

Town of Mount Desert

Annual Town Meeting Warrant Fiscal Year 2025

As presented at the
Annual Town Meeting
May 6 & 7, 2024

Secret Ballot (Candidate) Election
May 6, 2024 8 a.m. – 8 p.m.
Town Office Meeting Room

Open Floor Town Meeting
May 7, 2024
6 p.m.

Kelley Auditorium, Mt. Desert Elementary School
(Gymnasium)

Note: The warrant included with the Annual Report is a DRAFT warrant; check the POSTED warrant for final wording.

Greeting

State of Maine

Hancock County, ss

2024

To: David Kerns, a Constable in the Town of Mount Desert

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Mount Desert, qualified by law to vote in Town affairs, to assemble in the **Town Hall Meeting Room, 21 Sea St. Northeast Harbor, Maine**, on **Monday, the sixth day of May AD 2024** at **seven-fifty o'clock** in the forenoon, then and there to act on Article 1; and immediately thereafter to act on Article 2 until **eight o'clock** in the evening.

AND to notify and warn said voters to reconvene in the **Kelley Auditorium, Mt. Desert Elementary School, 8 Joy Rd, Northeast Harbor, Maine**, in said Town, on **Tuesday, the seventh day of May AD 2024** at **six o'clock** in the evening; then and there to act on Articles 3 through **xx**; all of said Articles being set out below to wit:

Pursuant to Title 21-A, §759(7), absentee ballots will be processed at the polls on May 6, 2024 every half hour beginning at 9:00 AM.

Election of Moderator

Article 1. To elect a Moderator by written ballot.

Election of Municipal Officers

Article 2. To elect one member to the Selectboard for a term of three years, two members to the Mount Desert Elementary School Board for a term of three years, and one trustee to the Mount Desert Island Regional School District for a term of three years.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Non-Voter Recognition

Article 3. To see if non-voters shall be allowed, when recognized, to speak during the 2024 Annual Town Meeting.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Ordinances

For Articles 4 through **xx**, an underline indicates an addition and a ~~strikethrough~~ indicates a deletion.

Article 4. Shall an ordinance dated May 7, 2024 and entitled “Town of Mount Desert Alewife Ordinance” be enacted? The ordinance reads, in its entirety, “Regulations for the taking of alewives and blue back herring shall be as follows: For the year July 1, 2024 through June 30, 2025 there shall be no taking of Alewives and Blue Back Herring in the Town of Mount Desert.”

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 5. Shall an ordinance dated May 7, 2024 and entitled “Disbursement Warrant Ordinance” of the Town of Mount Desert be enacted as set forth below?

**TOWN OF MOUNT DESERT
DISBURSEMENT WARRANT ORDINANCE**

**ADOPTED May 3, 2011
AMENDED May 7, 2024**

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Section 4. The effective date of this Ordinance is ~~May 3, 2011~~ May 7, 2024

~~**Section 5.** This Ordinance shall expire and be of no force or effect on May 3, 2026.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 6. Shall an ordinance dated May 7, 2024 and entitled “Consumer Fireworks Ordinance” of the Town of Mount Desert be enacted as set forth below?

**Consumer Fireworks Ordinance
TOWN OF MOUNT DESERT**

**Enacted May 8, 2012
Amended May 7, 2024**

BLACK – voted or Non-BS/ GREEN – Ready to review/ RED – Not ready

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ARTICLE VIII Miscellaneous Provisions

- A) This ordinance is adopted pursuant to the enabling provisions of the Maine Constitution, Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S. § 3001, *et seq.*), and Title 8, Chapter 9-A, § 223-A(2) (8 M.R.S. § 223-A(2)).
- B) The effective date of this Ordinance is: May 7, 2024 ~~May 8, 2012.~~
- ~~C) This Ordinance shall expire and be of no force or effect on May 4, 2027.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 7. Shall an ordinance dated May 7, 2024 and entitled “Special Amusement Permit Ordinance” of the Town of Mount Desert be enacted as set forth below?

**TOWN OF MOUNT DESERT
Special Amusement Permit Ordinance**

**Enacted March 2, 2004
Amended March 8, 2005
Amended August 11, 2020
Amended May 7, 2024**

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5. Period of Ordinance

~~This Ordinance shall remain in effect for a period of fifteen (15) years from the effective date, or the date of the latest amendment thereafter.~~

Explanatory Note: This amendment eliminates the sunset provision in the ordinance to be consistent with amendments to the Town Charter dated May 2, 2022 referendum election.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 8. Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance and the Town of Mount Desert Sewer Ordinance regarding exceptions to connecting to public sewer” be enacted as set forth below?

Explanatory note: This Article corrects the reference in Section 6B.15 regarding which Board grants an exception to the requirement of connecting to the public sewer. It also amends the Town of Mount Desert Sewer Ordinance so that it correctly refers to the applicable section in the LUZO.

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

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6B.15 Sanitary Standards

1. **Availability of public sewer.** All plumbing systems within two hundred (200) feet of a public sewer shall be connected to public sewer where available in accordance with local, state, and federal laws and regulations. ~~The Planning Board may waive~~ Board of Selectmen may grant an exception to this requirement if all other standards of Section 6A and the applicable standards of Section 6B are met in accordance with Article 2 of the Town of Mount Desert Sewer Ordinance.

