

An Ordinance to Amend Chapter 1 (General Provisions), Chapter 91 (Building Construction), Chapter 116 (Floodplain Management), Chapter 132 (Historic Preservation), Chapter 145 (Land Use), Chapter 201 (Streets and Sidewalks), and Chapter 202 (Subdivision of Land) of the Code of the Town of Wells to Update Section References within the Ordinances

NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.

The Town of Wells hereby ordains and enacts “An Ordinance to Amend Chapter 1 (General Provisions), Chapter 91 (Building Construction), Chapter 116 (Floodplain Management), Chapter 132 (Historic Preservation), Chapter 145 (Land Use), Chapter 201 (Streets and Sidewalks), and Chapter 202 (Subdivision of Land) of the Code of the Town of Wells to Update Section References within the Ordinances” to read as follows:

Part 1: Chapter 1 (General Provisions), § 1-1, entitled “Adoption of Code” is hereby amended as follows:

The various chapters and articles of the 1985 Code of the Town of Wells, and subsequent ordinances of the Town of Wells of a general and permanent nature adopted by the Town Meeting and Board of Selectmen of the Town of Wells, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp., and consisting of Chapters **1** through **212**, together with certain regulations contained in Chapters **230** and ~~202~~ **260**, are hereby approved, adopted, ordained and enacted as the "Wells Municipal Code," hereinafter referred to as the "Code."

Part 2: Chapter 91 (Building Construction), “General References” is hereby amended as follows:

GENERAL REFERENCES

Floodplain management — See Ch. ~~116~~ **115**.

Residential growth — See Ch. ~~174~~.

Subdivision of land — See Ch. ~~202~~ **260**.

Part 3: Chapter 116 (Floodplain Management), “General References” is hereby amended as follows:

GENERAL REFERENCES

Subdivision of land — See Ch. ~~202~~ **260**.

Part 4: Chapter 132 (Historic Preservation), “General References” is hereby amended as follows:

GENERAL REFERENCES

Floodplain management — See Ch. ~~116 115~~.

Part 5: Chapter 145 (Land Use), “General References” is hereby amended as follows:

GENERAL REFERENCES

Floodplain management — See Ch. ~~116 115~~.

Residential growth — See Ch. ~~174~~.

Subdivision of land — See Ch. ~~202 260~~.

Part 6: Chapter 145 (Land Use), § 145-12, entitled “Nonconforming uses” is hereby amended as follows:

F. Mobile home parks outside Mobile Home Park Overlay District.[Added 11-5-2002]

(1) Notwithstanding § ~~145-12E~~, the Planning Board, acting under Chapter ~~202 260~~ (Subdivision of Land), may permit the expansion of a legally nonconforming existing mobile home park which is located outside the Mobile Home Park Overlay District, subject to the following conditions:

(2) Notwithstanding anything to the contrary in 1 M.R.S.A. § 302, this § ~~145-12F~~ applies to any application under this Chapter or under Chapter ~~202 260~~, whether or not such application has become a pending proceeding as defined in 1 M.R.S.A. § 302.

Part 7: Chapter 145 (Land Use), § 145-34, entitled “Mobile Home Park Overlay District” is hereby amended as follows:

B. General requirements. Except as stipulated below, mobile home parks shall meet all the requirements for a residential subdivision, shall conform to all the requirements of the underlying district and shall conform to all applicable state laws and local ordinances or regulations. Where the provisions of this section conflict with specific provisions of this chapter or Chapter ~~202 260~~ (Subdivision of Land) of the Wells Municipal Code, the provisions of this section shall prevail.

Part 8: Chapter 145 (Land Use), § 145-35, entitled “General Regulations” is hereby amended as follows:

I. No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter ~~116 115~~, Floodplain Management, § ~~115-6~~, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space.[Amended 11-6-2001]

Part 9: Chapter 201 (Streets and Sidewalks), “General References” is hereby amended as follows:

GENERAL REFERENCES

Subdivision of land — See Ch. ~~202~~ 260

Part 10: Chapter 202 (Subdivision of Land), “General References” is hereby amended as follows:

GENERAL REFERENCES

Floodplain management — See Ch. ~~116~~ 115.

~~Residential growth — See Ch. 175.~~

Part 11: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

Given under our hands this ____ day of _____, 2016.

BOARD OF SELECTMEN OF THE TOWN OF WELLS:

Karl Ekstedt

Christopher Chase

Richard Clark

Kathy Chase

Timothy Roche