

City of Biddeford
City Council
February 04, 2020 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Presentation:**
 - 4.a. Biddeford Police Department Annual Report
[2-04-2020 PD Annual Report Presentation.pdf](#)
 - 4.b. Update: Biddeford Municipal Airport - given by Gale Associates, Inc.
[2-04-2020 Gale Associates Memo.pdf](#)
- 5. Public Hearing**
 - 5.a. Liquor License for Blaze Brewing, LLC
[2-04-2020 Blaze Brewing Liquor License.pdf](#)
- 6. Liquor License Consideration**
 - 6.a. Blaze Brewing, LLC
[2-04-2020 Blaze Brewing Liquor License.pdf](#)
- 7. Consideration of Minutes:**
 - 7.a. Council Meeting Minutes...January 21, 2020
[1-21-2020 Council Meeting Minutes.docx](#)
- 8. Second Readings:**
 - 8.a. 2020.5) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90.1-No parking during special events/Remove certain streets from this section
[1-21-2020 Special Event Parking-repeal parts of Sec 42-90.1.doc](#)
[2-04-2020 Ch 42-Event Parking-BRIEFING.docx](#)
 - 8.b. 2020.6) Amendment/Ch. 70, Utilities/Art. II-Wastewater System/Division 4. Use Regulations; and Art. III-Wastewater System Capacity Management/Various Amendments
[1-21-2020 Utilites-Wastewater System-various amendments.doc](#)
[2-04-2020 Ch 70-Wastewater System amendments-BRIEFING.docx](#)
- 9. Orders of the Day:**
 - 9.a. 2020.10) Authorization/Purchase of Ford Hook-Lift Truck for Public Works Dept./Arundel Ford
[2-04-2020 Hook-Lift Truck Purchase-ORDER.docx](#)
[2-04-2020 Hook-Lift Truck-BRIEF.docx](#)
[2-04-2020 Hook-Lift Truck-MEMO.doc](#)
- 10. Appointments:**
 - 10.a. Michael Grattelo...Recreation Commission
[2-04-2020 Appt-Grattelo-Recreation Comm.docx](#)
[2-04-2020 Comm App-Grattelo-Recreation Comm.pdf](#)
- 11. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 12. City Manager Report**

- 13. Other Business**
- 14. Council President Addressing the Council**
- 15. Mayor Addressing the Council**
- 16. Executive Session**
 - 16.a. 1 MRSA 405 (6)(C)...Terms of Contract
- 17. Adjourn**



BIDDEFORD POLICE DEPARTMENT

39 ALFRED STREET, BIDDEFORD, MAINE 04005

COURAGE • HONOR • INTEGRITY



ROGER P. BEAUPRE
Chief of Police

(207) 282-5127
biddefordmaine.org/police

ANNUAL REPORT



Calendar Year 2019

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23	Non Crime
24	Awards



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Chief

On behalf of all the members of the Biddeford Police Department, I welcome you to our annual report for the calendar year 2019.

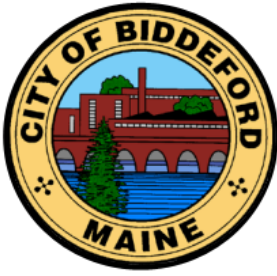
Our agency is dedicated to providing ever evolving police services with the mission to reduce crime, increase safety, and enhance the quality of life in Biddeford. The year 2019 saw continued success in both the prevention and resolution of crime in our community. This was the result of many factors; including the expansion of our community policing strategy, continuous training of our personnel, and our engagement with our community,

The following pages provide a description of our organization, the statistical data, regarding our operations, and the resulting outcomes for our community.

I thank the dedicated and highly professional men and women of this agency who serve our citizens and the visitors to our community. On their behalf, I extend our sincere gratitude to the members of our community and elected officials for their continued support as we fulfill our mission of enhancing the quality of life, promoting a safe and caring environment, and ensuring that each individual is treated fairly and with respect.

Respectfully,

Roger P. Beaupre
Chief of Police



Biddeford is Maine's sixth largest city and its origins date to a period in the 1600s prior to the settlement of Plymouth, Massachusetts. Biddeford was incorporated as a city in 1855 and the Biddeford Police Department was recognized as a municipal police agency in 1893.

The abundant water power supplied by the Saco River allowed Biddeford to build major mill complexes and grew important industries; becoming an economic hub from the mid-1800s to the mid-1900s. By 2009, the last operating section of the mill complex closed its doors.

Our municipality covers fifty-nine square miles of a diverse geography; rolling hillsides, an urban center, and beaches on the Atlantic Ocean. The 22 mile multi-use Eastern Trail, stretching from Kennebunk to South Portland, passes through our community. Our key transits are Interstate 95, U.S. Route I, and the Amtrak rail service. We are a member of a tri-city transit system which conducts intra and intercity and regional bus services.



Biddeford's infrastructure is 131 miles of streets and roadways, thirteen municipal parks, four public beaches, and one municipal airport. We have six schools, including a regional vocational school, serving roughly 2,500 K-12 students and employing 450 teachers and staff.

Biddeford's population is approximately 21,500 and is part of the Greater Portland area totaling about 500,000. Biddeford is 47% males and 53% females, roughly 92% Caucasian, and has a median age of thirty-eight-years. Our housing totals about 9,900 units; 48% rental and 52% owner occupied housing. The median household income for our community is \$43,000 and almost 60% of our student population is eligible for free or reduced lunch in our schools.

We are a service community and our city houses many state offices and community service organizations which serve many communities within York County such as Maine DHHS, York County District Court, and Maine Probation Offices.



units.

Our two largest employers are the University of New England and the Southern Maine Health Care Hospital. Combined they employ over 2,500 people from Biddeford and the surrounding communities. We have three major shopping centers, three industrial parks, and one business park. Our historic mill complexes are transitioning from vacant relics of the past to revitalized contemporary spaces for start-up and existing small businesses, retailers, restaurants, and affordable mixed use and market rate housing



We perform our duties with the ***COURAGE*** to face any ordeal, the ***HONOR*** to those we serve and the badge we wear, and the ***INTEGRITY*** to always do the right thing for our community and those we serve with.

Mission Statement

To provide professional and progressive law enforcement services that enhance the quality of life, promote a safe and caring environment, and ensure the fair and respectful treatment of each individual.

Biddeford Police Officer's Oath

I do solemnly swear that I will faithfully discharge to the best of my ability the duties incumbent on me as a Police Officer of the City of Biddeford, in accordance with the Constitution of the United States and the State of Maine; and in accordance with the Charter and Ordinances of the City of Biddeford, so help me God.

		AVERAGE	
	Headcount	Average Age	Ave. Years of Service (BPD)
Full Time			
Sworn - Command	4	61	29
Sworn - Supervisors	9	48	15
Sworn - Patrol Officers	31	36	8
Sworn - Officers, other	10	46	21
Non-Sworn - Dispatch	14	38	9
Non-Sworn - Other	11	53	13
Total Full Time	79	43	12
Part Time			
Sworn - Patrol Officers	1	49	10
Sworn - Officers, other	1	54	32
Non-Sworn - Other	2	57	1
Total Part Time	4	54	11
TOTAL HEADCOUNT	83	43	12

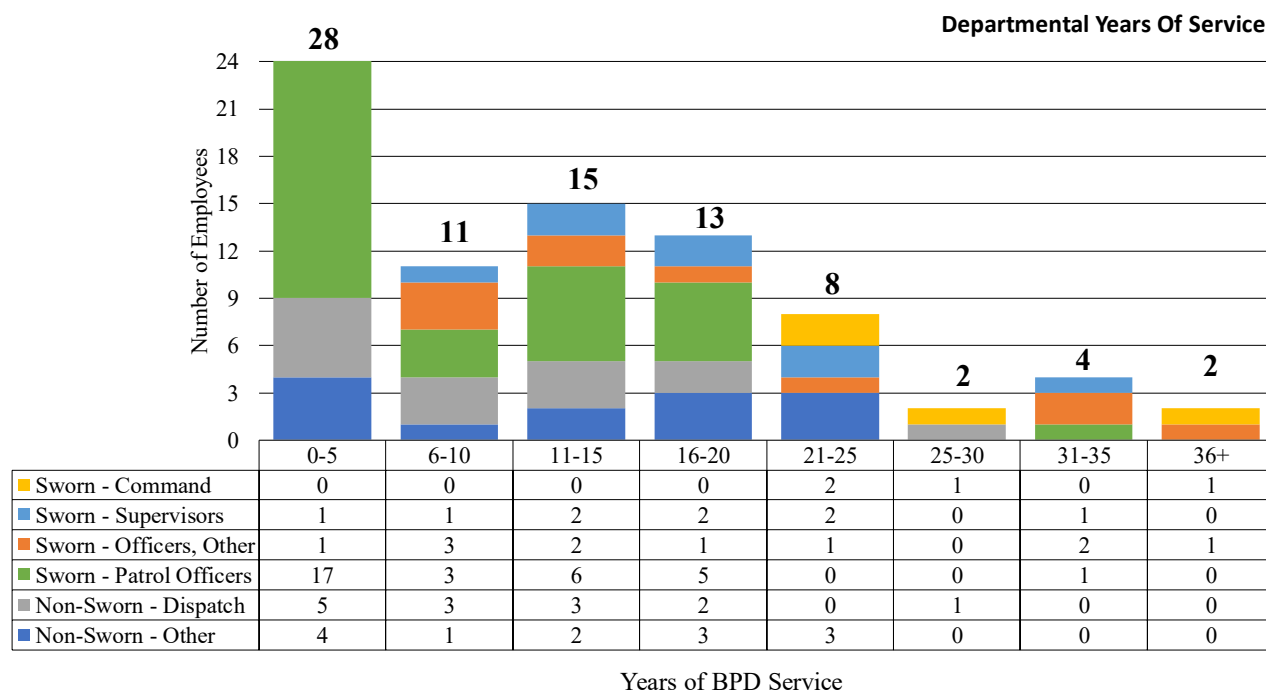
The agency's headcount at the end of 2019 totaled 83 employees and was comprised of 56 sworn and 27 non-sworn members; 79 full time and 4 part time.

The 2019 annualized employee turnover rate was 3.6%; comprised of one retirement and two who left for opportunities outside of law enforcement.

The agency hired five employees during 2019; two full time officers, one part time reserve officer, one full time dispatcher, and one part time member of parking control.

The agency's members averaged 12 years of BPD service and they averaged 43 years of age.