TOWN OF MOUNT DESERT SEWER ORDINANCE

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Article 2 – USE OF PUBLIC SEWERS REQUIRED

2.01 The owner of any house, building or property used for human occupancy, employment, recreation, or other purpose, situated within the Town of Mount Desert and abutting on any street, alley or right-of-way, in which there is now located, ~~or may in the future be located,~~ a public sanitary sewer of the Town of Mount Desert, is hereby required, at property owner’s expense, to install suitable toilet facilities therein, and to connect such facilities, if located within two hundred feet (200’) in accordance with ~~§ 6.3(4)~~ 6B.15.1 of the Mount Desert Land Use Zoning Ordinance, to the proper public sewer, in accordance with the provisions of these rules and regulations, within ninety (90) consecutive calendar days after the date of official notice to do so, provided that said public sewer is located opposite to any portion of the frontage of the property to be served by said sewer. Provided, however, that where excavation of the public highway is otherwise prohibited by state law or regulation, or where unusual hardship exists due to the presence of ledge, incompatible elevations, or other causes, the Board of Selectmen may grant exceptions upon specific application of the owner or lessee of such properties, ~~which~~ with such conditions as the said Selectmen may impose.

2. **State standards.** All subsurface sewage disposal facilities shall be installed in

BLACK – voted or Non-BS/ GREEN – Ready to review/ RED – Not ready

conformance with the State of Maine Subsurface Wastewater Disposal Rules.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 9. Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance to modify the setback standards for lots around Little Echo Lake” be enacted as set forth in **Appendix X (pg. XX)?**

Explanatory note: It has been determined by Maine DEP that Little Echo Lake was man-made and therefore does not require a 100 ft setback from the waterbody. This Article changes the setback designation of the remaining lots on Little Echo Lake that still have a 100 ft setback and reduces it to 75 ft which is consistent with Maine DEP standards.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 10. Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance regarding Individual Private Campsites” be enacted as set forth in **Appendix X (pg. XX)?**

Explanatory note: This Article amends the definition of individual private campsites by adding the number of people who can use one, adding specificity on what site improvements an individual private campsite entails, and clarifying the minimum lot area when they are located in the Shoreland Zone.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 11. Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance regarding Permitted, Conditional, and Excluded Uses for Residential Dwelling Units” be enacted as set forth in **Appendix X (pg. XX)?**

Explanatory note: This Article amends the wording in Section 3.4 (Table of Allowed Uses) so that Residential Dwelling Units (specifically Residential Dwelling One Family, Residential Dwelling Two Family, and Residential Dwelling, Multi-Family) are consistent with the defined terms in Section 8 of the LUZO.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 12. Shall an ordinance dated May 7, 2024 and entitled “Amendments section 5.4 of the Land Use Zoning Ordinance notification responsibility for conditional use approval process” be enacted as set forth below?

Explanatory note: This Article amends the wording in Section 5.4.3 to clarify that the Town is responsible for sending notices of public hearings for Conditional Use Applications rather than the Planning Board.

SECTION 5 CONDITIONAL USE APPROVAL

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5.4 Review Procedures

Pre-Application Procedures – Prior to submitting a Conditional Use Approval Application an applicant or authorized agent may request to appear at a regular meeting of the Planning Board to discuss the proposed project. The pre-application review shall not be construed as representing either the pendency or the commencement of the application process per se.

Formal Application Procedures – The review procedures set forth below may, at the Planning Board’s discretion, be undertaken at a single meeting.

- 1. Determination of completeness.** Following receipt of a formal Conditional Use Approval application, the Planning Board shall review the material and determine whether or not the submission is complete. If the application is determined to be incomplete, the Board shall notify the applicant in writing of this finding, shall specify the additional materials required to make the application complete and shall advise the applicant that the application will not be considered by the Board until the additional information is submitted to the Board. These steps, except the notification requirements, shall be repeated until the application is found to be complete.
- 2. Notification of completeness.** As soon as the Board determines that the application is complete, the Board shall notify the applicant of this finding and issue a dated receipt.
- 3. Public hearing and notice of meeting.** On each application for Conditional Use Approval the Planning Board shall hold a public hearing not less than ten (10) days after public notice. The ~~Planning Board~~ Town shall send notice of each public hearing by first class mail to all abutting property owners and shall publish such notice in a newspaper with local circulation at the applicant's expense. The notice shall include the date, time, and place of the meeting at which the application will be considered.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 13. Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance regarding dimensional requirements for Residential Dwelling Units and Accessory Dwelling Units” be enacted as set forth in **Appendix X (pg. XX)?**

Explanatory note: This Article amends Section 6B.11 to clarify the dimensional requirements for Residential Dwelling Units and be in compliance with State Law LD2003 (now 30-A MRS § 4364-A). It also adds standards for Accessory Dwelling Units (which are already allowed in Mount Desert) and clarifies that they are only allowed on lots where there is a single residential dwelling unit.

Planning Board recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 14. Shall an ordinance dated May 7, 2024 and entitled “Amendments the Land Use Zoning Ordinance clarify the timing for approval of permits” be enacted as set forth below?

Explanatory note: This Article amends the procedure to administer permits (Section 7.5) by clarifying timelines for reviewing and issuing permits.

