

## **NOTICE OF PUBLIC HEARING**

**At the Embden Community Center**

**THURSDAY JULY 28, 2022 @ 6:00 P.M.**

### **Citizens of the Town of Embden,**

This serves as the legal notice posting for a public hearing regarding the proposed **Special Town Meeting** warrant questions as follows:

**Article 1:** To elect a moderator.

**Article 2.** To see if the inhabitants will vote to approve the **Town of Embden Minimum Standards Ordinance for Buildings, Structures, and Areas.**

### **Purpose:**

The purpose of this ordinance is to set a minimum standard for the condition and maintenance of all buildings and structures and the premises surrounding such buildings and structures in order. The appearance of the town as an attractive, well-kept, safe, clean community is extremely important. Buildings which are not well maintained and which take on an unkempt, dilapidated appearance have a negative, blighting effect not only on the immediately surrounding properties but on the community as a whole. Essentially, this ordinance is intended to require property owners to maintain their properties in good condition in order to preserve the community's safety and welfare.

### **Enforcement:**

The Code Enforcement Officer shall enforce this ordinance. If a violation occurs, the Code Enforcement Officer shall notify the property owners either by serving a written notice by certified mail or by hand delivery. The notice shall explain the nature of the violation and shall allow no more than 30 days from the date of the receipt of the notice to correct the violation. If the violation is not corrected with the required time allowed, the property owner shall be subject to penalties as set forth in the Penalties section.

### **Penalties:**

Any person who violates any section of this division commits a civil violation punishable by a civil penalty of \$100.00 for each day the violation continues after the allotted correction period as referenced in the Enforcement and Maintenance sections. In addition the Town may pursue all remedies and relief available at law and/or in equity, including without limitation the remedies and relief property in 30-A, M.R.S.A., §4452.

**Maintenance standards for premises and yard areas:**

- (a) All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such are or object constitutes a danger to health or safety, it shall be removed.
- (b) All yards, courts or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other noxious or offensive material which may cause a fire hazard or may act as a breeding place for vermin or insects.

**Maintenance after casualty damage (unexpected storm, flood, fire, tornado, earthquake, etc.**

Within a period of 30 days after casualty damage to any premises, the owner shall repair or restore damaged areas and the demolition of any areas not to be repaired and the removal of all debris connected therewith.

**Administrative appeal:**

The owner has the right to appeal the decision within 30 days from the date of the notice by contacting the Chairman of the Board of Appeals for the Town.

**Article 3.** To see if the Inhabitants will vote to approve the **Town of Embden's floodplain management ordinance** (draft copy attached and/or available at the Embden Town Office).

*\* The purpose of this ordinance is to update the Town's existing floodplain ordinance to coincide with the State of Maine's floodplain ordinance.*

**Article 4.** To see if the Inhabitants will vote to amend the **Town of Embden's Shoreland Zoning Ordinance dated June 13, 2018, Section 15. Q. Hazard Trees, Storm-Damaged Trees, Dead Tree Removal by adding the following:**

(f) The Code Enforcement Officer will require a permit for all trees cut in the shoreland zone whether hazard, dead, diseased or live. Each tree cut will require a \$100 deposit per tree and the trees will need to be replaced. Deposit will be held by the town in an escrow account until such time that the applicant has proved to the CEO that the trees have been replaced with pictures and a copy of a receipt from a nursery showing payment. (Permit given by the CEO will have specifics as to how many, what species, and what size of trees that will need to be replanted.)

**Article 5.** To see if the Inhabitants will vote to amend the **Town of Embden's Shoreland Zoning Ordinance dated June 13, 2018, Section 15. V. Water Quality by adding the following:**

No person, except the Commissioner of the Maine Department of Inland Fisheries and Wildlife or his/her designee or the Director of the U.S. Fish and Wildlife Service or his/her designee in the conduct of waterfowl management practices, shall feed or bait any migratory or non-migratory waterfowl or fowl in or over the waters within any Shoreland Protection Zone in the Town of Embden as identified in the Shoreland Zoning Ordinance

of the Town of Embden. This section is not intended to prohibit the raising of domestic waterfowl as allowed by any other ordinance(s); except that domestic waterfowl must be securely contained or penned in an enclosed area to prevent fecal matter from the waterfowl entering all bodies of water within any Shoreland Protection Zone in the Town of Embden.

No person shall dispose of any fecal matter, waterfowl or otherwise, into any body of water within all Shoreland Protection Zones in the Town of Embden.

To amend the Embden Shoreland Zoning Ordinance dated June 13, 2018, Section 17. Definitions by adding the following:

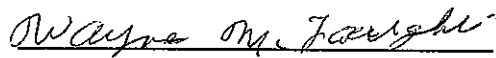
**Feeding and Baiting** – The placing, exposing, depositing, distributing or scattering, directly or indirectly, of shelled corn, shucked or unshucked corn, wheat or other grains, bread, salt or any other feed or nutritive substances, in any manner or form, so as to lure, attract, or entice fowl to, on or over any such areas where such feed items and/or materials have been placed, exposed, deposited, distributed or scattered.


**Waterfowl and Fowl** – Any waterfowl of the family Anatidae (ducks and geese) and/or Laridae (gulls) either migratory, non-migratory or resident fowl.

Thank you in advance for your attendance.

Sincerely,

  
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**Charles Taylor, Chairman**

  
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**Wayne McLaughlin**

  
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**Janice Welch**

***Date of public hearing is July 28, 2022. Date of legal posting is July 21, 2022 (meets/exceeds the minimum of 7 days prior to Public Hearing).***

***Date of Special Town Meeting is August 18, 2022 @ 6:30pm (meets/exceeds the minimum of 10 days after Public Hearing).***