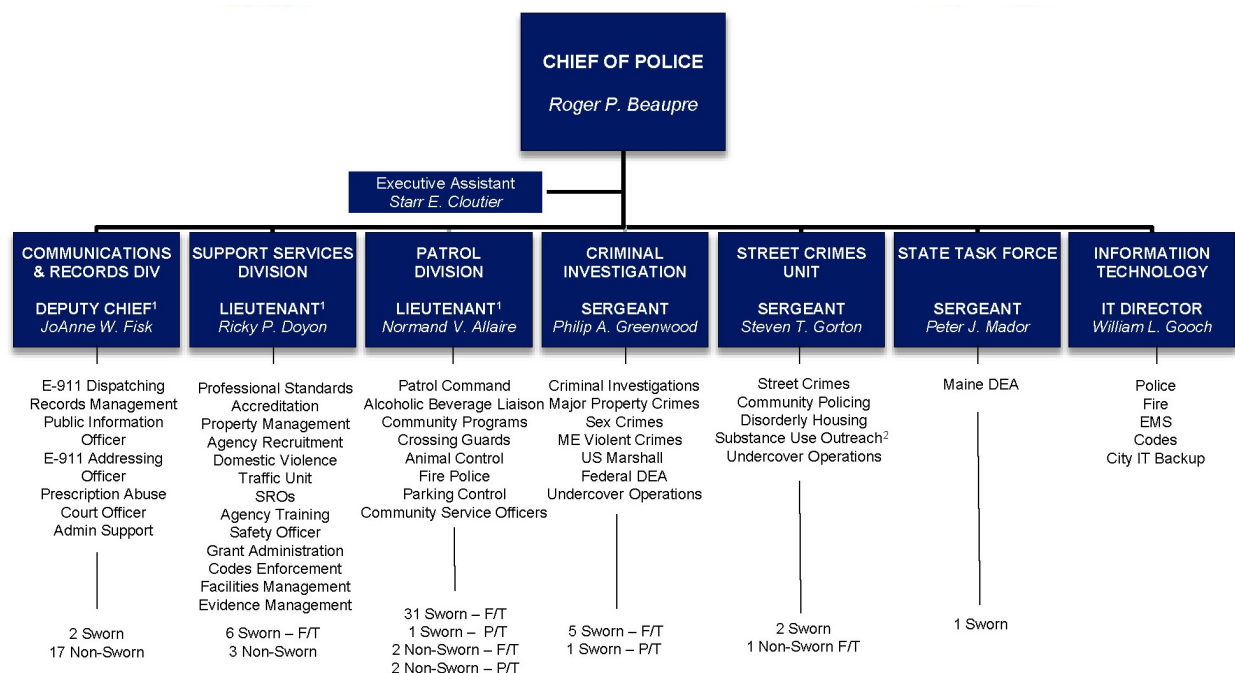
At the end of 2019, the department was comprised of 77% males and 23% females; a slight change from the 79% to 21% at the end of 2018. Sworn officer members were comprised of 91% male and 9% female at the end of 2019.



Collectively the agency's employees completed over 12,000 hours of field training, mandated training, and professional development.

Almost 50% of the agency's employees hold one or more college degrees. Fifteen members have an associate degree, nineteen have a bachelor degree, and six have a master degree. Most of the degrees are in criminal justice or a related major.

Eighteen employees are veterans and collectively served over 90 years in the armed forces. Nine employees are current or former members of the National Guard or Reserves.



Communications and Records is managed by Deputy Chief JoAnne W. Fisk and the division is responsible for Biddeford's communications, records management, and court processing. Biddeford is one of the twenty-six Public Safety Answering Points (PSAP) in Maine. The PSAP serves all of Biddeford's public safety departments and six other communities on a 24 hours a day and 7 days a week basis. The PSAP answers and transfers Saco's E-911 calls and dispatches Fire and EMS for Alfred, Arundel, Dayton, Lyman, and Waterboro.

Support Services is managed by Lieutenant Ricky P. Doyon and this division has the responsibility for the investigation of domestic violence, crash reconstruction, school resource officers, professional standards and accreditation, training, recruitment, code enforcement liaison, grant administration, facilities management, and departmental safety.

Patrol is managed by Lieutenant Normand V. Allaire and the division is responsible for the overall protection of lives and property, maintaining law and order, and responding to emergency and non-emergency requests for service from our department.

Criminal Investigation is managed by Sergeant Philip A. Greenwood and the division has the responsibility to investigate, obtain information and evidence, and ultimately solve all major crimes within our community with the exception of homicide cases. Under Maine law, homicides are investigated by the Maine State Police, the Portland Police Department, or the Bangor Police Department.

Street Crimes Unit is managed by Sergeant Steven T. Gorton and the unit is responsible for the proactive identification of criminal activity that has significant impact on our community's quality of life. SCU works closely with CID and the state and federal task forces. SCU's goal is to target criminal activity before a crime is reported and has the prime responsibility for our community policing strategy.

State and Federal Forces is managed by Sergeant Peter J. Mador. The assignment of BPD personnel to state and federal agencies is a long term enforcement enhancement strategy employed by our department. As a service community, much of the more serious criminal activity in Biddeford is linked to broader statewide and New England wide activity. The assignment of our departmental personnel to federal and state tasks forces increases the investigative horse power Biddeford has for these wider based crimes. Sergeant Mador is the supervisor of Maine Drug Enforcement Agency's District I which covers York County.



Biddeford's Communication Center is one of the twenty-four Public Safety Answering Points (PSAP) in the State of Maine. Our department is staffed with fifteen dispatchers and services all of the public safety departments of Biddeford. Additionally, it answers and transfers Saco's E-911 calls and dispatches Fire and EMS for Alfred, Arundel, Dayton, Lyman, and Waterboro. The City of Biddeford receives over a quarter of a million dollars annually from the collective other communities for this service.

The PSAP handled 50,738 dispatches during 2019 which was basically the same volume as calendar year 2018.

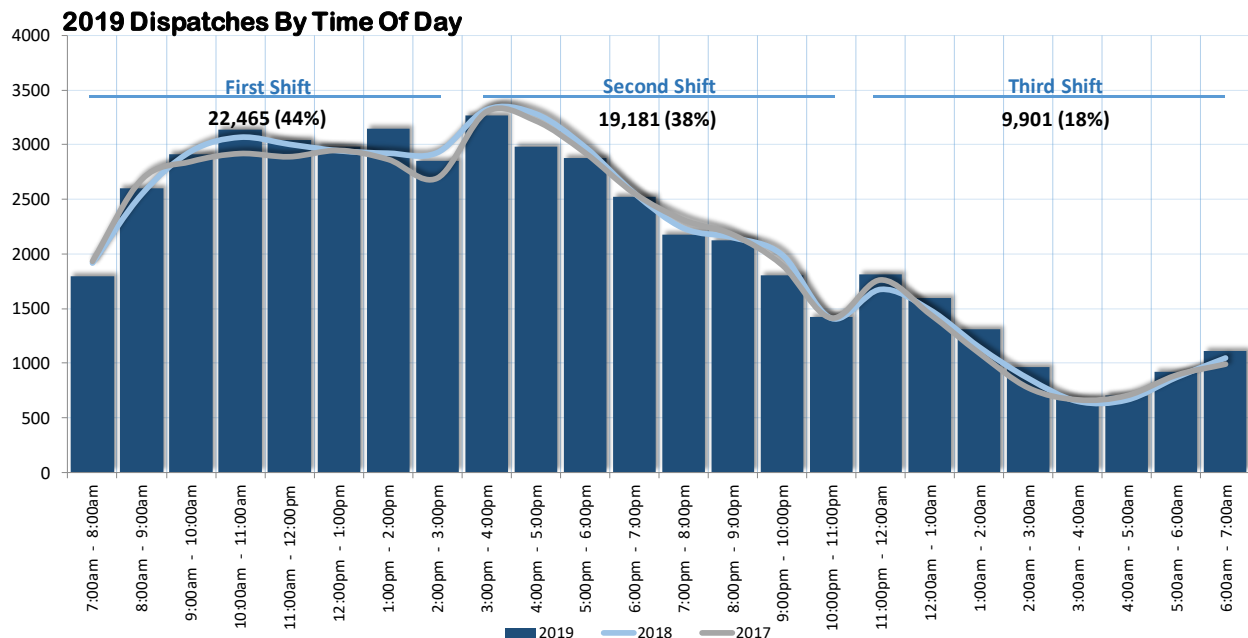
Two thirds of the 2019 dispatches were the result of calls for public safety services from the public and the remainder originated from the public safety agencies.

The E-911 system accounted for 35% of the total 2019 dispatches handled by the PSAP. Calls via the E-911 system initiated a total 17,740 dispatches and were the result of the PSAP answering 21,130 phone calls made to the E-911 system (*multiple individuals may call to report the same incident*).

	2017		2018		2019	
PSAP DISPATCHES	Disptaches	%	Disptaches	%	Disptaches	%
Alarms	122	0.2%	147	0.3%	104	0.2%
E-911 System	14,521	29.1%	16,296	32.2%	17,740	35.0%
Non-Emergency Calls	13,898	27.9%	14,239	28.2%	13,214	26.0%
Walk-In At Police Station	2,622	5.3%	2,908	5.7%	2,337	4.6%
Total Dispatches Resulting From Public	31,163	62.5%	33,590	66.4%	33,395	65.8%
Total Dispatches Resulting From Agencies	18,720	37.5%	16,992	33.6%	17,343	34.2%
Total Dispatches	49,883	100.0%	50,582	100.0%	50,738	100.0%

Biddeford's PSAP performed 6,625 Emergency

Medical Dispatches (*providing callers with medical instructions until first responders arrive on scene*) in 2019; 14% over the average for the prior two years.



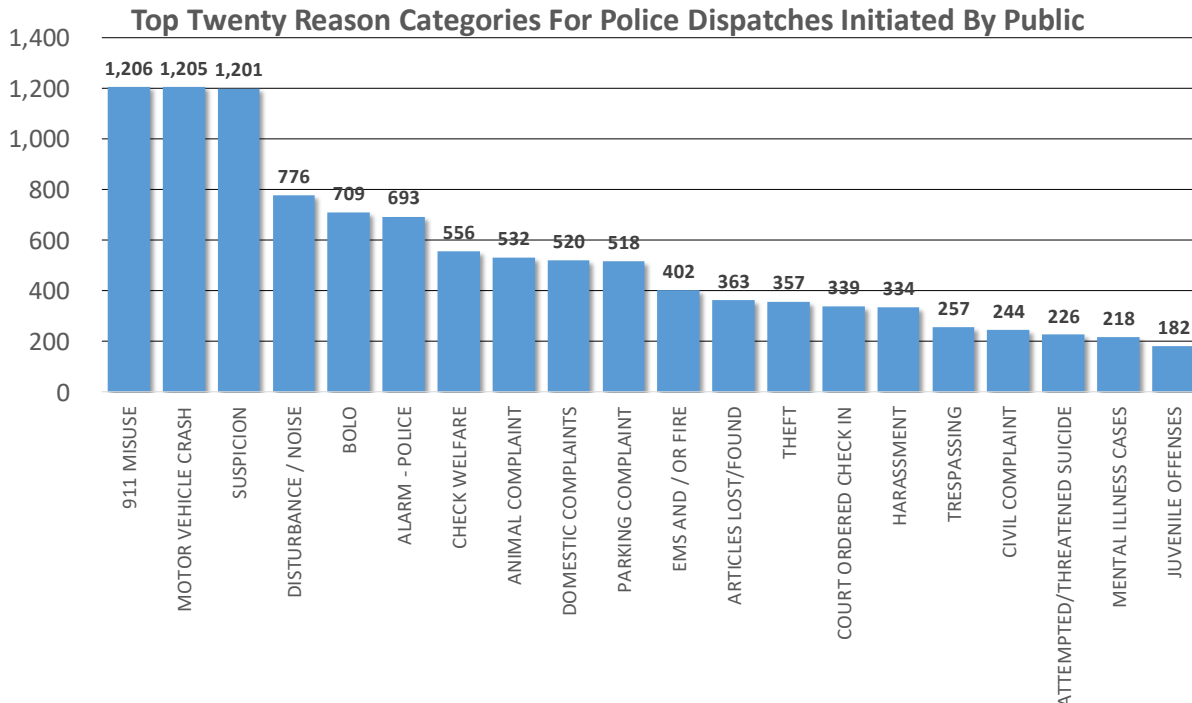


During 2019, dispatches for BPD police services totaled 30,383 which was an average of 83 per day; a decline of 5% from the 2018 volume. The segment of dispatches that resulted from the public calling for police services decreased by 6% while dispatches initiated by officers or agencies declined by 3%.