SECTION 7 CODE ENFORCEMENT OFFICER

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7.3 Permits Required

It shall be unlawful, without first obtaining a permit from the appropriate reviewing authority, to engage in any activity or use of land or structure requiring approval in the district in which such activity or use would occur; or expand, change, install or replace an existing use or structure; or renew a discontinued nonconforming use. A person who is issued a permit pursuant to this Ordinance shall have a copy of the permit on site while the work authorized by the permit is performed. Approval shall be required for:

1. **Activities requiring Code Enforcement Officer approval.** Any activity listed in Section 3.4 requiring approval from the Code Enforcement Officer.

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7.5 Procedure for Administering Permits

1. Submission of Permit applications to Code Enforcement Officer

1. **Determination of complete application.** Within 30 days of the date of receiving a written application for approval of either the Code Enforcement Officer or the Planning Board, the Code Enforcement Officer shall notify the applicant in writing either that the application has been accepted as a

complete application or, if the application is incomplete, that specific additional material is needed to make the application complete.

2. **Code Enforcement Officer permits and approvals.** The Code Enforcement Officer shall within a period of ten (10) business days after determining an application is complete either approve, approve with conditions, or deny such applications in accordance with the provisions of this Ordinance.

~~23. **Referrals.** All applications which require Conditional Use Approval of the Planning Board or action by the Board of Appeals shall within a period of thirty (30) days of completeness be referred to the applicable board for action and public notice shall be given. After approval, with or without conditions by such Board, the Code Enforcement Officer shall issue a permit within ten (10) workingbusiness days after being notified of such approval.~~

~~3. **Code Enforcement Officer permits and approvals.** In all other cases involving approval by the Code Enforcement Officer, the Code Enforcement Officer shall within a period of ten (10) working days approve or deny such applications in accordance with the provisions of this Ordinance.~~

7.6 **Violations.** If, upon inspection or investigation, the CEO shall find what appears to be a violation, he/she shall notify in writing the person(s) believed to be responsible, within ten workingbusiness days. The notice shall describe the nature of the violation, and state what appeal procedures may be available.

The CEO shall order any necessary action to correct the violation, including discontinuance of the activity and/or removal of buildings, and abatement of nuisance conditions. The CEO shall maintain a copy of all such notices, which shall be available for public inspection during regular office hours. Each day that the violation occurs shall constitute a separate offense, beginning with the day following notification by the Code Enforcement Officer of such violation. A copy of such notices shall be submitted to the municipal officers and be maintained as a permanent record.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 15. Shall an ordinance dated May 7, 2024 and entitled “Amendments the Land Use Zoning Ordinance clarify the timing for approval of permits” as set forth in ***Appendix X (pg. XX)?***

Explanatory note: This Article amends the LUZO procedure for administering permits to clarify the standards for certificates of occupancy.

Planning Board recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

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Ordinance” be enacted? **See Appendix X (pg. XX)**

Repeal and replace: add most of the items noted within Section 7 of the Land Use Zoning Ordinance and remove the expiration date.

Planning Board recommends [if LUZO]

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 21. Shall an ordinance dated May 7, 2024 and entitled “Subdivision Ordinance” be enacted? **See Appendix X (pg. XX)**

Explanatory note: This Article will repeal the existing Subdivision Ordinance and replace it with a new one.

Planning Board recommends [if LUZO]

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 22. Shall an ordinance dated May 7, 2024 and entitled “Short-Term Rental and Vacation Rental Licensing Ordinance” be enacted? **See Appendix X (pg. XX)**

Explanatory note: This Article is to adopt a licensing ordinance for Short Term Rentals and Vacation Rentals.

Selectboard recommends (passage)

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Gifts

Article 23. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to accept Conditional Gifts (MRSA 30-A, §5654), Unconditional Gifts (MRSA 30-A §5655), equipment, proceeds from sale of fire equipment or funds on behalf of the Municipal Fire Department. It is understood that any funds received will be placed in the Fire Equipment Reserve Fund.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 24. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to accept and expend on behalf of the Town additional state, federal and other funds (including gifts and grants, as well as funds received under the American Rescue Plan Act and similar legislation) received during the fiscal year 2024-2025 for Town purposes, provided that such additional funds do not require expenditure of local

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funds not previously appropriated.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Leases, Agreements, Easements, Deeds, Sales, Acceptance of Private Roads and Sewers [revise as necessary]

Article 25. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to lease a portion of the so-called Visitor Center at the Northeast Harbor Marina to the Ticket Booth operators for a term of one (1) year beginning July 1, 2024 under such terms and conditions as the Selectboard, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 26. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard, to lease a portion of the so-called Visitor Center at the Northeast Harbor Marina to the Mount Desert Chamber of Commerce for a term of one (1) year beginning July 1, 2024 under such terms and conditions as the Selectboard, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 27. To see if the Inhabitants of the Town of Mount Desert will authorize the Selectboard, to negotiate and enter into an agreement with the Neighborhood House Club, Inc. for management and maintenance of the municipal swimming pool, for a term of one (1) year beginning July 1, 2024 under such terms and conditions as the Selectboard, in its sole discretion, deems to be in the best interests of the Town.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 28. To see if the Town of Mount Desert (the Town) will vote to enter into a contract (the Contract), in a form substantially similar to the draft contract, a copy of which is included herein in Appendix D, for a term of five (5) years beginning July 1, 2019, with Eastern Maine Recycling, (EMR), a Maine corporation which owns and operates a municipal solid waste transfer station, licensed by the State of Maine Department of Environmental Protection (DEP), in the Town of Southwest Harbor, Hancock County, Maine, that provides for the services typically associated with and including, but not necessarily

