who use certain substances or inject more frequently may require a greater number of syringes to ensure a sterile syringe is available for each injection;
3. the frequency of the participant's visits to the program and the distance or travel burden between the participant's residence or location and the program site; and
4. any special circumstances affecting the participant's ability to access the program on a frequent basis, including but not limited to employment, homelessness or unstable housing, caretaking responsibilities, school attendance, or disability.
5. any other factors reasonably related to reducing the transmission of bloodborne pathogens.

Based on this assessment, the provider shall determine the number of syringes reasonably necessary to meet the participant's needs until the next anticipated point of contact with the program; provided, however, that in no event shall the number of syringes provided to a single participant in a single distribution exceed the limitations established under 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

The provider shall document the process for conducting an individualized assessment, and criteria to be used when conducting the assessment, in the provider's operations plan.

N. The licensee shall comply with its own plans, rules, procedures, and protocols including but not limited to the following:

1. All policies, procedures and protocols provided in its most recent license application

2. The needle or syringe disposal plan submitted by the licensee in its application to the Maine CDC, as such plan is defined in 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule, and includes a written plan that describes a coordinated program for the terminal disposal and incineration of used syringes in compliance with the Occupational Safety and Health Administration's guidelines regarding

Occupational Exposure to Bloodborne Pathogens and the Safe Discarding and Containment of Contaminated Sharps under 29 CFR §1910.1030; and,

3. The consumer education and referral plan submitted by the licensee in its application to the Maine CDC.

Sec. 9. Reporting and Notifications.

A. A licensee shall immediately notify the city clerk of any change in its state certification status, including but not limited to any state-approved change in location of a brick-and-mortar site or mobile site and any suspension or revocation of certification by the Maine CDC.

B. A licensee shall immediately provide the city clerk with copies of any notices submitted by the licensee to the Maine CDC pursuant to Section 3(B) of 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

C. A licensee shall promptly provide the city clerk copies of all utilization data submitted by the licensee to the Maine CDC pursuant to Section 3(C) of 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

D. A licensee shall provide the City access to all records that the Maine CDC has access to under Section 3(D) of 10-144 C.M.R. Ch. 252 Syringe Services Programs Rule.

Sec. 10. Miscellaneous.

A. Applicability. This article shall apply to any syringe services program that operates or provides delivery services within the city. Except to the extent that this article contains a contrary provision, all provisions of article I and article II of chapter 14 of this Code shall apply to this article. This article does not limit any authority under federal or state law.

B. Severability. If any clause, sentence, paragraph, section, article, or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

ORDINANCE 13-07282026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that the City of Auburn amends the Moratorium Ordinance on Rent Increases in Mobile Home Parks (Ordinance 04-01202026) as follows:

WHEREAS, certain Mobile Home Parks may be raising rents in response to the enactment of a State Law, P.L. 2025, ch. 399, An Act to Amend the Laws Governing Manufactured Housing Communities to Prevent Excessive Rent and Fees Increases;

WHEREAS, the City of Auburn does not currently regulate rental amounts or rent increases in Mobile Home Parks to ensure that rents remain affordable; and

WHEREAS, the City Council previously adopted Ordinance 04-01202026, imposing a moratorium that no owner or manager of a mobile home park may impose or implement an increase of Lot Rent on any person or entity who is a tenant of the Mobile Home Park; and

WHEREAS, the City Council finds that an extension of the moratorium is necessary to allow sufficient time for municipal staff and the City Council to complete its review and, if necessary, amend the City's ordinances to adopt a potential mobile home rent stabilization program;

WHEREAS, in the judgment of the City Council, the foregoing findings constitute a necessity within the meaning of 30-A M.R.S. § 4356;

NOW, THEREFORE, the Auburn City Council hereby ordains that Ordinance 04-01202026 is amended as follows:

1. **Amendment to Duration.** Section 4 ("Duration") of Ordinance 04-01202026 is hereby amended to read as follows (new language Bolded for drafting purposes only):

4. Duration. This Temporary Moratorium shall become effective immediately upon its final passage by the City Council ("Effective Date") and shall remain in effect for a period of one hundred eighty (180) days from its Effective Date, **and is hereby extended for an additional 45 days (for a total of 225 days from the Effective Date)**, unless extended, modified, or repealed by the City Council.