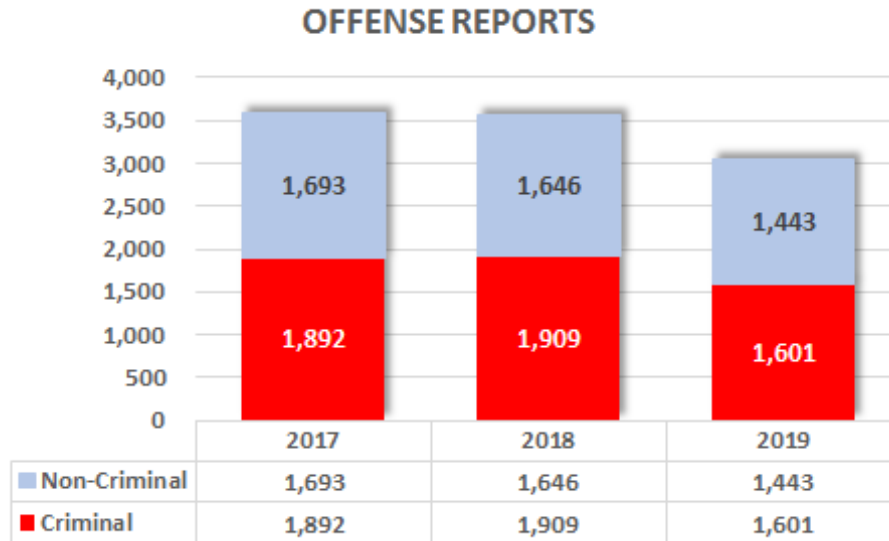
	2017		2018		2019	
E-911 Calls	3,724	11.1%	3,870	12.1%	3,718	12.2%
Direct Telephone & Alarm Calls	9,748	29.1%	9,621	30.2%	9,621	31.7%
Walk-Ins To Station	2,425	7.2%	2,634	8.3%	1,823	6.0%
Dispatches Resulting From Public % of prior year	15,897	47.4%	16,125	50.6%	15,162	49.9%
	42.2%		101.4%		94.0%	
Dispatches Resulting From Officers or Agency % of prior year	17,651	52.6%	15,743	49.4%	15,221	50.1%
	46.9%		89.2%		96.7%	
TOTAL DISPATCHES FOR POLICE SERVICES	33,548	100.0%	31,868	100.0%	30,383	100.0%
% of prior year	89.1%		95.0%		95.3%	

During 2019, sole police units were dispatched a total of 23,868 times (79%) while two or more units were dispatched 6,515 times (21%).

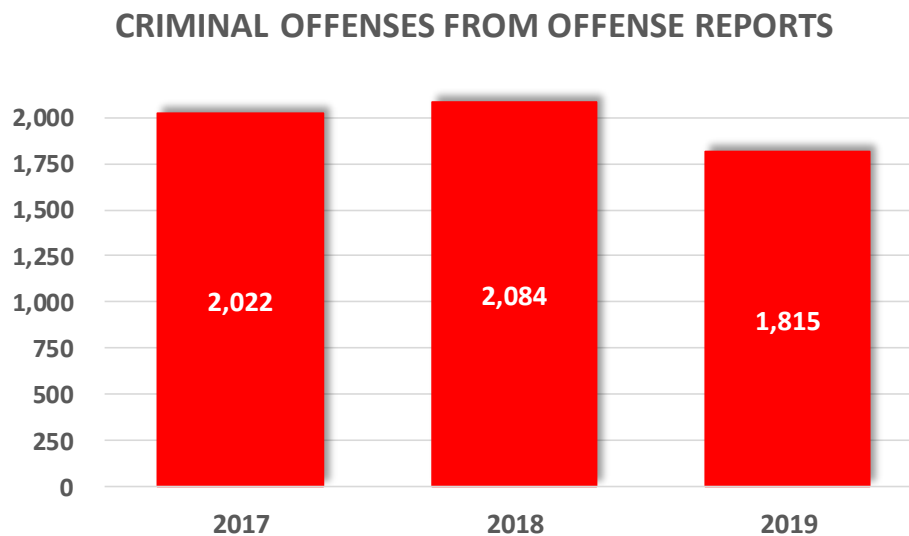
The top twenty broad categories of calls accounted for 71% of the 15,162 calls initiated by the public:



When officers respond to calls for service, the majority of the time they conduct a preliminary investigation and gather the information regarding the incident. The incidents (criminal or non-criminal) are then documented on Offense Reports (OF). During 2019, officers completed 3,044 Offense Reports of which 53% were criminal in nature and 47% were non-criminal. 2019 saw a 14% reduction in OFs compared to recent years. Criminal OFs were 52% of the total completed compared to 60% in prior years.



Offense Reports for criminal incidents become cases involving one or more offenses to be investigated further. Ultimately, the goal is to clear the criminal cases through arrests or other appropriate means. In 2019, the 1,601 criminal offense reports accounted for 1,815 known offenses or roughly an average of 1.2 offenses per report; a 13% reduction from recent years.

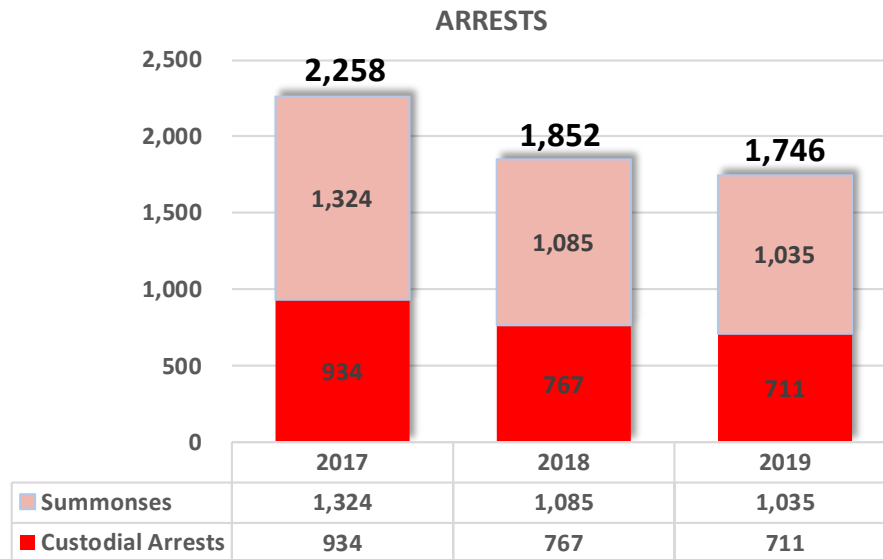


Larceny and theft accounted for the largest segment of offenses documented on 2019 Offense Reports; which has also been the case historically.

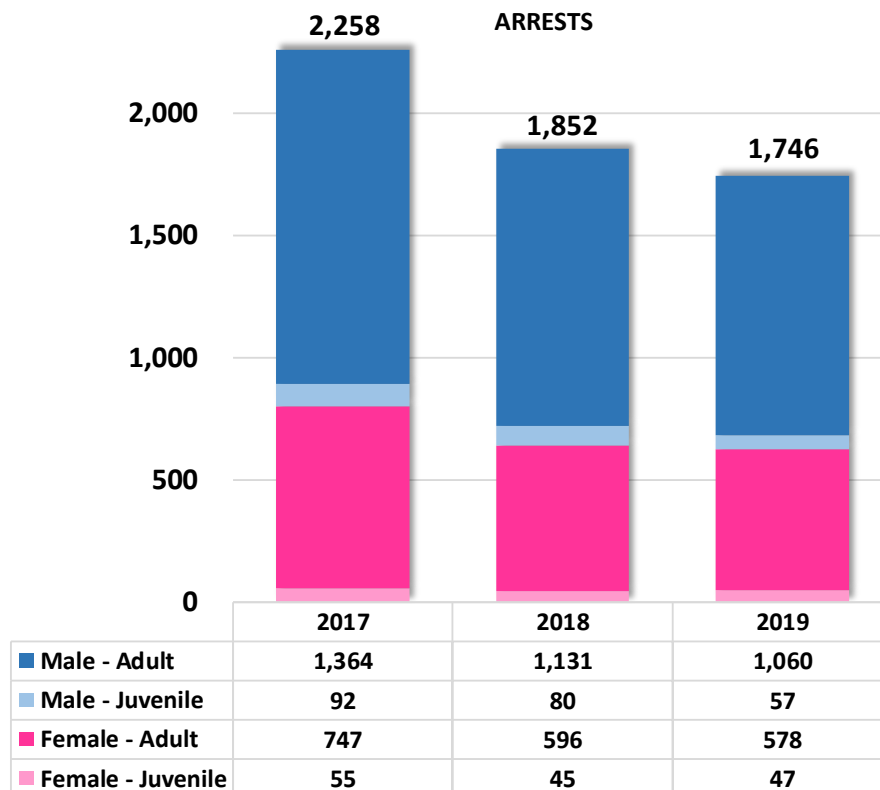
The 2019 criminal offenses known to BPD (from *Offense Reports* and from *Arrest Reports* that did require an *Offense Report*) for the past three years are listed below. The table displays the original number of offenses reported and then is adjusted to the actual number after the preliminary investigation was completed.

OFFENSES KNOWN TO THE BIDDEFORD POLICE DEPARTMENT									
	2017			2018			2019		
	Reported	Unfounded	Actual	Reported	Unfounded	Actual	Reported	Unfounded	Actual
PART A									
CRIMES AGAINST PERSON									
Assault - Aggravated Assault	52	3	49	44	4	40	54	2	52
Assault - Intimidation	149	14	135	168	17	151	142	11	131
Assault - Simple Assault	419	35	384	415	35	380	332	13	319
Homicide Offenses	0	0	0	0	0	0	1	0	1
Human Trafficking	1	0	1	0	0	0	0	0	0
Kidnapping/Abduction	1	0	1	1	0	1	1	1	0
Sex Offenses	61	12	49	44	11	33	44	11	33
Sex Offenses, Nonforcible	8	2	6	10	1	9	6	3	3
Crimes Against Person	691	66	625	682	68	614	580	41	539
CRIMES AGAINST PROPERTY									
Arson	4	0	4	4	0	4	1	0	1
Burglary/Breaking and Entering	82	1	81	80	4	76	57	1	56
Counterfeiting/Forgery	89	3	86	55	1	54	42	2	40
Destruct./Damage/Vandalism Property	235	6	229	218	5	213	174	4	170
Embezzlement	0	0	0	0	0	0	1	0	1
Extortion/Blackmail	3	0	3	5	0	5	6	0	6
Fraud Offenses	140	9	131	90	13	77	119	6	113
Larceny / Theft Offenses	693	27	666	668	41	627	578	22	556
Motor Vehicle Theft	17	2	15	30	3	27	16	1	15
Robbery	14	1	13	12	3	9	9	0	9
Stolen Property Offenses	14	0	14	8	0	8	11	0	11
Crimes Against Property	1,291	49	1,242	1,170	70	1,100	1,014	36	978
CRIMES AGAINST SOCIETY									
Drug/Narcotic Offenses	245	1	244	209	1	208	148	0	148
Pornography/Obscene Material	8	2	6	7	1	6	10	0	10
Prostitution Offenses	6	1	5	2	0	2	2	0	2
Weapon Law Violations	14	0	14	17	1	16	11	0	11
Crimes Against Society	273	4	269	235	3	232	171	0	171
Part A Totals	2,255	119	2,136	2,087	141	1,946	1,765	77	1,688
PART B									
OTHER									
All Other Offenses	672	24	648	615	19	596	539	14	525
Bad Checks	11	0	11	15	0	15	8	1	7
Disorderly Conduct	89	0	89	68	0	68	60	1	59
Driving Under the Influence	106	0	106	105	0	105	145	0	145
Family Offenses, nonviolent	1	1	0	0	0	0	1	1	0
Liquor Law Violations	185	1	184	109	0	109	87	0	87
Trespass of Real Property	100	4	96	125	2	123	88	4	84
OTHER	1,164	30	1,134	1,037	21	1,016	928	21	907
Part B Totals	1,164	30	1,134	1,037	21	1,016	928	21	907
PART C									
OTHER									
Warrants, Holds, Traffic and Ordinances	1,294	2	1,292	1,142	9	1,133	1,029	2	1,027
OTHER	1,294	2	1,292	1,142	9	1,133	1,029	2	1,027
Part C Totals	1,294	2	1,292	1,142	9	1,133	1,029	2	1,027
GRAND TOTALS	4,713	151	4,562	4,266	171	4,095	3,722	100	3,622

Total arrests in 2019 were 1,742; down 6% from 2018. The mix between custodial arrests and issuances of summonses has remained the same over the last three years; 40% of the time individuals were taken into custody and 60% of the time they were issued summonses.