BLACK – voted or Non-BS/ GREEN – Ready to review/ RED – Not ready

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 36. To see if the Inhabitants of the Town of Mount Desert will vote to approve July 1, each year, as the date on which all taxes shall be due and payable providing that all unpaid taxes on September 1, of each year, shall be charged interest at an annual rate of 8.5% (percent) per year. *(Tax Club members are exempt within the terms and conditions of the Town's Tax Club Agreement.)*

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 37. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Tax Collector to enter into a standard "tax club" agreement with taxpayers whereby: (1) the taxpayer agrees to pay specified monthly payments to the Town based on the taxpayer's estimated and actual tax obligation for current year property taxes (real estate and/or personal); (2) the Town agrees to waive interest on timely payments; (3) the Town authorizes the Tax Collector to accept payment of taxes prior to commitment of taxes; (4) the agreement automatically terminates if two consecutive payments are missed and the taxpayer thereupon becomes subject to the same due date and interest rate as other, nonparticipating taxpayers; (5) only taxpayers who are paid in full on their property tax obligations may participate; and (6) interested taxpayers shall apply annually for participation by the date shown on the application, date and application format to be determined by the Tax Collector.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 38. To see if the Town will vote to authorize the Tax Collector to accept pre-payment of property taxes not yet committed, not to exceed the estimated amount to be committed in the subsequent year, with no interest to be paid on same.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 39. To see if the Inhabitants of the Town of Mount Desert will vote to set the interest rate to be paid by the Town for abated taxes that have been paid at the rate of 4.25% (percent) per year.

Selectboard recommends passage

Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 40. To see if the inhabitants of the Town of Mount Desert will vote to authorize expenditures to pay any tax abatements granted by the Assessor, Board of Assessment Review, or Selectboard together with any interest due thereon from the Town,

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during the fiscal year beginning July 1, 2024, in an aggregate amount not to exceed the property tax commitment overlay.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 41. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to dispose by public bid of Town-owned property, other than real property, with a value of ten thousand dollars (\$10,000.00) or less under such terms and conditions as it deems advisable.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 42. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to sell at public auction or by advertised sealed bid, and to convey titles obtained under tax deeds and under deeds of conveyance to the Inhabitants of the Town any land and/or buildings, including trailers, in lieu of payment of taxes except that the Selectboard have the power to authorize redemption. Municipal Officers shall use the special sale process required by 36 M.R.S. § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 43. To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Selectboard to contract for services, in amounts not to exceed appropriation for same, under such terms and conditions as it deems advisable.

Selectboard recommends passage
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Municipal Revenue

Article 44. To see if the inhabitants of the Town of Mount Desert will authorize usage of \$200,000 of prior surplus State Revenue Sharing funds (account 100-13213) to be used to offset the 2024 - 2025 tax commitment.

Explanatory note: When the Town receives more state revenue sharing funds than budgeted, the difference does not get closed out to undesignated fund balance. Instead, it is recognized as restricted fund balance and can only be used for offsetting tax levy through a vote of the municipal legislative body (Town Meeting). The unaudited balance as of 6.30.23 is \$218,485.

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Selectboard recommends (passage)
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 45. To see if the Inhabitants of the Town of Mount Desert will vote to transfer \$400,000 thousand dollars (\$400,000. 00) from the Undesignated Fund Balance Account #100-38300 to reduce the 2024 - 2025 tax commitment.

Selectboard recommends (passage)
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Article 46. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and/or appropriate as Revenue through Excise Taxes, Service Fees and miscellaneous sources for the 2024 - 2025 Town Budget.

Selectboard recommends \$2,011,654.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Municipal Appropriations

Explanatory note: articles **XX** amend previously approved appropriations.

Article 47. To see if the Inhabitants of the Town of Mount Desert will vote to ratify the overdraft that occurred in Public Works for the year ended June 30, 2023, in the amount of \$105,445.79 (3,056,071.79 expended versus \$2,950,626 budgeted). The overdraft was charged to the Undesignated Fund Balance. Said overage was primarily attributable to overages in the waste management department 515 netting to \$96,851.04 (\$781,561.04 expended versus \$684,710 budgeted). Said departmental overage was primarily attributable to tipping fees of solid waste. Actual expenditures on tipping fees of \$472,950.93 exceeded budgeted expectations of \$385,000 by \$87,950.93.

Explanatory Note: Waste Management negative budget variance The Waste Management division of Public Works exceeded its budget of \$594,675 by \$48,215.62. This amount is the result of some budget lines being overspent and some being underspent. The primary items that resulted in the overdraft included:

- the increase in volume of trash, bulky waste, metals, construction demolition debris, waste wood, green wood, etc. that was delivered to the EMR transfer station in Southwest Harbor where the total costs exceeded the budgeted amount of \$230,000 by \$28,987 for a total cost of \$258,987 and,
- the resultant increase in volume of trash being delivered to the PERC facility when it was operational or to the Juniper Ridge Landfill in Old Town when PERC was closed due to unforeseen maintenance, tipping floor fires, inability to handle the volume of trash being delivered to them, where the total costs exceeded the budgeted amount of \$132,500 by \$20,789.58 for a total cost of \$153,289.58 with both sites being used due to the waste processing facility in Hampden having been

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closed since May 2020 due to poor management and lack of funds to make improvements and,

- reopening our recycling center on January 1, 2022, without having budgeted funds for doing so resulting in the expenditure of \$16,349.41 unbudgeted funds.

