



**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 177 – Special Events §177-3.C Powers of Board

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 177 – Special Events

Article 3.C Powers of Board

§ 177-1 Title.

This chapter shall be known and may be cited as the "Special Event Ordinance of Ogunquit."

§ 177-2 Purpose.

The purpose of this chapter is to authorize special events on a limited basis, which events serve to promote the Town of Ogunquit and its businesses and to provide for the allowance of outdoor sales in areas where it is otherwise prohibited; the temporary use of municipal facilities; and for the temporary waiver of articles of Chapter 225, Zoning, which shall not be waived in residential areas.

§ 177-3 Power of Board.

A. The Select Board may authorize a special event which will promote the Town of Ogunquit and its businesses.

B. All permits must be approved by the Select Board prior to the following exceptions being allowed; provided, further, that said event shall not exceed seven days and that no more than five events shall be authorized per calendar year:

(1) Outdoor sales in areas where such sales are prohibited or restricted by special exception in Chapter **225**, Zoning.

(2) The use of municipal facilities provided the Board finds that the event will not have an adverse effect on the safety, health and welfare of the Town.

(3) The waiver of § 225-8.12, Signs, of Chapter 225, Zoning, provided that sign placement will not have an adverse effect on the safety, health and welfare of the Town and provided that sign placement is limited to no more than four weeks prior to the event and no more than one week after the event.

(4) The waiver of permitted uses in the district standards of Chapter 225, Zoning, Article 7, provided that the special event does not have an adverse effect on the safety, health and welfare of the zoning district(s) where the event is permitted temporarily.

C. In addition to the five special events authorized by this Chapter, the Select Board may also authorize a Farmers' Market to be held on Town property, pursuant to conditions set forth in Farmers' Market Rules established by the Select Board. The Farmers' Market may be held on multiple dates in a year.

§ 177-4 Additional conditions.

In authorizing any special event, the Board shall impose such further reasonable restrictions and conditions as are deemed appropriate to best safeguard the public's health, safety, and welfare and the right of the citizens to quiet enjoyment of their properties, including but not limited to requiring applicants to provide for and pay for an appropriate number of police officers to be present during specified events.

A. The application for a special event permit and the coordination of activities during the event; providing liability insurance, if required; and any other coordination deemed appropriate by the Select Board, shall be one

nonprofit organization. This article is not to limit the number of participating organizations, but to provide a coordinated Town-wide special event rather than many unrelated events occurring at the same time.

B. A special event does not permit outdoor sales, or waiver of § 225-8.12, Signs, or waiver of Chapter 225, Zoning, or waiver of other ordinances Town-wide during the event, but provides for only those activities, vendors and waivers specifically authorized by the Select Board.

C. The Board may require liability insurance for the duration of the special event, naming the Town of Ogunquit as additionally insured.

§ 177-5 Town services.

If the Select Board determines that additional services are required above and beyond those normally provided by the Town, the Board may require the special event sponsor to reimburse the Town for part or all of the additional services, while considering the overall benefit of the special event to the Town. The additional services required by the Board will be listed in the special event application, along with the cost estimate.

§ 177-6 Bond.

The Board, at its discretion, may require a bond to be posted by the sponsor of said event, naming the Town of Ogunquit as beneficiary, which can be used to compensate the Town for any damages to Town property; for the costs of any police and fire services rendered during said event; or to reimburse the Town for any expenses incurred as a result of a violation of any conditions of the permit issued.

§ 177-7 Compliance with other provisions.

This chapter shall be read in conjunction with all other ordinances of the Town.

§ 177-8 Severability.

The invalidity of any provision of this chapter shall not invalidate any other part.