The number of adults arrested was down 6% in 2019; male arrests were down a little more and female arrest were up a little more than that 6% overall average. Juvenile arrests were down almost 17%; with the decrease coming from males. Juvenile arrests were about 6% of total arrests; roughly the same average for the past few years.



Of the 1,742 arrest in 2019, offenders were taken into custody 711 times (40%). 340 of those custodial arrests resulted in the offenders being transferred/transported to a corrections facility. The remainder of the custodial arrests, 371, resulted in the offenders being bailed from the Biddeford Police Department or being released to a health care facility.

Transfers to York County Jail	337
Transfers to Long Creek Youth Center	3
<u>Bailed or Released to a Health Care Facility</u>	<u>371</u>
TOTAL 2019 CUSTODIAL ARRESTS	711

Custodial arrests have a significant impact on the agency's resources:

- While an offender is in temporary detention at the Biddeford Police Department, an officer and the shift supervisor are responsible for the security and safety of the offender and must remain at the station and become unavailable to respond to calls for service in the community.
- Depending on the offense(s), the offender's booking process can take two to three hours.
- Often, once an offender has been booked and is eligible for bail, there is a waiting period for a bail commission to arrive at our facility.
- If an offender is to be transferred to a correctional facility, the vehicle and officer transporting the offender are out of our community for more than an hour; both York County Jail and Long Creek Youth Center are about a 35 mile round trip.
- Many offenders have or express that they have conditions that require a medical and/or psychological evaluation to determine their fit for incarceration before the correctional facility will process their intake. A high percentage of the transports to the York County Jail are preceded by a stop at Southern Maine Health Care for an evaluation; adding hours to the transport and increasing the time an officer is unavailable to respond to calls within our community.

Of the 340 offenders transferred to the correctional facilities, more than 50% had outstanding warrants from other jurisdictions in addition to the offenses they were charged with by our agency. Some offenders were identified and taken into custody based on warrants from other jurisdictions. They were identified as the result of a traffic enforcement stops, being present where an offense(s) occurred, or even at times they make a report where they are the victim.

2019's arrests totaled 1,746 versus 1,852 in 2018; a decline of 106 or 6%. In 2018, 21 individuals were arrested five or more times and most were offenders in years prior to 2018. These 21 individuals were collectively arrested 179 times on 278 charges. The charges were across the spectrum and included: assault, domestic violence, OUI, burglary of motor vehicles, theft, possession of scheduled drugs, drinking in public, indecent conduct, and more. These offenders were on the department's radar in 2019 and as a result of the collective work of the Patrol Division, Criminal Investigation Division, and the Street Crimes Unit the number of arrests related to these 21 individuals declined by 133; a 74% reduction compared to 2018. The associated charges declined by 215; a 77% reduction compared to 2018. Officers engaged the various individuals during non-enforcement contacts to encourage and/or assist them in getting help; often the help surrounded treatment and had continuous enforcement contacts. The 74% reduction in arrests resulted from some individuals entering into treatment, many left our community and moved to areas where their behavior and activities were not the focus of a law enforcement agency. Of course, many ultimately ended up incarcerated for all of or some of 2019. Sadly, an individual who was arrested 20 times in 2018 and 13 times in 2019 succumbed to the ravages of his addiction.

The ratio of charges per arrest has held fairly consistent year over year. In 2019 there were 1.3 charges per arrest; the ratio was 1.4 in 2018 and 2017.

A general downward trend in most categories of charges continued in 2019. However, there were two areas that exhibited upward trends. OUI charges increased almost 40% and crimes against property increased 11% where Fraud, Larceny, and Theft charges increased by 25%. There were puts and takes making up the 25% increase but the majority of the increase came from shoplifting charges; a 46% increase in 2019 versus 2018.

PART A CRIMES									
	2017			2018			2019		
	Actual	Per Mth	%	Actual	Per Mth	%	Actual	Per Mth	%
ASSAULT - AGGRAVATED ASSAULT	38	3.2	1.2%	37	3.1	1.4%	34	2.8	1.4%
ASSAULT - INTIMIDATION	62	5.2	2.0%	68	5.7	2.7%	66	5.5	2.7%
ASSAULT - SIMPLE ASSAULT	250	20.8	8.1%	227	18.9	8.9%	189	15.8	8.9%
HOMICIDE OFFENSES	1	0.1	0.0%	0	0.0	0.0%	0	0.0	0.0%
KIDNAPPING/ABDUCTION	1	0.1	0.0%	1	0.1	0.0%	2	0.2	0.0%
SEX OFFENSES	7	0.6	0.2%	7	0.6	0.3%	9	0.8	0.3%
SEX OFFENSES, NONFORCIBLE	1	0.1	0.0%	4	0.3	0.2%	1	0.1	0.2%
CRIMES AGAINST PERSON	360	30.0	11.7%	344	28.7	13.4%	301	25.1	12.8%
ARSON	0	0.0	0.0%	2	0.2	0.1%	0	0.0	0.1%
BURGLARY/BREAKING AND ENTERING	18	1.5	0.6%	12	1.0	0.5%	15	1.3	0.5%
COUNTERFEITING/FORGERY	39	3.3	1.3%	14	1.2	0.5%	14	1.2	0.5%
DESTRUCT./DAMAGE/VANDALISM PROPERTY	72	6.0	2.3%	75	6.3	2.9%	51	4.3	2.9%
FRAUD OFFENSES	32	2.7	1.0%	16	1.3	0.6%	29	2.4	0.6%
LARCENY / THEFT OFFENSES	268	22.3	8.7%	184	15.3	7.2%	221	18.4	7.2%
MOTOR VEHICLE THEFT	3	0.3	0.1%	6	0.5	0.2%	5	0.4	0.2%
ROBBERY	8	0.7	0.3%	1	0.1	0.0%	6	0.5	0.0%
STOLEN PROPERTY OFFENSES	18	1.5	0.6%	3	0.3	0.1%	9	0.8	0.1%
CRIMES AGAINST PROPERTY	458	38.2	14.9%	313	26.1	12.2%	350	29.2	14.9%
DRUG/NARCOTIC OFFENSES	230	19.2	7.5%	192	16.0	7.5%	136	11.3	7.5%
PORNOGRAPHY/OBSCENE MATERIAL	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
PROSTITUTION OFFENSES	3	0.3	0.1%	0	0.0	0.0%	0	0.0	0.0%
WEAPON LAW VIOLATIONS	11	0.9	0.4%	12	1.0	0.5%	10	0.8	0.5%
CRIMES AGAINST SOCIETY	244	20.3	7.9%	204	17.0	8.0%	146	12.2	6.2%
PART A CRIMES TOTALS	1,062	88.5	34.6%	861	71.8	33.6%	797	66.4	33.9%
PART B CRIMES									
	2017			2018			2019		
	Actual	Per Mth	%	Actual	Per Mth	%	Actual	Per Mth	%
ALL OTHER OFFENSES	508	42.3	16.5%	459	38.3	17.9%	394	32.8	17.9%
BAD CHECKS	1	0.1	0.0%	2	0.2	0.1%	1	0.1	0.1%
DISORDERLY CONDUCT	70	5.8	2.3%	60	5.0	2.3%	45	3.8	2.3%
DRIVING UNDER THE INFLUENCE	106	8.8	3.5%	103	8.6	4.0%	143	11.9	4.0%
LIQUOR LAW VIOLATIONS	207	17.3	6.7%	87	7.3	3.4%	68	5.7	3.4%
TRESPASS OF REAL PROPERTY	39	3.3	1.3%	76	6.3	3.0%	46	3.8	3.0%
CRIMES AGAINST OTHER	931	77.6	30.3%	787	65.6	30.7%	697	58.1	29.6%
PART B CRIMES TOTALS	931	77.6	30.3%	787	65.6	30.7%	697	58.1	29.6%
ALL OTHER CRIMES									
	2017			2018			2019		
	Actual	Per Mth	%	Actual	Per Mth	%	Actual	Per Mth	%
WARRANTS, HOLDS, TRAFFIC AND ORDINANCES	1,077	89.8	35.1%	914	76.2	35.7%	859	71.6	35.7%
CRIMES AGAINST OTHER	1,077	89.8	35.1%	914	76.2	35.7%	859	71.6	36.5%
ALL OTHER CRIMES TOTALS	1,077	89.8	35.1%	914	76.2	35.7%	859	71.6	36.5%
BIDDEFORD POLICE DEPARTMENT TOTALS	3,070	255.8	100.0%	2,562	213.5	100.0%	2,353	196.1	100.0%

In 2019, there were 69 incidents involving the use of force by officers while responding to an aggressive or resistant person(s). The number of incidents was about 15% lower than the prior year, correlating to the general downward trend with many of the agency's key metrics.

The type of force used shifted more heavily toward physical compliance tactics and techniques and shifted away from the use of weapons. No firearms were discharged during 2019 or any of the years included in the reporting below.

The average number of incidents per subject dropped below 1.00 in 2019. This was the result of fewer individuals involved in more than one incident and one incident that involved five individuals.

Non-crime incidents were 39% of the total, roughly the same as 2018. These incidents typically involve officers being dispatched to threatened or attempted suicides, mental illness incidents, welfare checks, assist EMS, drug overdoses, etc.