Selectboard recommends (passage)

Warrant Committee recommends (passage)

Article 48. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 200 through 211 General Government – Governing Body (Selectboard), Municipal Management, Town Clerk, Registrar, Elections, Planning Board, Finance, Treasurer, Tax Collector, Assessment, Code Enforcement, Unallocated Funds, Human Resources, Technology, and Contracted Municipal and Community Oriented Services for the 2024 - 2025 Town Budget.

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| Gov. Body (Bd of Selectboard): 37,058.00 | Registrar: \$3,000.00 |
| Town Clerk: \$151,240.00 | Planning Board: \$120,613.00 |
| Elections: \$16,000.00 | Treasurer: \$110,452.00 |
| Finance: \$221,044.00 | Assessment: \$156,081.00 |
| Tax Collector: \$22,616.00 | Unallocated: \$99,800.00 |
| Code Enforcement: \$322,826.00 | Technology: \$248,992.00 |
| Human Resources: \$51,912.00 | CMCOS: \$143,000.00 |
| Town Management: \$482,704.00 | |

Selectboard recommends \$2,187,338.00

Warrant Committee recommends \$2,187,338.00.00 (XX Ayes; XX Nays)

Article 49. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 300 General Assistance Support for the 2024 - 2025 Town Budget.

Selectboard recommends \$5,000.00

Warrant Committee recommends \$5,000.00 (XX Ayes; XX Nays)

Article 50. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 350 Rural Wastewater Support for the 2024 - 2025 Town Budget.

Selectboard recommends \$232,580.00

Warrant Committee recommends \$232,580.00 (XX Ayes; XX Nays)

Article 51. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 406 Street Lights for the 2024 - 2025 Town Budget.

Selectboard recommends \$12,250.00

Warrant Committee recommends \$12,250.00 (XX Ayes; XX Nays)

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Article 52. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 401, 405, 407 and 408 Public Safety – Police and Communications (Dispatch) for the 2024 - 2025 Town Budget.

Police: \$1,155,094.00
Shellfish: \$3,403.00

Communications: \$477,938.00
Animal Control: \$4,480.00

Selectboard recommends \$1,640,915.00
Warrant Committee recommends \$1,640,915.00 (XX Ayes; XX Nays)

Article 53. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 403,404, and 409 Public Safety – Fire Department, Hydrants, and Emergency Management for the 2024 - 2025 Town Budget.

Fire: \$2,501,492.00 Hydrants: \$273,500.00 Emergency Management: \$1,000.00

Selectboard recommends \$2,775,992.00
Warrant Committee recommends \$2,775,992.00 (XX Ayes; XX Nays)

Article 54. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 501, 515, 520 and 525 Public Works - Roads, Waste Management, Buildings & Grounds, Parks & Cemeteries, and 530 Environmental Sustainability for the 2024 - 2025 Town Budget.

Roads: \$2,049,380.00
Parks/Cemeteries: \$60,202.00
Buildings/Grounds: \$277,154.00
Waste Management: \$809,806.00
Environmental Sustainability: \$28,250.00

Selectboard recommends \$3,224,792.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Article 55. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 505 and 506 Sewers (Wastewater Treatment) for the 2024 - 2025 Town Budget.

Sewer Capital: \$ 0.00
Sewer Operation: \$764,286.00
Wastewater Treatment
Northeast Harbor Plant: \$203,625.00
Seal Harbor Plant: \$153,758.00
Somesville Plant: \$80,000.00
Otter Creek Pmp Station: \$35,500.00

Selectboard recommends \$1,237,169.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

BLACK – voted or Non-BS/ GREEN – Ready to review/ RED – Not ready

Article 56. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 605 Recreation (Public Pool ~Utilities & Maintenance) for the 2024 - 2025 Town Budget.

Selectboard recommends \$5,900.00
Warrant Committee recommends \$5,900.00 (XX Ayes; XX Nays)

Article 57. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 701 Economic/Community Development for the 2024 - 2025 Town Budget.

Selectboard recommends \$10,000.00
Warrant Committee recommends \$10,000.00 (XX Ayes; XX Nays)

Article 58. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 801 Debt Service for the 2024 - 2025 Town Budget.

Selectboard recommends \$2,030,632.00
Warrant Committee recommends \$2,030,632.00 (XX Ayes; XX Nays)

Article 59. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 851 Libraries, Village Improvement Societies, Recreation, and Public/Social Service Agencies for the 2024 - 2025 Town Budget.

Libraries: \$XXX.00
Recreation: \$XXX.00

Village Improvement Societies: \$XXX.00
Public/Social Service Agencies: \$XXX.00

Selectboard recommends \$XXX.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Article 60. To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 991 Capital Improvement Plan transfers for the 2024 - 2025 Town Budget.

Selectboard recommends \$1,705,927.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Written Ballot required for Article xx

Article 61. To see if the Inhabitants of the Town of Mount Desert will vote to increase the property tax levy limit by \$XXX.00. See Appendix XYZ (pg. XX).