2. **All Other Provisions Unchanged.** Except as expressly amended herein, all other sections and provisions of Ordinance 04-01202026, including the moratorium imposed and applicability language, shall remain in full force and effect.

Passed and made effective at first reading, 7-0; 7/28/26.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor
Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ORDINANCE 14-08032026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances to adopt the Mobile Home Park Rent Stabilization Ordinance, as seen on the attached.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor
Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

MOBILE HOME PARK RENT STABILIZATION ORDINANCE

Sec. 1.- Purpose

The purpose of this ordinance is to protect residents living in mobile home parks from unreasonable lot rent and fee increases. Mobile home parks represent a source of unsubsidized affordable housing, and mobile home park residents are particularly vulnerable to unreasonable rent and fee increases. This ordinance establishes a review process to ensure that rent and fee increases are reasonably tied to increases in the Consumer Price Index and a mobile home park's increased costs in maintaining and improving the park.

Sec 2.- Definitions

- **Additional Fees:** "Additional Fees" means any charges not included in the definition of base rent that a mobile home park demands of a mobile home resident, or that a mobile home resident pays to a mobile home park. This includes charges for services other than water, sewer, solid waste disposal or grounds maintenance costs.

- **Administrator: "**Administrator" means the municipal official responsible for the administration and enforcement of this mobile home park rent stabilization ordinance. The Administrator shall be the City Manager or the City Manager 's designee.

- **Base Rent:** "Base Rent" means the total amount of rent and fees charged by a mobile home park for any mobile home park lot as of a specific date. Base rent shall include rent and fees regardless of whether the fees are described as a lump sum or itemized separately.

- **Capital Expense:** Any expenditure made by a mobile home park owner to fund the cost of a capital improvement.

- **Capital Improvement:** Any permanent addition, renovation, or structural improvement to the mobile home park that is properly capitalized under generally accepted accounting principles (GAAP) rather than expensed as a routine operating cost, and that (1) materially extends the useful life of the park or its infrastructure, (2) increases the value or functionality of the park as a whole, or (3) adds a new amenity or facility.

  A capital improvement does not include routine maintenance; replacement of individual components due to normal wear and tear; work necessitated, in whole or in material part, by the park owner's failure to perform timely and adequate maintenance; repairs that restore an item to its prior condition without extending its useful life; administrative or overhead expenses; or any cost the mobile home park

owner is already legally obligated to bear as a condition of maintaining a habitable premises under state law or city ordinance.

- **Consumer Price Index (CPI):** “Consumer Price Index” or “CPI” means the Consumer Price Index for All Urban Consumers: Rent of Primary Residence in Northeast (CPI-U RPR Northeast Index), as published by the U.S. Department of Labor, Bureau of Labor Statistics.

- **Fees:** “Fees” means charges to a mobile home resident by a mobile home park for water, sewer, solid waste disposal or grounds maintenance costs.

- **Mobile Home:** “Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

- **Mobile Home Park:** "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes.

- **Mobile Home Park Lot:** “Mobile Home Park Lot” means the area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that home.

- **Mobile Home Resident:** “Mobile Home Resident” means an occupant of a mobile home who rents a mobile home park lot.

- **Park Owner:** “Park Owner” means a person, corporation or other entity that owns a mobile home park.

- **Rent:** “Rent” means charges to a mobile home resident by a mobile home park for the temporary use of a mobile home park lot.

- **Rent Increase:** “Rent Increase” means any additional base rent or additional fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in base rent or additional fees.

- **Rent Stabilization Board:** “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for additional base rent or additional fee increases and other matters.

Sec. 3.- Rent Stabilization Board.

A. Creation. A Rent Stabilization Board shall be created and shall have the duties and authorities conferred by this ordinance.

B. Membership. The Rent Stabilization Board shall be comprised of three regular members, including the City Finance Director, the Auburn Housing Authority Finance Director, and a City resident nominated by the City appointments committee and appointed by the City Council, and two alternate members who are City residents nominated by the City appointments committee and appointed by the City Council. Two of the City resident members must have expertise in business or financial matters and one must have expertise in affordable housing, housing policy, housing planning, or housing stability.