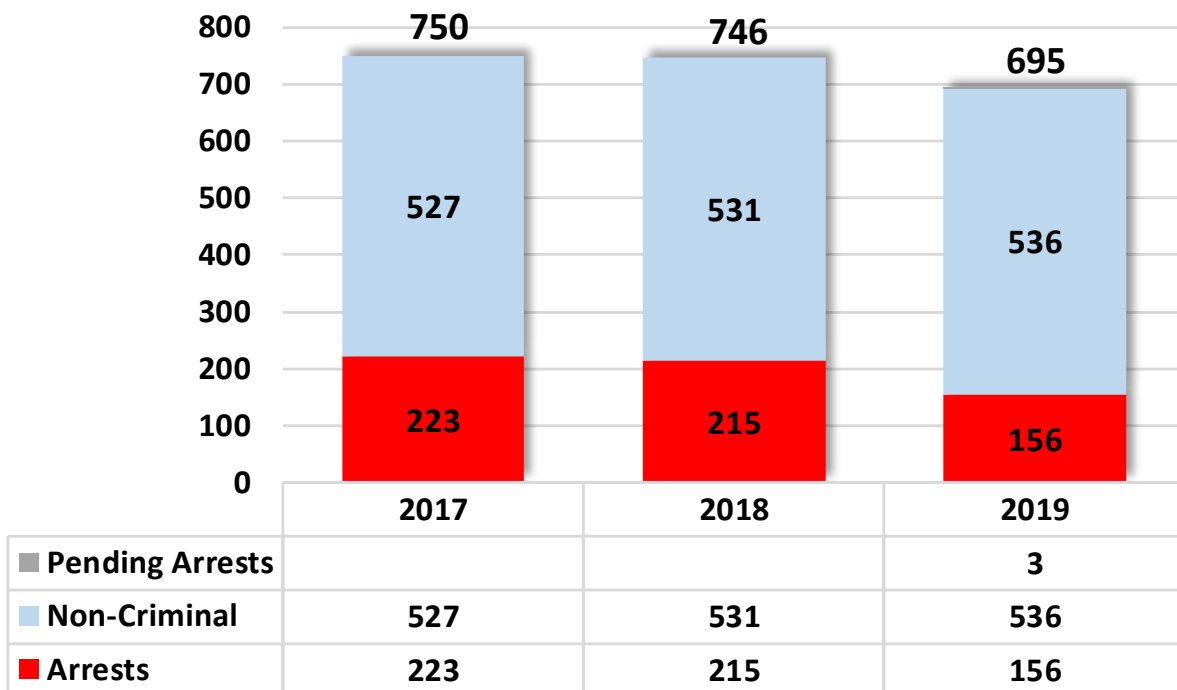
All 144 reports submitted by officers and reviewed were determined to have a response to resistance consistent with the department's policies and standard operating procedures. At the end of 2019, there were three reports still in the review cycle and not included in the metrics below. No complaints related to the use of force by officers were filed by the public during 2019 or any of the years included in the reporting below.

	2015	2016	2017	2018	2019
NUMBER OF INCIDENTS:					
Number of incidents involving arrests	57	64	51	50	42
Number of incidents not involving arrests	19	13	28	30	27
Number of incidents involving use of force	76	77	79	80	69
NUMBER OF SUBJECTS:					
Number of subjects upon which force was used	71	63	74	71	73
Average number of incidents per subject	1.07	1.22	1.07	1.13	0.95
NUMBER OF REPORTS SUBMITTED:					
Number of reports submitted by officers	133	130	132	143	144
Number of reports pending review completion					3
Number of reports inconsistent with policy	4	1	1	2	0
Inconsistent reports as % of total reports	3.0%	0.8%	0.8%	1.4%	0.0%
Number of officers reporting use of force	29	30	31	33	37
Average number of reports per officer reporting	4.59	4.33	4.26	4.33	3.89
FORCE USED BY TYPE:					
Baton	2 1.4%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
OC Spray	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Physical Tactics	103 72.0%	102 75.6%	105 77.2%	122 78.7%	155 85.6%
Impacts					2 1.1%
CEW - Displayed	0 0.0%	0 0.0%	0 0.0%	1 0.6%	5 2.8%
CEW - Laser	10 7.0%	6 4.4%	16 11.8%	8 5.2%	4 2.2%
CEW - Drive Stun	0 0.0%	1 0.7%	1 0.7%	1 0.6%	1 0.6%
CEW - Probes	9 6.3%	10 7.4%	4 2.9%	4 2.6%	4 2.2%
Total CEW	19 13.3%	17 12.6%	21 15.4%	14 9.0%	14 7.7%
Firearm Displayed	19 13.3%	16 11.9%	10 7.4%	19 12.3%	10 5.5%
Firearm Discharged	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Total types of force used	143 100.0%	135 100.0%	136 100.0%	155 100.0%	181 100.0%
INCIDENTS to ARRESTS:					
Annual Arrests	2,640	2,481	2,258	1,852	1,742
Use of force incidents involving arrest	57	64	51	50	42
Incidents involving arrest per total arrest reports	2.2%	2.6%	2.3%	2.7%	2.4%
Complaints Received Regarding Use of Force	0	0	0	0	0

520 service calls initiated by the public were for Domestic Disturbances/Complaints. However, 695 dispatches were determined to involve a domestic disturbance once officers responded.

156 arrests made in 2019 were related to domestic violence and three affidavit arrests were pending at the end of 2019. This was a significant decrease in arrests; 27% as compared to 2018.

Police Dispatches Involving Domestic Incidents



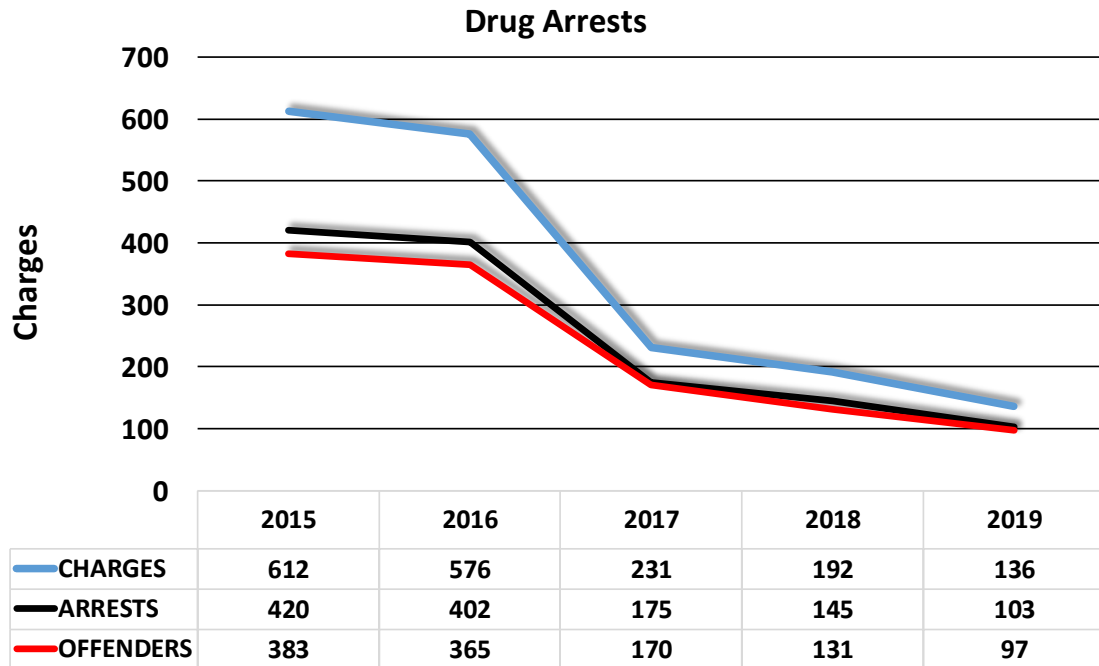
The following are statistics regarding 2019 domestic incidents resulting in arrests:

- 67% of the victims were female and 33% were male.
- The average age of the victims was 31 years-old; 30 for female and 35 for male. The youngest victim was 11 years-old and the oldest was 65 years-old.
- Drugs and/or alcohol were involved in 40% of the incidents associated to arrests.
- The victim reported the incident 53% of the time.
- 70% of the victims were in a relationship or were previously in a relationship with the offender:

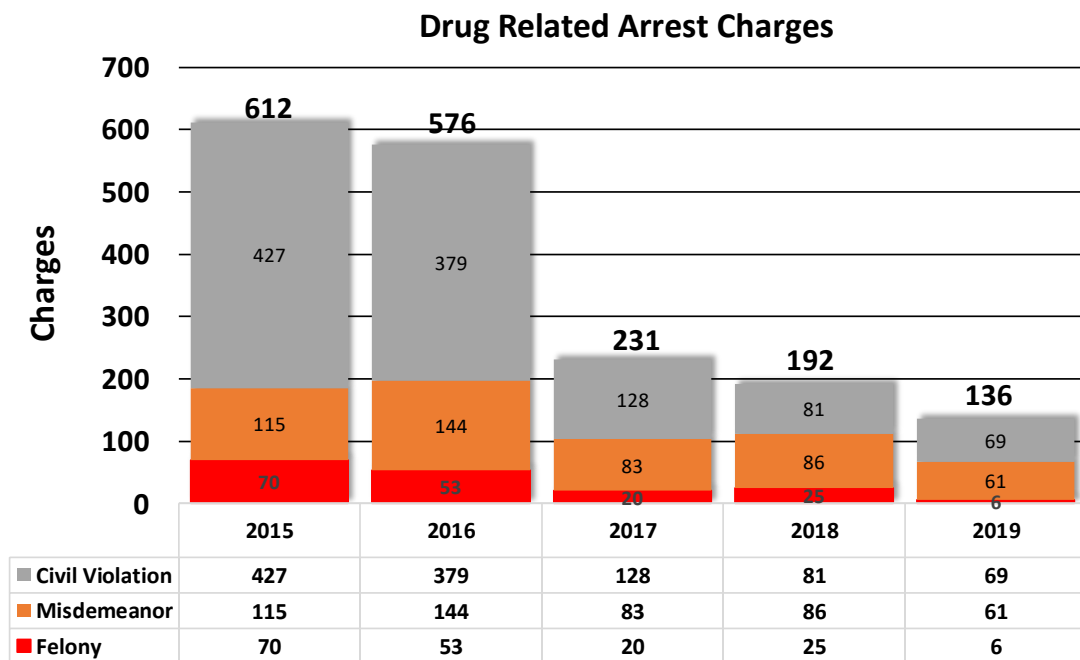
In or formally in a relationship	70%
Spouse or ex-spouse	20%
Child, step child, grandchild	5%
Parent or in-law	3%
Sibling	2%

Unlike many communities in Maine, Biddeford continues to have had no fatalities resulting from domestic violence incidents since the inception of BPD's Pro-Active Domestic Violence Response Team (PRT). During 2017, an officer was assigned as a full time, dedicated Domestic Violence Investigator; replacing the PRT assignment of patrol officers. BPD's dedication of resources as well as our community's willingness to report potential domestic violence, as exhibited by the high non-crime calls, allows our department to intervene and de-escalate situations before crimes happen or worst, death or serious injury occur.

The number of drug related arrests made by BPD decreased by almost 30% in 2019. While the sharp decline between 2016 to 2017 was predominately due to the change in Maine's marijuana laws (*enacted following the citizen's referendum during the November 2016 elections*), there has been a consistent decline since 2015 as seen in the chart below. The chart also depicts the three data lines approaching an intersecting state which indicates a trend of fewer individuals with multiple arrests and fewer charges per arrests.