BLACK – voted or Non-BS/ GREEN – Ready to review/ RED – Not ready

Explanation: *The State Legislature passed a “tax reform” law known as LD#1. This bill created a maximum municipal tax levy based upon this year’s tax, plus an allowance for inflation and the Town’s tax base growth due to new construction. However, LD#1 allows Mount Desert voters to increase that tax cap with the approval of a simple majority of the voters at Town Meeting. The only requirement is that a secret vote must be taken by written ballot.*

Selectboard recommends (passage)
Warrant Committee recommends (passage) (XX Ayes; XX Nays)

Marina Proprietary Fund

Article 62. To see if the Inhabitants of the Town of Mount Desert will vote to ratify the Selectboard’s approval of the Marina Proprietary Fund budget.

Revenue: \$924,415.00 Expense: \$924,415.00

Selectboard recommends ratification
Warrant Committee makes no recommendation

Elementary School Appropriations

Note: Articles 50 through 60 authorize expenditures in cost center

Article 63. To see what sum the School Board will be authorized to expend for Regular Instruction for the fiscal year beginning July 1, 2024 and ending June 30, 20xx.

School Board recommends \$XXX.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Article 64. To see what sum the School Board will be authorized to expend for Special Education for the fiscal year beginning July 1, 2024 and ending June 30, 20xx.

School Board recommends \$XXX.00
Warrant Committee recommends \$XXX.00 (XX Ayes; XX Nays)

Article 65. To see what sum the School Board will be authorized to expend for Career and Technical Education for the fiscal year beginning July 1, 2024 and ending June 30, 20xx.

School Board recommends \$XXX.00

Appendices

An underline indicates an addition and a ~~strikethrough~~ indicates a deletion.

**Appendix A (Article XX; pg. XX)
Little Echo Lake Setback**

SECTION 3 LAND USE DISTRICTS

3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc

(n) The setback from the normal high-water line of a great pond is 100 feet, except for these lots where the setback is 75 feet, indicated below.

Map-Lot IDs for 75 ft. setback

Map-Lot IDs for 100 ft. setback

Long Pond & Echo Lake:

All Lots

Little Round Pond:

012-018
012-019
012-019-001

Little Round Pond:

012-015-001
012-020

Round Pond:

011-120
011-122
011-123
011-124
012-013

Round Pond:

011-90
011-118
011-119

Little Echo Lake:

009-098
009-099
009-100
009-101
009-102
009-107
009-120-010
009-120-010-001
009-120-011
009-097
009-107-003

Little Echo Lake:

~~009-107~~
~~009-120-010~~
~~009-120-010-001~~
~~009-120-011~~
~~009-097~~
~~009-107-003~~

(Added November 16, 2009)

(Amended May 3, 2011)
(Amended May 8, 2018)
(Amended May 7, 2024)



Proposed Little Echo Lake Setback Change

- Setback from water body for highlighted lots will now be 75ft

Appendix B (Article XX; pg. XX)
Individual Private Campsites

SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS.

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.9 Individual Private Campsites.

Individual private campsites not associated with campgrounds are allowed provided the following conditions are met:

1. One campsite per lot existing on the effective date of this Ordinance, or thirty thousand (30,000) square feet of lot area within the shoreland zone, whichever is less, may be permitted.
2. All individual private campsites on lots located wholly or partially within the shoreland zone shall be located on lots with at least 30,000 square feet of total area.
3. When an individual private campsite is proposed on a lot that contains another principal use and/or structure, the lot must contain the minimum lot dimensional requirements for the principal structure and/or use, and the individual private campsite separately.
4. Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.
5. Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to the recreational vehicle.
6. The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1000) square feet.
7. A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing Inspector. Where disposal is off-site, written authorization from the receiving facility or landowner is required.
8. When a recreational vehicle, tent or similar shelter is placed on-site for more than one

hundred and twenty (120) days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

SECTION 8 DEFINITIONS

INDIVIDUAL PRIVATE CAMPSITE: ~~An area of land which is not associated with a campground, but which is used for tent camping. An area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include, among other things, a gravel pad, parking area, fire pit, or tent platform.~~

Appendix X (Article XX; pg. XX)
Section 3.4 Residential Dwelling Units

SECTION 3 LAND USE DISTRICTS

3.4 Permitted, Conditional, and Excluded Uses by District:

All land use activities, as indicated in the following table, shall conform with all of the applicable land use standards in Sections 6.A., 6.B., and 6.C. The district designation for a particular site shall be determined from the Official Land Use Zoning map.

P Use allowed without a permit (but the use must comply with all applicable land use standards)

C Use allowed with conditional use approval from the Planning Board Use allowed with conditional use approval from the Planning Board, except where the code enforcement officer may authorize minor changes in the placement and size of improvements for an approved conditional use permit

X Use is prohibited

CEO Use allowed with a permit from the code enforcement officer

- VR1 VILLAGE RESIDENTIAL ONE
- VR2 VILLAGE RESIDENTIAL TWO
- VR3 VILLAGE RESIDENTIAL THREE
- R1 RESIDENTIAL ONE
- R2 RESIDENTIAL TWO
- SR1 SHORELAND RESIDENTIAL ONE
- SR2 SHORELAND RESIDENTIAL TWO
- SR3 SHORELAND RESIDENTIAL THREE
- SR5 SHORELAND RESIDENTIAL FIVE
- RW2 RURAL OR WOODLAND TWO
- RW3 RURAL OR WOODLAND THREE
- VC VILLAGE COMMERCIAL
- SC SHORELAND COMMERCIAL
- RP RESOURCE PROTECTION
- C CONSERVATION
- SP STREAM PROTECTION

