

TOWN OF NORTH YARMOUTH

Application, License and Permit Fees Ordinance

ARTICLE I GENERAL PROVISIONS

SECTION 1-1 TITLE

This Ordinance shall be known as the “Town of North Yarmouth Application, License and Permit Fees Ordinance” and will be referred to herein as “this ordinance”.

SECTION 1-2 AUTHORITY

This Ordinance is adopted pursuant to the enabling provisions of the Maine Constitution and the provisions of 30-A, M.R.S.A Section 3001 and Section 4354 (Home Rule).

SECTION 1-3 PURPOSE

The purpose of this Ordinance is to establish a schedule of fees for applications, licenses and permits to facilitate control and/or inspection of construction work, business operations and recreational activities in the interest of the health, safety and general welfare of the community.

SECTION 1-4 CONFLICT WITH OTHER ORDINANCES

Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive, or that imposing the higher standards, shall govern.

SECTION 1-5 SEPARABILITY

In the event any section, subsection or any portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such section shall not be deemed to affect the validity of any other section, subsection or other portion of this Ordinance. To this end, the provisions of this Ordinance are hereby declared to be separable.

SECTION 1-6 EFFECTIVE DATE OF THIS ORDINANCE AND REPEAL OF FORMERLY ADOPTED ORDINANCES AND REGULATIONS

This ordinance and its attached schedule(s) take effect upon its enactment by the Town of North Yarmouth (June 12, 2010).

All existing ordinances of the Town of North Yarmouth are amended by deleting the specific amounts of any fees required in such ordinances and substituting in the words: “as specified in the Town of North Yarmouth Application, License and Permit Fees Ordinance”.

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The Town Clerk is directed to make the changes in the texts of existing ordinances necessary to implement this Ordinance.

SECTION 1-7 AMENDMENTS TO THIS ORDINANCE

This Ordinance may be amended by a majority vote of the registered voters in attendance at a regular town meeting or special town meeting called by the Municipal Officers. The Ordinance may also be amended at a regular town meeting upon a written petition of at least 10 percent of the Town's registered voters who voted in the last gubernatorial election. In all cases, a public hearing shall be held prior to the Town meeting vote on the proposed amendment.

ARTICLE II ADMINISTRATIVE PROVISIONS

SECTION 2-1 ASSESSMENT OF FEES

Fees shall be assessed at the time of application or transaction unless otherwise specified in the applicable ordinance adopted by the Town of North Yarmouth.

SECTION 2-2 COLLECTION OF FEES

All fees shall be collected by the Town, or its agent, and shall accrue to the Town's general fund revenue accounts unless otherwise specified in the applicable ordinance adopted by the Town of North Yarmouth.

SECTION 2-3 SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

All fees and charges required by ordinances of the Town of North Yarmouth for permits, licenses, approvals and applications therefor, and all fees and charges collected by the Town of North Yarmouth where State law authorizes or requires the Town to set the amounts of such fees and charges, shall hereafter be established as the Schedule of Application, License and Permit Fees.

The Board of Selectmen shall establish a schedule of application, license and permit fees. The Board shall review the schedule at least once annually. Amendments to the schedule shall require notice and a public hearing before approval. A copy of the fee schedule shall be available from the Code Enforcement Officer and/or Town Clerk.

ADOPTED: June 12, 2010