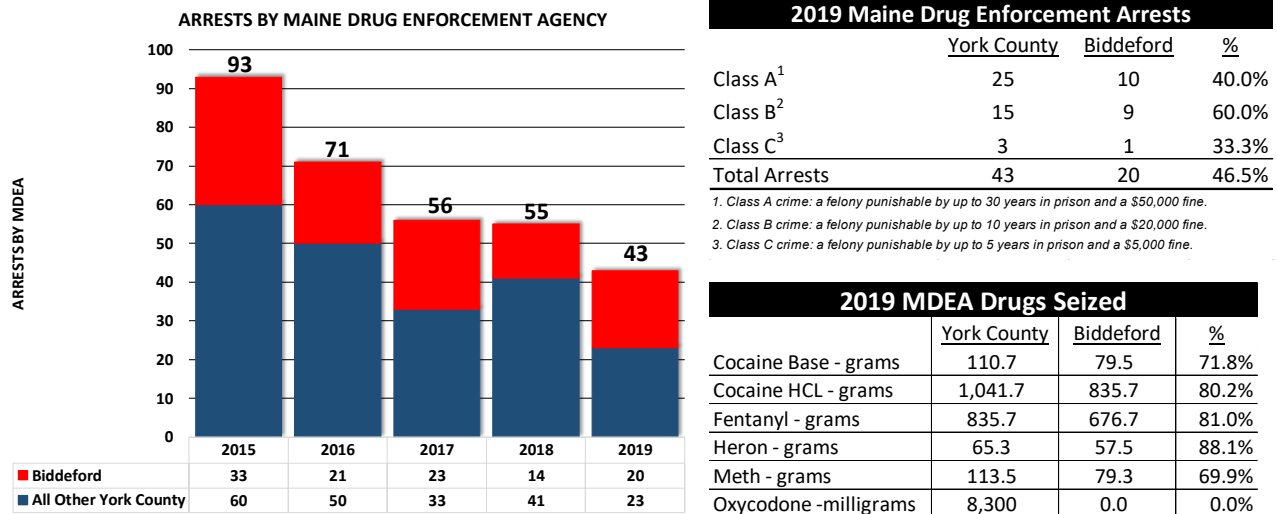


The change in Maine's marijuana laws (2017) can also be seen in the decline in civil violations and it also displays the steady decline in misdemeanors and felonies since 2015.



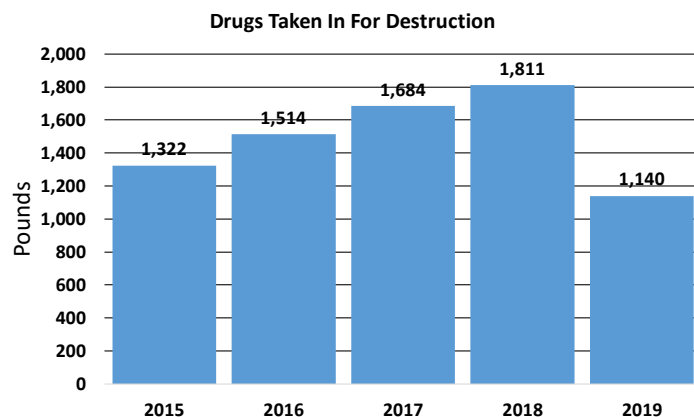
The Maine Drug Enforcement Agency through its regional multi-jurisdictional task forces is the lead state agency in confronting drug trafficking crime. The task forces are comprised of sworn officers who are assigned full time to the MDEA by their agencies. Biddeford has two officers assigned to the York County MDEA task force; one is a Biddeford sergeant and is the supervisor for York County.

Having officers assigned to and having a very active collaboration with the MDEA gives our patrol and investigative units significantly more enforcement horsepower to address the broader drug crimes such as trafficking that impact our city but span many communities and in some cases states. This has been a very successful component of our enforcement strategy for many years. During 2019, 47% of the arrest made by the MDEA York County Task Force (*and around 80% of the drugs seized*) occurred in Biddeford.



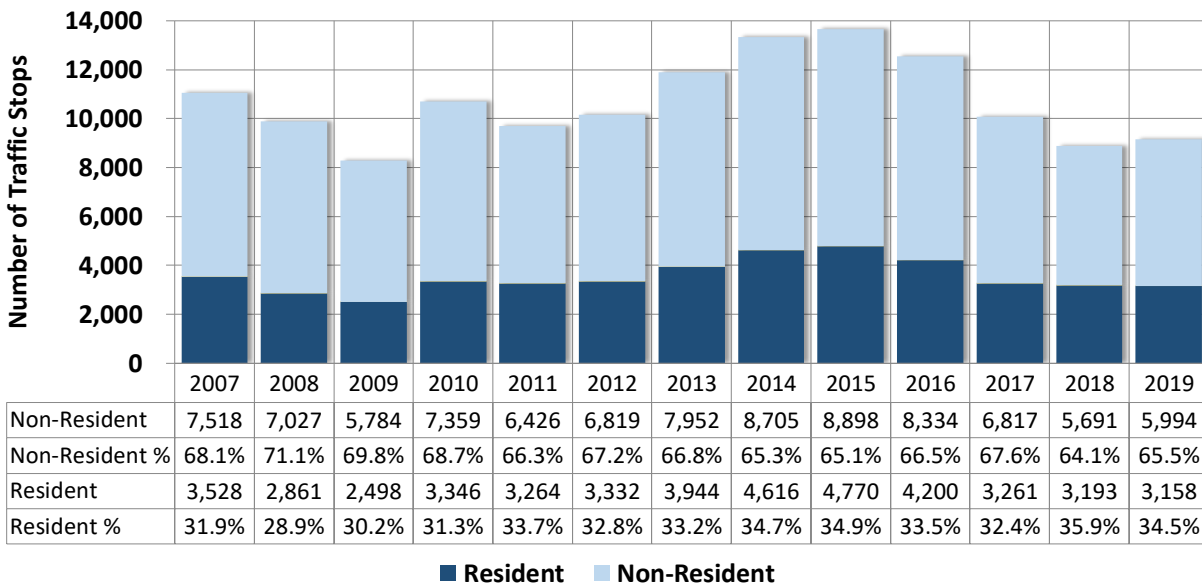
In addition our enforcement efforts, the Saco Biddeford Opiate Outreach Initiative's "People Recover" program has had a significant impact for both communities. During 2019, outreach was made with 141 individuals in crisis who had never been reached previously. Of the 141 individuals, 47 participated in clinical assessments. Ultimately, the program completed 36 treatment program placements for 26 different individuals. In addition to the first time outreaches made in 2019, the program continued to also reach out to many individuals it has had contact with or has helped since it started in 2017.

Properly disposing of drugs that are no longer needed prevents the potential abuse of medications by those who shouldn't have them and prevents the negative and toxic effects on our environment. In 2019, BPD collected 1,140 pounds of unused or outdated medications for destruction. The drugs were collected through the year via the MedReturn unit in our lobby and during drug take back events. This was a 40% decline from 2018 and resulted from more public locations starting to collect unused or outdated medications.



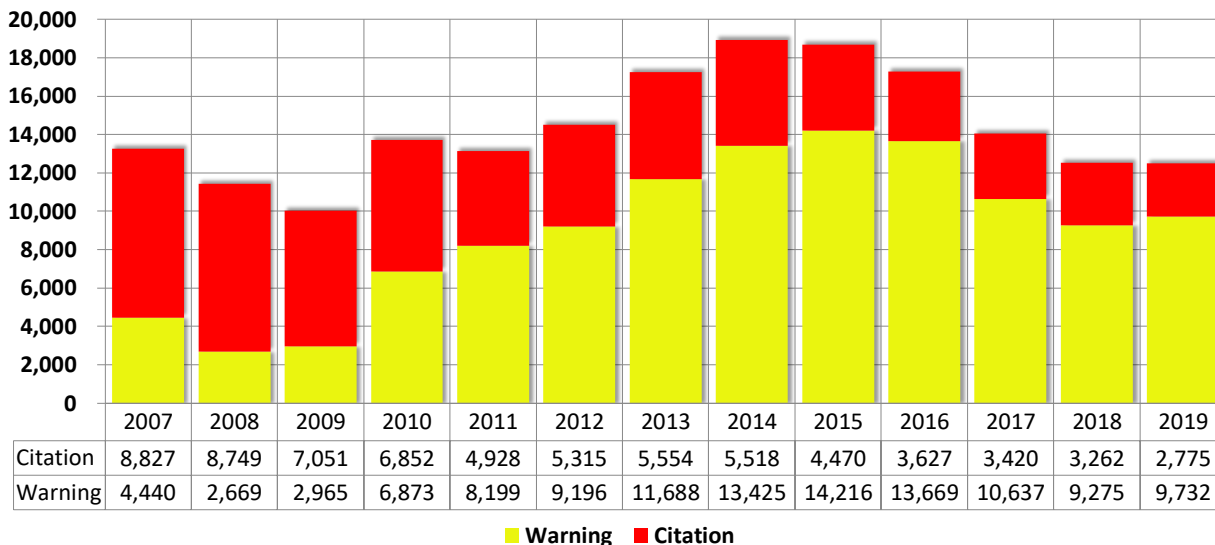
Fair and consistent traffic enforcement is one of the most significant tasks that any law enforcement agency can do to save lives and to prevent bodily and financial injury in its community. Our traffic specialists and patrol officers focused on enforcement, education, and accident reconstruction. During 2019, officers conducted 9,152 traffic stops; averaging just over 25 stops per day. Non-residents continue to comprise two thirds of all stops.

Traffic Stops



During 2019, officers issued 3.5 warnings for every citation; reflecting BPD's focus on the educational aspect of conducting traffic stops.

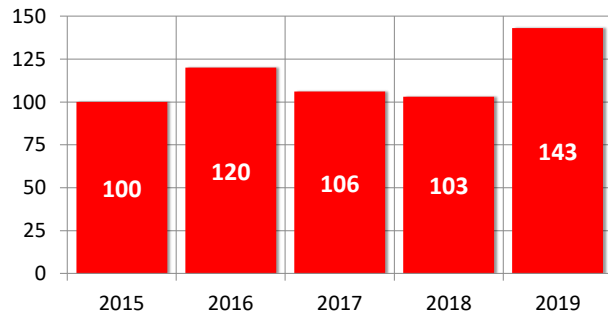
Traffic Warnings and Citations



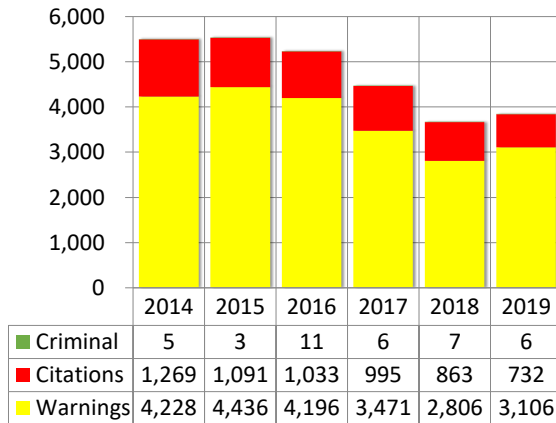
The next few pages provide a graphic look at some of the key results of the traffic stops and the statistics regarding vehicle crashes.

In addition to addressing the violations that initiated traffic stops, officers made 58 arrests during the course of traffic stops in 2019. Outstanding warrants accounted for 37 of the arrests and the remainder were predominately drug related.