Section 3.4 Permitted, Conditional, and Excluded Uses by District

| DISTRICTS: | | | SR 1 | RW | | | | | | | |
|---|--------------|------------|----------------------|--------------|-----|--------------------|---|----------------|----------------|----------------|--|
| LAND USE: | VR 1 VR 2 | R 1 R 2 | SR 2 SR 3 SR 5 | 2 RW 3 | VC | SC | C | RP | SP | VR3 | |
| RESIDENTIAL | | | | | | | | | | | |
| Dwelling-1-&2 Residential Dwelling One Family & Residential Dwelling Two Family | CEO | CEO | CEO ^(d) | CEO | CEO | CEO ^(d) | C | C ⁸ | C ⁴ | X | |
| Dwelling, Multiple Residential Dwelling, Multi-Family | C | C | C | C | C | X | C | X | X | X | |
| Accessory Residential Dwelling Unit | CEO | CEO | CEO | CEO | CEO | C | C | C ⁸ | C ⁴ | C ² | |
| Accessory structures including structural additions and guest houses ^(e) | CEO | CEO | CEO | CEO | CEO | CEO | C | C ⁸ | C ⁴ | X | |
| Cluster and Workforce Subdivisions | C | C | X | C | C | X | X | X | X | X | |
| Residential Storage Building/Shed | CEO | CEO | CEO | CEO | CEO | CEO | C | C ⁸ | C ⁴ | X | |
| Mobile Home Park | C | X | X | X | X | X | X | X | X | X | |

(c) A separate garage is an accessory structure. A separate garage with a dwelling unit shall be deemed a dwelling unit.

(d) See Section 6B.11.3 (Lots)

(e) Accessory residential dwellings in the VR3 District must be for staff housing only.

Appendix X (Article XX; pg. XX)
6B.11.3 Residential and Accessory Dwellings

SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.11 Lots

3. Requirements for lots wholly outside the Shoreland Zone

1. **Lots abutting more than one road.** Lots which abut more than one road shall have the required setbacks along each road used as an entrance or exit.
2. **Dimensional requirements one-family or two-family dwellings.** One family and two-family dwellings are allowed in all districts, as indicated in Section 3.4, subject to the following: All dimensional requirements shall be met separately for each and every one-family dwelling on a lot. All dimensional requirements shall be met separately for each and every two-family dwelling on a lot.

EXCEPTION:

For any existing or new lot that is wholly outside the Shoreland Zone, one accessory residential dwelling unit is allowed per lot without an increase in the minimum lot size requirement. Accessory residential dwelling units are incidental and subordinate to the principal use or structure and may be no more than 75 percent of the living area of the primary dwelling unit. The accessory residential dwelling shall meet town and state standards for wastewater disposal and the lot on which the accessory residential dwelling is located shall conform to current minimum lot size standards.

2. Residential Dwelling One-family, Two-family and Multi-family

- a. All dimensional requirements shall be met separately for each and every Residential Dwelling one-family on a lot.
- b. A Residential Dwelling Two Family shall be considered a single structure and all dimensional requirements shall be met separately for each and every Residential Dwelling Two Family on a lot.
- c. Dimensional Standards shall be met for each residential dwelling unit in a Residential Dwelling Multi-Family.

3. Accessory Dwelling Units. For any existing or new lot with a Residential Dwelling One-Family that is wholly outside the Shoreland Zone, one accessory residential dwelling unit is allowed per lot without an increase in the minimum lot

area requirement

- a. Accessory residential dwelling units can be within the Residential Dwelling One-Family, attached to it, or in a new structure.
- b. An accessory dwelling unit must be a minimum of 190 square feet and may be no more than 75 percent of the living area of the primary dwelling unit.
- c. The accessory residential dwelling must have adequate water supply and shall meet town and state standards for wastewater disposal.
- d. For an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of the implementation date, the required setback requirements in local ordinance of the existing accessory or secondary building apply.

4. Requirements for Lots Wholly or Partially within the Shoreland Zone

- 4. **Multiple structures.** If more than one residential dwelling unit, principal governmental, institutional, commercial, or industrial structure or use, or combination thereof, is constructed or established on a single parcel that is wholly or partially within the Shoreland Zone, all dimensional requirements shall be met for each additional dwelling unit, principal structure, or use.

SECTION 8 DEFINITIONS

ACCESSORY RESIDENTIAL DWELLING UNIT: A dwelling unit either attached to a single-family principal dwelling or located on the same lot and having an independent means of access. A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

RESIDENTIAL DWELLING UNIT: A room or a group of rooms designed for permanent, seasonal, or temporary habitation by one family at a time that includes cooking, toilet, and sleeping facilities. The term shall include mobile homes, accessory dwelling units, and rental units that contain cooking, toilet and sleeping facilities (regardless of the time period rented). Recreational vehicles are not residential dwelling units.

RESIDENTIAL DWELLING ONE-FAMILY: A structure or a portion of a structure designed for human habitation that includes facilities for cooking, eating, and sleeping for one family.

RESIDENTIAL DWELLING TWO-FAMILY: A single structure containing two attached dwelling units, each of which has independent access. The two dwelling units shall share a common floor, roof, or wall. A covered porch or enclosed breezeway measuring no longer than 12 feet in

length between the two dwellings shall meet the requirement of a shared floor, roof, or wall.

RESIDENTIAL DWELLING MULTI-FAMILY: A structure or a portion of a structure designed for human habitation that includes facilities for cooking, eating, and sleeping for three or more families. The units may or may not have an internal connection to another unit or units.

