



**MUNICIPAL OFFICERS' CERTIFICATION OF THE OFFICIAL TEXT OF PROPOSED ORDINANCE(S)
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Ogunquit, Maine:

We hereby certify to you that the documents to which we have affixed this certificate are a true copy of the official text of an ordinance(s) entitled:

1. Chapter 225 – Zoning Ordinance §225-9.19 Outdoor Sales

Which is to be presented to the voters for their consideration on June 13, 2023.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Approved on this 28th day of March 2023, by a majority of the Select Board

Robert Whitelaw
Robert M. Whitelaw, Chair

Carole Aaron
Carole J. Aaron, Vice-Chair

Richard Dolliver
Richard A. Dolliver

Heath R. Ouellette

Scott A. Vogel

Chapter 225 – Zoning Ordinance

Article 9.19 Outdoor Sales

§ 225-9.19 Outdoor sales.

A. There shall be no outdoor sales unless specifically allowed in this article, ~~or~~ by another article of this chapter, **or as authorized by the Select Board in accordance with Chapter 177**. Specifically allowable outdoor sales may include, but are not necessarily limited to, the use of outdoor cafe or restaurant seating or vending or buyer-operated retail devices, as defined by this chapter.

B. For the purposes of this section, a "public right-of-way" is defined as a right-of-way upon which motor vehicles travel. Public rights-of-way exclusively for pedestrian, bicycle or other nonmotorized travel are not deemed as public rights-of-way for the purposes of this section.

C. A vending or buyer-operated retail device, either covered or uncovered, may be placed anywhere on a lot that meets or exceeds the minimum setback of the zoning district from any lot line so long as it cannot be seen from the public motor vehicle right-of-way and/or the Marginal Way.

D. Vending or buyer-operated devices that have internally lighted facades that advertise brand name products and that can be seen from a public motor vehicle right-of-way shall also be subject to the requirements of § 225-8.12, Signs.

E. Devices exempted from the definition of "vending or buyer-operated retail device" in Article 2 shall not be required to meet the standards of Subsections **C** and **D** above. However, the installation of any such devices, whether or not they are regulated by these two subsections, still may be subject to a design review under Article 11 of this chapter, if the installation of such devices meets the definition of "material change" found in Article 11.

F. Sunset provision. As of the date of adoption of this chapter, all existing vending or buyer-operated retail devices shall have until May 1, 2000, to bring all existing said devices into compliance with all provisions of this article and all other articles of this chapter.