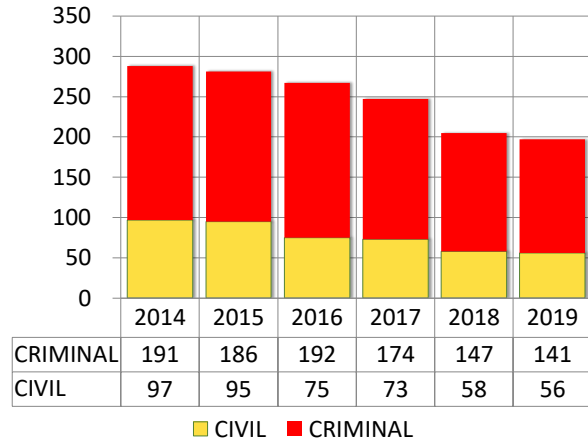
OUI Arrests



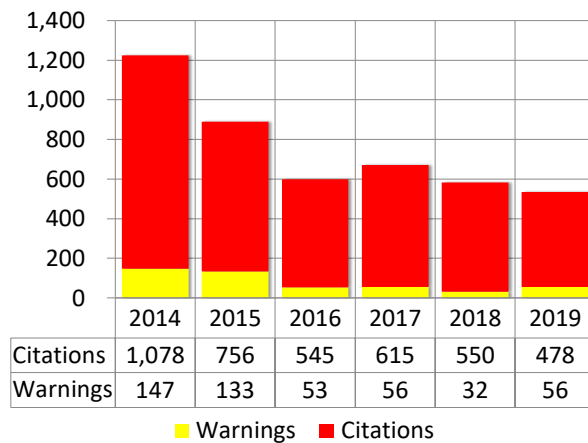
Speed Violations - Warnings and Citations



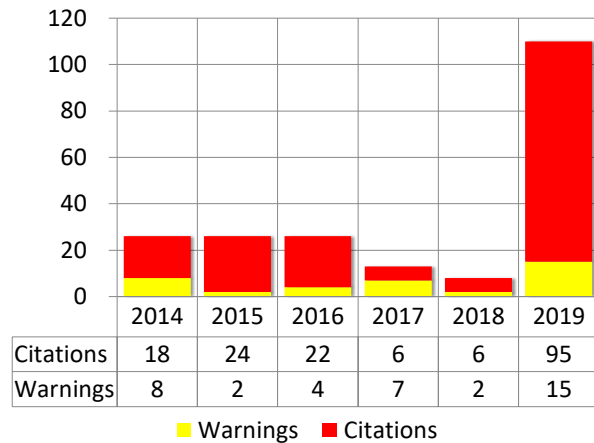
OPERATING AFTER SUSPENSION / REVOCATION OF LICENSE



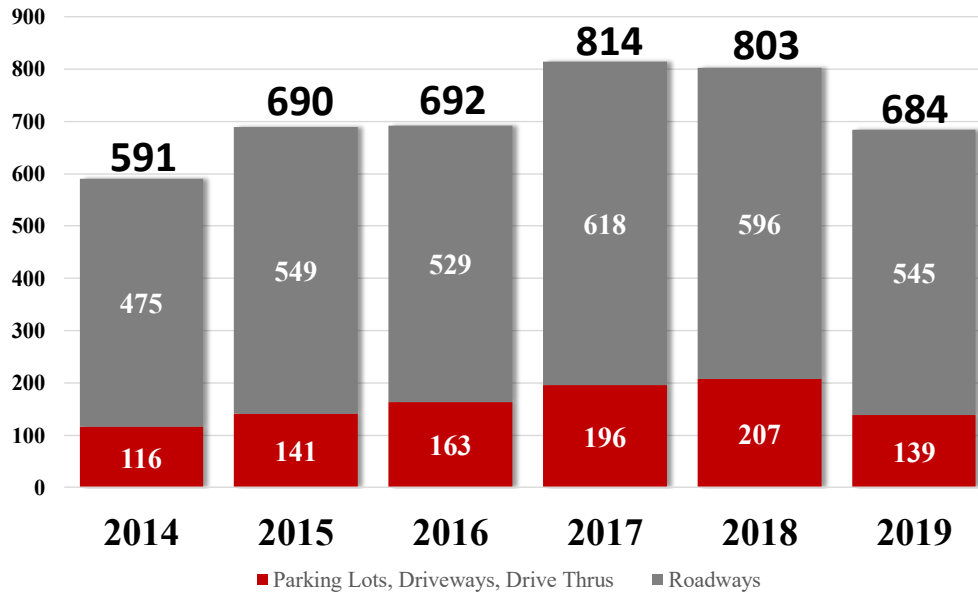
Seat Belt / Restraint Warnings and Citations



TEXTING & HANDS FREE

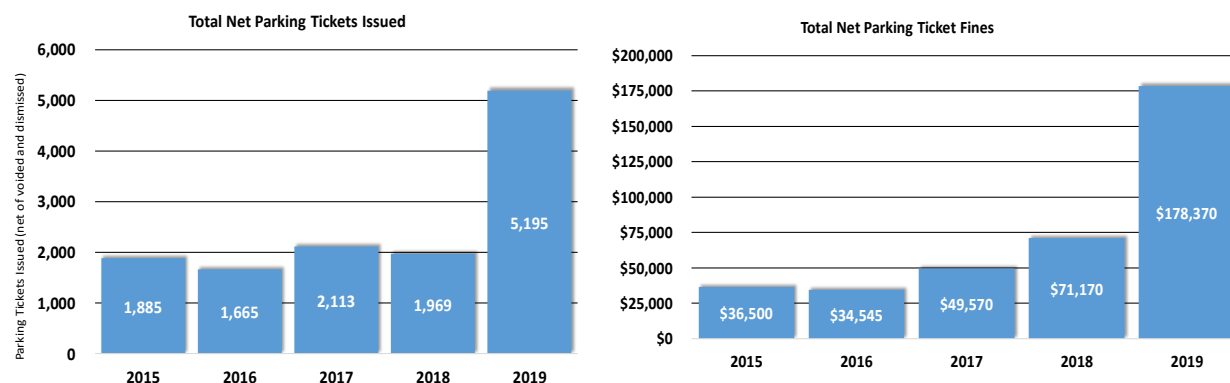


Motor Vehicle Crashes



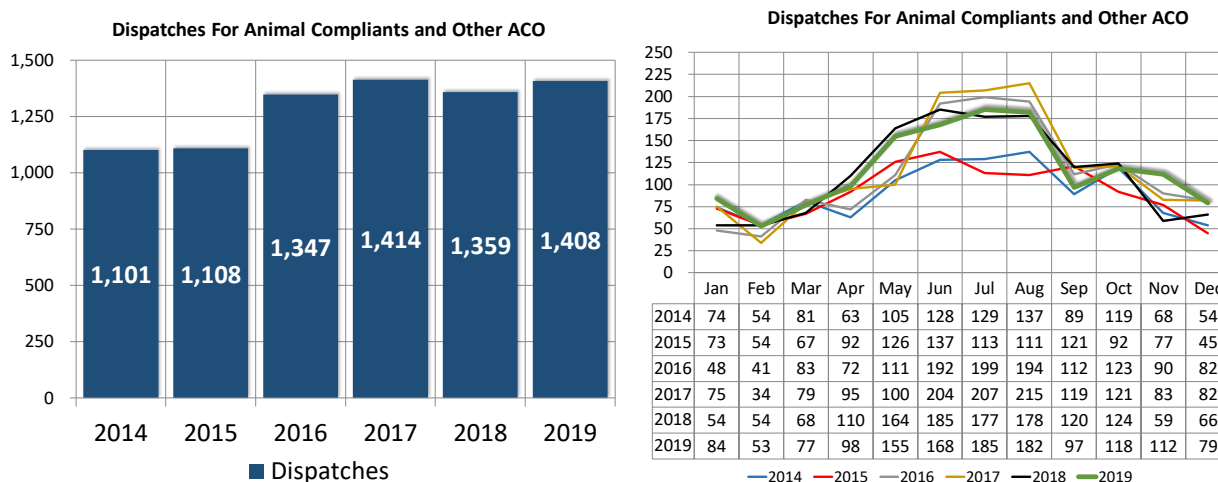
CRASH LOCATIONS		2016		2017		2018		2019	
Lots, Driveways, Drive-Thrus	Biddeford Crossing	22	3.2%	19	2.3%	27	3.4%	23	3.4%
	Southern Maine Health Care	10	1.4%	9	1.1%	9	1.1%	9	1.3%
	City Owned	6	0.9%	14	1.7%	19	2.4%	7	1.0%
	WalMart	6	0.9%	17	2.1%	13	1.6%	6	0.9%
	Hannaford	12	1.7%	10	1.2%	12	1.5%	5	0.7%
	University of New England	8	1.2%	7	0.9%	7	0.9%	5	0.7%
	Biddeford Gateway Center	14	2.0%	8	1.0%	4	0.5%	5	0.7%
	5 Points Plaza	5	0.7%	11	1.4%	6	0.7%	4	0.6%
	School Department Owned	4	0.6%	11	1.4%	3	0.4%	2	0.3%
	Irving Station	6	0.9%	0	0.0%	3	0.4%	2	0.3%
	All Other	70	10.1%	90	11.1%	104	13.0%	71	10.4%
	Total Lots, Driveways, and Drive-Thrus	163	23.6%	196	24.1%	207	25.8%	139	20.3%
Roadways & Streets	Alfred Street	154	22.3%	175	21.5%	157	19.6%	168	24.6%
	Elm Street	104	15.0%	120	14.7%	113	14.1%	108	15.8%
	Main Street	43	6.2%	45	5.5%	49	6.1%	42	6.1%
	Pool Street	21	3.0%	50	6.1%	43	5.4%	37	5.4%
	South Street	27	3.9%	24	2.9%	30	3.7%	23	3.4%
	Hill Street	16	2.3%	11	1.4%	14	1.7%	19	2.8%
	West Street	20	2.9%	18	2.2%	30	3.7%	14	2.0%
	Jefferson Street	6	0.9%	11	1.4%	13	1.6%	10	1.5%
	May Street	5	0.7%	5	0.6%	4	0.5%	9	1.3%
	Boulder Way	2	0.3%	1	0.1%	4	0.5%	4	0.6%
	All Other	131	18.9%	158	19.4%	139	17.3%	111	16.2%
	Total Roadways & Streets	529	76.4%	618	75.9%	596	74.2%	545	79.7%
TOTAL CRASHES		692	100.0%	814	100.0%	803	100.0%	684	100.0%

2019 saw a full year under the Biddeford's new parking management program. A significant increase in parking tickets issued and the associated fines resulted from the conversion of the city's parking lots from free to paid, as can be seen in the graphs and tables below:



TYPE	PARKING TICKETS					PARKING FINES				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
BLOCKING DRIVEWAY	18	21	35	26	32	\$540	\$630	\$1,110	\$1,040	\$1,280
FAILURE TO PURCHASE PERMIT	49	57	114	176	2,445	\$0	\$0	\$0	\$8,800	\$85,815
DOUBLE PARKING	3	0	1	2	3	\$90	\$0	\$40	\$80	\$120
OCCUPYING 2 SPACES	2	0	1	0	0	\$30	\$0	\$15	\$0	\$0
OVERTIME PARKING	278	265	350	407	781	\$4,125	\$3,980	\$7,410	\$10,175	\$19,330
PARKING FACING TRAFFIC	145	132	145	128	282	\$2,175	\$1,980	\$3,035	\$3,200	\$7,050
PARKING IN FIRE LANE	10	26	29	7	0	\$300	\$780	\$970	\$280	\$0
PARKING IN FRONT OF FIRE HYDRANT	25	23	25	18	24	\$750	\$690	\$860	\$720	\$960
PARKING IN LOADING ZONE	22	34	19	33	81	\$440	\$560	\$450	\$990	\$2,430
PARKING IN NO PARKING AREA / PERMIT ONLY	771	895	736	873	955	\$18,975	\$21,975	\$22,965	\$34,100	\$37,980
PARKING IN SNOW REMOVAL AREA	492	135	604	259	577	\$7,350	\$2,025	\$11,185	\$10,385	\$22,880
PARKING ON SIDEWALKS OR CROSSWALK	70	77	54	40	15	\$1,725	\$1,925	\$1,530	\$1,400	\$525
GRAND TOTALS	1,885	1,665	2,113	1,969	5,195	\$36,500	\$34,545	\$49,570	\$71,170	\$178,370

During 2019, 1,408 calls were for animal complaints or calls that required the Animal Control Officer to respond. As seen in the graph below, the peak period for calls occurs during the May to September time period. Obviously, this is when folks are more frequently outdoors with their pets. Thus, more issues such as bites and the subsequent quarantines occur during the warmer weather. It is also the time when there is a significant influx of non-residents and their pets in the coastal area. Much effort is expended in conducting beach and park checks to educate residents and non residents regarding city ordinances related to dogs in particular. The warm weather months are also the time when the ACO and patrol officers respond to calls regarding concerns about pets left in vehicles.