Appendix X (Article XX; pg. XX)
Certificates of Occupancy

SECTION 7 CODE ENFORCEMENT OFFICER

7.5 Procedure for Administering Permits

6. Certificate of Occupancy. No structure or portion of a structure that is regulated by this ordinance may be occupied until a Certificate of Occupancy has been issued by the Building Inspector/Code Enforcement Officer. Temporary Certificates of Occupancy are permitted provided no serious life safety hazard exists as judged by the Authority Having Jurisdiction/Code Enforcement Officer. Occupancy without written approval is a violation of the ordinance and subject to penalties as prescribed in Section 7.10 of the ordinance.

1. The National Fire Protection Association 101 Life Safety Codes, shall be enforced, as amended from time to time and adopted/approved by the State Fire Marshal's Office.

2. Contractors or Sub-contractors installing structural or mechanical parts of a building regulated, by a, b, c, & d below of this ordinance shall sign off on the Certificate of Occupancy that said installation is in accordance with the requirements contained in said section.

a. **Chimneys, Smoke Pipes or Flue Pipes.** Chimneys, smoke pipes and flue pipes shall conform with the requirements of the 1996 National Fire Protection Association 211 Code for Chimneys, Fireplace, Vents and Solid Fuel Burning Appliances, or as amended.

b. **Oil Burner Installation.** Oil burner installation and service shall conform to the requirements of the National Fire Protection Association 31 Oil Burning Equipment current edition as designated by the State of Maine Oil and Solid Fuel Board.

c. **LP Gas Equipment Installation.** LP Gas equipment installation and service shall conform to the requirements of the National Fire Protection Association 58 Liquefied Petroleum Gases, Storage and Handling, current edition as designated by the State of Maine Oil and Solid Fuel Board.

d. **Electrical Installation.** The building shall have a safe and adequate electrical service and wiring, all of which shall conform to the requirements of the National Fire Protection Association 70 National Electrical Code, current edition as designated by the State of Maine Electricians Examining Board. All commercial work and residential service entrance work shall be done under the direction of a master

electrician. Before any electrical service, wiring, and device is put into use, the Master Licensed Electrician responsible for the installation or a State of Maine Electrical Inspector shall give written notice to the Building Inspector that the installation adheres to the prescribed standards.

3. Inspection Of Work Performed by Licensed Oil Burner Technicians, LP Gas Technicians and Electricians. It is the responsibility of the licensed professional to perform work in accordance with applicable laws. The State of Maine provides random monitoring of work performed by these professionals and no further inspection is required. However, if during the course of a required inspection the Building Inspector should notice work performed by licensed tradesmen that may be in violation of code, the Building Inspector may request an inspection by a State Inspector.

4. Manufactured and/or Modular Homes that are in compliance with the Manufactured Housing Act (Title 10 Maine Revised Statutes Chapter 951) are exempt from all state or other political subdivision codes, standards, rules, or regulations that regulate the same matters. M.R.S. Title 10 Subsection 9043(6)

a. Inspection and certification. Manufactured housing produced by a manufacturer approved in subsection 5, shall be inspected by an approval agency in accordance with this section, and certified by that agency as having been constructed in accordance with the standards adopted by the board provided the approval agency makes that determination. M.R.S. Title 10 Subsection 9043(4)

b. Certification. The manufacturer of that housing, regardless of the approval alternative used, shall certify that the manufactured housing conforms to all applicable standards whether adopted by the board (Manufactured Housing Board) and that manufacturer's certification must be permanently affixed to the manufactured housing in accordance with such requirements as the board may by rule prescribe. Affixation of a certificate to manufactured housing signifies the manufacturer's representation and warranty to all purchasers of the housing that the housing was manufactured in accordance with all applicable standards of the board in effect on the date of manufacture. Therefore, no Certificate of Occupancy shall be issued.

5. Tiny homes.

a. Tiny homes constructed on a trailer that may be mobile and potentially moved from where it was constructed to a site for use as a "dwelling unit" for human occupancy.

The Secretary of State shall issue certificates of title for new tiny homes beginning with model year 2020. The Secretary of State shall issue a certificate of title for a used tiny home of any model year that was previously

issued a State of Maine certificate of title. A certificate of title issued pursuant to this subsection remains in effect unless cancelled pursuant to section 669. Therefore, no Certificate of Occupancy shall be issued.

- b. Tiny homes constructed on a site in a more traditional stick-built manner but meeting certain size standards established in the laws and codes adopted.

This type of tiny home would be a structure constructed under the same codes and standards as a larger, more traditional dwelling and on a foundation, but still meeting the size limitation of less than 400 SF. This is identified in the MUBEC rules under the IRC (Chapter 5) which would be allowed the use of Appendix V. Appendix V provides some code exceptions that have been approved to accommodate the limited size and deemed to provide an acceptable level of safety for the occupants. This type of construction would be subject to all other utility codes adopted by the State of Maine, to include but not limited to, the Maine Internal Plumbing code, State Electrical codes, and Fuel Gas codes.

- c. The Town of Mount Desert does not enforce the Maine Uniform Building & Energy Codes (MUBEC); therefore, a Third-Party Inspector would be required to conduct all inspections, at the property owners' expense of the Tiny Home to assure it meets all the requirements listed above and attached, and provide a report to the Code Enforcement Department, prior to issuing a Certificate of Occupancy.