



**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 §225-2.2 Definitions

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 14th day of February 2023, by a majority of the Select Board

Handwritten signature of Robert M. Whitelaw in black ink.

Robert M. Whitelaw, Chair

Handwritten signature of Carole J. Aaron in black ink.

Carole J. Aaron, Vice-Chair

Handwritten signature of Richard A. Dolliver in black ink.

Richard A. Dolliver

Heath R. Ouellette

Handwritten signature of Scott A. Vogel in black ink.

Scott A. Vogel

Chapter 225**Article 2****Definitions**

§ 225-2.2 Definitions.

AFFORDABLE HOUSING

Decent, safe and sanitary dwelling units that can be afforded by households in the following two categories: with annual incomes no greater than 80% of the median household income in nonmetropolitan York County, as established by the U.S. Department of Housing and Urban Development. A renter occupied unit is affordable to such households if the unit's monthly housing costs, including rent and basic utility costs (the costs of heating and of supplying electricity to the unit plus the cost, if any, of supplying public water and public wastewater disposal service to the unit), do not exceed 30% of gross monthly income. An owner occupied unit is affordable to such households if its price results in monthly housing costs that do not exceed 28% of gross monthly income for principal, interest, insurance, and real estate taxes. Estimates of mortgage payments are to be based on down payments and rates of interest generally available in the area to low and moderate income households.

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

AFFORDABLE HOUSING COVENANT

~~Any agreement among one or more owners, one or more tenants of residential real estate and one or more qualified holders, or between one or more owners and one or more qualified holders, or between one or more tenants and one or more qualified holders, that permits a qualified holder to control, either directly or indirectly, the purchase price of residential housing for the primary purpose of providing that the housing remains affordable to lower income and moderate income households. See also the definition of "qualified holder" in this section.~~

Before approving an affordable housing development, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a "qualified holder" acceptable to the municipality, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy.

B. For owned housing, occupancy of all of the units designated affordable in the

development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.