No person having a conflict of interest may serve as a regular member or alternate member of the Board. A conflict of interest precluding service on the Board shall include having an ownership interest or employment role for any mobile home park or being a tenant in any mobile home park. In the event that the current City Finance Director or Auburn Housing Authority Finance Director is disqualified from serving on the Board under this paragraph, the City Manager shall appoint another City or Auburn Housing Authority staff member with expertise in business or financial matters to serve in place of the disqualified individual.

All appointed members of the Board, other than the City Finance Director and Auburn Housing Authority Finance Director, shall serve staggered three-year terms from the date of their appointment and thereafter until their successors are appointed. At the time the initial appointments are made, the City Council shall assign each member to a term with one member appointed to a one-year term; one to a two-year term; and one to a three-year term.

Alternate members of the Board may participate and vote in Board proceedings if a regular voting member is incapable or unavailable to serve in regard to a particular matter or is disqualified from participation because of a conflict of interest with respect to a particular matter. The alternate member designated to participate and vote on a matter shall be selected by the chair of the Board.

C. Officers. At an organizational meeting to be held annually, or at any other time by majority vote of its membership, the Board shall select a Chair and Vice Chair.

D. Bylaws. The Board shall have authority to adopt bylaws governing submission requirements and rules of procedure related to its review of petitions for base rent or additional fee increases.

E. Annual Report. The Board shall submit a written report of its activities for the

preceding year to the City Council on or before January 31 of each year.

F. **Staff Support.** The Administrator shall assist the Board with the preparation and posting of meeting agendas, the taking of minutes, and the drafting of correspondence or reports to the city council as needed.

Sec. 4.- Base Rent and Additional Fees Increase Limitations

A. **Limitation on number of base rent and additional fee increases:** A park owner may not implement an increase in base rent or additional fees more than once in any 12-month period. Any increase in base rent or additional fees shall be effective on January 1.

B. **Base Rent Calculation:** Except as provided herein, a park owner shall not demand, accept or retain base rent for a mobile home park lot that exceeds the base rent in effect for that lot on February 2, 2026.

C. **Additional Fees Calculation:** Except as provided herein, a park owner shall not demand, accept or retain additional fees that exceed the additional fees in effect for that lot on February 2, 2026. A park owner shall not demand, accept or retain additional fees after December 31, 2026, unless such additional fees have been approved by the Rent Stabilization Board.

D. **Maximum Annual Increase formula:** Any annual increase in base rent or additional fees is limited to the lesser of (1) the posted annual percentage change in the CPI for the 12-month period ending on the June 30 preceding the January 1 effective date of the increase, or (2) five percent (5%) (Maximum Annual Increase).

E. **Greater Base Rent and Additional Fees Increase:** A mobile home park owner may petition the Rent Stabilization Board for approval of an increase in base rent or additional fees in excess of the maximum annual increase to cover (1) the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, and (2) the cost of capital improvements, in excess of those accounted for in the base rent, that directly benefit mobile home residents.

F. **Petition Requirements:** A park owner seeking to impose a base rent increase or additional fees increase greater than the maximum annual increase must submit a petition to the Rent Stabilization Board. The petition must be filed by the August 1 prior to the January 1 effective date of the proposed increase and contain documentation that the increase is necessary to cover increased operating expenses or the cost of eligible capital improvements.

G. **Standards for Petition Review:** A mobile home park owner petitioning for a base rent increase or additional fees increase in excess of the maximum annual increase

based on increased operating expenses must demonstrate to the Rent Stabilization Board that there are actual and reasonable operating expenses in excess of the maximum annual increase allowed that are necessary to maintain the existing level of services to the mobile home park residents or that are necessary to implement an increase in services that will have a direct benefit to the mobile home park residents.

A mobile home park owner petitioning for a base rent increase or additional fees increase in excess of the maximum annual increase based on increased eligible capital expenses must demonstrate to the Rent Stabilization Board (1) that the requested increase is not accounted for in the base rent; (2) that the capital improvement will have a direct benefit to the mobile home park residents; (3) the total capital outlay required for the capital improvement; (4) the useful life of the capital improvement, as determined by generally accepted accounting principles or IRS depreciation schedules; (5) the total rate of return on the capital outlay over the useful life of the improvement calculated as the prevailing yield on ten-year U.S. Treasury securities plus two (2) percentage points, as published by the Federal Reserve at the time petition is filed; (6) the proposed increase in the base rent calculated as the total capital outlay plus the total rate of return on capital divided by the useful life of the capital improvement divided by the number of sites in the mobile home park specified in the park's license issued pursuant to 10 M.R.S. §9082 of the Manufactured Housing Act.

