

WARRANT ARTICLE I - 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?

Explanation: -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.

SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS.

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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(1) 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 conformance with the State of Maine Subsurface Wastewater Disposal Rules.