Every final decision of the Rent Stabilization Board shall include written findings of fact.

H. Notice Requirements: A park owner shall provide notice of any increase in base rent or additional fees to the affected mobile home residents after the Board acts on any petition and no less than 90 days before the effective date of the increase. The notice must include:

1. The name, address, telephone number and e-mail address of the park owner; and
2. The amount of the increase separated by base rent and additional fees, in dollars, and the type of any increase.

I. Vacancy Base Rent: A park owner shall be permitted to increase base rent for a lot whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot. Any new base rent set pursuant to this subsection shall be subject to all limitations, formulas, and procedural requirements for future base rent increases contained in this Section, including but not limited to the maximum annual increase, petition requirements, and standards for review.

J. Fees Allowed: Fees charged by a mobile home park owner to a park resident shall be limited to charges for water, sewer, solid waste disposal or grounds maintenance

costs. A park owner that seeks to impose a charge for other costs (Additional Fees) shall petition and obtain advance approval for the fee from the Rent Stabilization Board. The park owner shall have the burden of demonstrating to the Rent Stabilization Board that any additional fee is directly related to and proportionate to costs incurred by the mobile home park owner for providing the service funded by the additional fee.

K. Notices of Violation: A mobile home park owner may not implement a base rent increase or additional fees increase at any time that the mobile home park is subject to a land use notice of violation issued by an applicable enforcement authority that has become final following an appeal or expiration of the time for filing an appeal.

Sec. 5.- Applicability

This ordinance applies to every mobile home park within the City except for mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home park residents.

Sec. 6.- Appeals

Decisions of the Rent Stabilization Board may be appealed to Superior Court by:

A. Park owners; or

B. Affected mobile home residents.

Appeals as described herein shall be filed with the Superior Court in accordance with Maine Rule of Civil Procedure 80B within 45 days of the decision made by the Rent Stabilization Board. Appeals must be based solely on the record of the proceedings before the Rent Stabilization Board. The record on appeal shall include the petition; the minutes and any audio or video recordings of Board meetings related to the petition; all exhibits, papers, applications, and requests submitted to the Board; and the final written decision of the Board.

Automated License Plate Recognition (ALPR) Ordinance

Section 1. Definitions.

"Automated license plate recognition system" shall mean a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data. This does not include a photo-monitoring system, as defined in 23 M.R.S. § 1980(2-A)(B)(4), when used by the Maine Turnpike Authority or a law enforcement agency for toll enforcement purposes.

"Municipality" shall mean all the City of Auburn and any department, division, council, committee, office, board, commission, agency, contractor, and employee acting on behalf of the City.

Section 2. Prohibition for Public Entities.

Any law enforcement agency of the municipality shall not use an automated license plate recognition system or the data therefrom for any purpose.

The municipality shall not use any system, software, or computer algorithm to convert images of license places into computer readable data, except as described in 23 M.R.S. § 1980, when used by the Maine Turnpike Authority or law enforcement agencies for toll enforcement purposes.

Data acquired by external automated license plate recognition systems and the data therefrom shall not be acquired, accessed, queried, or obtained by the municipality, unless supported by a valid, judicial warrant.

Existing automated license plate recognition systems and the data therefrom shall be discontinued and removed within thirty (30) days of the effective date of this Ordinance.

The municipality shall not indirectly acquire automated license plate recognition system data in violation of this Ordinance.

Section 3. Penalties for Public Entities.

(A) Any municipal employee who violates this Ordinance may be subject to disciplinary action, consistent with applicable law and collective bargaining agreements.

CITIZEN INITITATIVE ORDINANCE
Failed to Pass (City Council), 9/21/26.
Referendum Vote: March 2, 2027

ORDINANCE 16-09212026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that Chapter 60, Article IV, Division 2, Section 60-145 of the Code of Ordinances, City of Auburn, Maine, is hereby amended to read as follows:

Sec. 60-145. Use regulations.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

(1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:

a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.

b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream and 250 feet from any zoning district boundary or residential dwelling ~~and shall be limited to four persons employed~~.

c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ORDINANCE 17-10052026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that the City Council hereby amends Sec. 24-23 of the City's Code of Ordinances as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

(a) The City of Auburn adopts the Maine Municipal Association's General Assistance Ordinance~~,~~ ~~dated September 2025,~~ as may be amended from time to time, and a copy thereof is available in the office of the city clerk.

(b) Each year the Maine Municipal Association provides the city Appendices A-H providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:

(1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.

(2) Appendix B, a listing of maximum levels of assistance for food.

(3) Appendix C, a listing of maximum levels for heated and unheated housing.

(4) Appendix D, a listing of maximum levels of assistance for electricity.

(5) Appendix E, a listing of maximum levels of assistance for heating fuel.

(6) Appendix F, a listing of maximum levels of assistance for personal care & household supplies.

(7) Appendix G, adopting the State of Maine travel expense reimbursement rate.

(8) Appendix H, a listing of maximum levels of assistance for funeral expenses.

(9) Recovery Residence Maximums for the Lewiston/Auburn MSA.

(c) The portion of these annual appendices applicable to the city, as adopted each year by order of the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the office of the city clerk.

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Phillip L. Crowell, Jr., City Manager

ORDINANCE 18-10192026

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances Chapter 44, Sec. 44-1 Definitions, Sec. 44-21 Residential collection, Sec. 44-22 Collection from apartment and commercial buildings and Sec. 44-30 Right of city to refuse to collect certain waste, as attached, to resolve solid waste challenges.

Passed 6-0, 10/19/26.
Passed 7-0, 11/2/26.

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Sec. 44-1. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Residential Properties means all properties where four or fewer single-family residences and/or multi-family residential units are located on a single parcel. ~~Residential properties means any property, located in the city, upon which is situated a residential structure containing between one and three dwelling units and/or owner-occupied apartment buildings containing between four and seven dwelling units. To qualify as an owner-occupied apartment building, the owner would need to demonstrate through ownership documents and vehicle registration, driver's license or some other acceptable forms that he/she does in fact own the building and resides at that address.~~

Multiple-unit apartment property~~building~~ means a property with an apartment building or buildings with~~of~~ five~~four~~ or more dwelling units on a single parcel.

Sec. 44-21. Residential collection~~; fees.~~

(a) The city will provide for the collection of household solid waste and recyclable material from all residential properties as defined herein.

~~Fees for residential waste collection shall be in accordance with city costs on a per unit basis.~~

Sec. 44-22. Collection from apartment and commercial buildings;~~ fees.~~

The city will collect solid waste and recyclable material from residential properties and will not collect from multiple unit apartment ~~buildings~~properties with more than four units. ~~for only those~~

~~buildings owned by applicants who complete, submit and receive approval of an application to continue this service.~~ All multiple unit apartment buildings, nonresidential or commercial users shall provide adequate carts or dumpsters for the weekly garbage generated by the business conducted on the premise. The owner shall provide a secured container or containers with closeable covers to prevent the stacking and spreading of the garbage generated at the premises. The containers shall be stored and the waste collected on private property and not placed in the right-of-way, street or sidewalk. The cost of collecting commercial waste is the property owners responsibility.

~~All residential properties containing four to seven units, excluding owner-occupied, will be assessed a fee per unit for solid waste and recycling collection and disposal. To qualify for~~

~~owner-occupied exemption the applicant must show proof of building residency. Fees per unit will be assessed and billed in accordance with the city's fee schedule. Failure to pay fee will result in termination of service. The city reserves the right to determine whether to provide this service and may adjust the fee annually to reflect the city's costs.~~

Sec. 44-30. Right of city to refuse to collect certain waste.

The city may refuse to accept for collection any waste that has been put out for collection in a manner that does not comply with the requirements of sections 44-24 through 44-28, including sharp objects that could protrude from waste containers, such as broken glass and other sharp objects such as razors, hypodermic needles, etc., which materials shall be contained in a puncture-resistant container. The owner of such waste shall transport it or cause it to be transported to the municipal solid waste disposal facility at their own expense.

Repeated violations may result in citations and legal action pursuant to Chapter 2, Article VIII, Citation System of Code Enforcement. In addition to the issuance of citations, the City may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K and/or permanently discontinue solid waste collection service for the property in violation.