In addition to responding to and investigating criminal offenses and conducting traffic and parking enforcement, a very significant and increasing portion of the department's resources are dedicated to responding to calls for service that are non-criminal in nature and/or are crime preventive activities.

Officers spend significant time on non-crime calls to understand the totality of an incident. Often considerable time is spent using their crisis training to de-escalate and calm situations to ensure that those situations do not turn into criminal incidents.

Officers perform CPR until EMS arrives and if the immediacy necessitates, they administer NARCAN to victims of overdoses. When battling the clock to locate missing persons or those threatening suicide, officers and dispatchers work together to research records and files for information.

Members of the agency make every effort to help those with mental health issues or are in some form of crisis. Officers spend a considerable amount of time on the phone with SMHC or Maine Behavioral Health at incident scenes. A significant number of transports of individuals for crisis evaluation occur every week.

When a request to check the welfare of a child, an adult, or a report of a missing person is received, officers persistently pursue locating and checking on the individual so they can take any necessary action to help the person. At times, officers accompany DHHS staff to locations or assist the agency in developing safety plans for those at risk.

Responding to sudden deaths (whether attended or unattended) involves the investigation of the scene and coordination with other units or agencies. Officers often are faced with the most difficult task of notifying the next of kin when a death occurs.

Officers assist the public when their vehicles are disabled along a roadway or if they have been involved in a motor vehicle accident. The agency conducts scheduled property checks for home owners and for business owners. They often respond to unscheduled incidents such as when the public observe an open door or window.

Officers perform check-ins with individuals to ensure they are in compliance with conditions ordered by the court upon their released from incarceration.

Many calls ultimately are determined to be civil issues between two or more parties, requiring officers to attempt to mediate the situation and direct the parties to the appropriate service agency or organization.

Officers respond to a plethora of calls such as noise disturbances that often are determined to be normal multi-unit housing noise, false alarms, lost or found items, animal complaints, parking complaints, domestic calls that are determined to be only verbal in nature, debris in roadway, follow-up to misuse of 911, and serve of legal paperwork.

Additionally, officers make regular community contacts at public events, and schools. They make educational or informational presentations to businesses, organizations, and groups.



LIFE SAVING

Awarded to any member of the Biddeford Police Department, who, through exceptional means, takes an action that results in the saving of a human life.

Patrol Officer Kyle Cutler
Patrol Officer Shawn LaBrecque
Patrol Officer Jacob Wolterbeek



BLUE SHIELD

Awarded to any member of the Biddeford Police Department who performs an act or service that is deemed outstanding or highly beneficial to the Department or Community. Such act is not limited to the criminal aspect but rather to a more all-encompassing police service role.

Patrol Officer Thomas Lapierre
Patrol Officer Derek McDonald



EXEMPLARY SERVICE

Awarded to any member of the Biddeford Police Department for an act or achievement that demonstrates superior judgment, intelligence, or applied police knowledge and that results in an outstanding arrest, conviction and/or criminal investigation.

Patrol Officer Anthony Ciampi
Patrol Officer Peter Gilman
Patrol Officer Hayleigh Oliver
Patrol Officer Kayla Reuss
Patrol Officer Andrew Shortill
Patrol Officer Jacob Wolterbeek



SPECIAL COMMENDATION

Awarded to any member of the Biddeford Police Department who performs an act or service that is deemed outstanding or highly beneficial to the Department or Community. Such act is not limited to the criminal aspect but rather to a more all-encompassing police service role.

Patrol Officer Anthony Ciampi
Patrol Officer Shara Guzelian
Dispatcher Ronald Legere



CHIEF'S AWARD FOR EXCELLENCE

Awarded to any employee of the Biddeford Police Department or employee or citizen of the City of Biddeford employee for any and all contributions or services that benefit the everyday workings of the Biddeford Police Department.

Lieutenant Normand Allaire
Starr Cloutier, Executive Assistant
Lieutenant Ricky Doyon
Deputy Chief JoAnne Fisk
Sergeant Steven Gorton
Patrol Officer Shara Guzelian
Sergeant Randall Medeiros
Tracey Morton, Professional Standards
Patrol Officer Ronald Phillips
Detective J. Lamar Quarles
Patrol Officer Jacob Wolterbeek



OFFICER OF THE YEAR

The full time police officer chosen for this award will have demonstrated consistently outstanding police work for the review period.

Patrol Officer Robert Simmons



INVESTIGATOR OF THE YEAR

The full time police officer chosen for this award will have demonstrated consistently outstanding police work for the review period.

Detective J. Lamar Quarles



CIVILIAN OF THE YEAR

The Civilian employee chosen for this award will have demonstrated consistently outstanding work for the review period.

Dispatcher Dylan Martin

DISTINGUISHED TEAMWORK AWARD

Awarded to recognize exemplary teamwork superior to what is normally expected. This award recognizes exceptional performance by a group of employees functioning as a team towards the completion of an assignment.

Lieutenant Normand Allaire
Patrol Officer Lawrence Angis
Evidence Technician Matthew Baldwin
Sergeant William Buhelt
Patrol Officer Jonathan Cotton
Patrol Officer Kyle Cutler (2)
Patrol Officer Edward Dexter
Detective John Gill
Sergeant Steven Gorton
Sergeant Philip Greenwood
Dispatcher Karen Lord
Patrol Officer Derek McDonald
Patrol Officer Derek Moore
Dispatcher Shawn Pendleton
Dispatcher Lori Penney
Patrol Officer Ronald Phillips
Detective Jaimes Plamondon
Patrol Officer Andrew Shortill
Patrol Officer Alec Thompson
Patrol Officer Jacob Wolterbeek

CERTIFICATE OF RECOGNITION

Awarded to any member of the Biddeford Police Department for exceptional performance required by a member's basic assignment.

Patrol Officer Jonathan Cotton
Patrol Officer Shara Guzelian
Patrol Officer J. Lamar Quarles
Patrol Officer Andrew Shortill

City of Biddeford



Patrolman

Honore Dutremble
Biddeford Police Department
End of Watch: Friday, April 8, 1932

Patrolman Dutremble, age 40, was shot and killed after stopping a vehicle which had been stolen two days earlier in Portland, Maine. He served the citizens of Biddeford with courage, honor, and integrity. His name was engraved on the National Law Enforcement Memorial in Washington, DC to respect, honor, and remember his sacrifice to our community.

City of Biddeford



Patrolman

Joseph Goulet
Biddeford Police Department
End of Watch: Tuesday, June 15, 1920

Patrolman Goulet, age 50, succumbed to injuries sustained late the previous evening when struck by a vehicle on Main Street. He served the citizens of Biddeford with courage, honor, and integrity for five years. His name was engraved on the National Law Enforcement Memorial in Washington, DC to respect, honor, and remember his sacrifice to our community.

City of Biddeford



Patrolman

Jean C. Mondville
Biddeford Police Department
End of Watch: Saturday, October 29, 1966

Patrolman Mondville, age 61, suffered a fatal heart attack after responding to a fatal automobile accident on Route 9 in Biddeford. He served the citizens of Biddeford with courage, honor, and integrity for twenty-three years. His name was engraved on the National Law Enforcement Memorial in Washington, DC to respect, honor, and remember his sacrifice to our community.

**Courage
Honor
Integrity**



39 Alfred Street
Biddeford, ME 04005
biddefordmaine.org/police

City Council Meeting

Biddeford Municipal Airport Project Update

Biddeford, Maine

February 4, 2020

Gale Associates, Inc. (Gale) is currently administering a project on behalf of the Biddeford Municipal Airport (the Airport) for the design, permitting, and reconstruction of Runway 06-24, which was last rehabilitated in 1992. Since that time, the runway pavement has substantially exceeded its useful life and is currently in poor condition. Further, the Runway Safety Area on the Runway 06 end requires an 80-foot extension in order to conform to current FAA design standards. This project will also include tree clearing under the Runway 24 aircraft approach where the Airport previously acquired aviation (airspace) easements.

In October of 2018, Gale assisted the Airport in applying for a highly competitive federal grant through FAA's Supplemental Appropriations Program. In May of 2019, it was announced that the Airport's Runway 06-24 design, permitting, and reconstruction project was selected to receive 100% funding through the Supplemental Appropriations Program, meaning that the \$7,500,000 project requires no financial commitment from the City of Biddeford or the State of Maine.

At this time, Gale has prepared and submitted the following permit applications on behalf of the Airport for the runway reconstruction project:

- Natural Resource Protection Act (NRPA) – Submitted to Maine Department of Environmental Protection on November 11, 2019. The review period for this application is 120 days. We anticipate having a permit in hand by March 2020.
- Stormwater Management Permit – Submitted to Maine Department of Environmental Protection on December 16, 2019. The review period for this application is 90 days. We anticipate having a permit in hand by March 2020.
- US Army Corps of Engineers General Permit – A full copy of the NRPA Application was submitted to the US Army Corps of Engineers to satisfy USACE General Permit requirements. On January 9, 2020, the USACE approved the permit and authorized the work.

Gale is in the process of preparing the 95% design plans and specifications for the Runway 06-24 reconstruction project for review and approval by FAA. Following approval, Gale will move forward with finalizing the plans and specifications and begin the bidding process. The reconstruction of Runway 06-24 is anticipated to occur during the summer of 2020. Runway 24 end tree clearing will also be bid as part of this project. Permits for the tree clearing portion of this project were obtained in 2015.

In addition to the Runway 06-24 reconstruction project, Gale is prepared, if acceptable to the City, to initiate the Airport's Master Plan Update project. The Airport's Master Plan was last updated in 2005, and FAA recommends that airports update these plans every 10 years. The proposed 2020 Airport Master Plan Update will review the adequacy of the Airport's landside and airside facilities with respect to compliance with Federal Aviation Administration (FAA) design standards and ability to address the

needs of the Airport through the planning period (FY-2020-2040). Also included will be an update to the Airport's ALP to include current conditions and recommended improvements as outlined in FAA Order 5100.38D. A schedule of improvements will be generated to organize the implementation of various improvements in the short-(0-5 years), medium- (6-10 years), and long-term (11-20 years) periods to assist the sponsor in defining the Airport's Capital Improvement Plan. This project will also include a wildlife hazard site visit to identify any wildlife on or near the airfield that could threaten airport operational safety.

This project is supported by FAA and MaineDOT and is included on the Airport's Capital Improvement Program for funding during federal fiscal year 2020. Grant applications for this project are due to FAA by May 1, 2020. If approved by the City, the project would be funded as follows:

FAA Share (90%):	\$315,000 (estimated)
MaineDOT Share (5%):	\$17,500 (estimated)
<u>City of Biddeford Share (5%):</u>	<u>\$17,500 (estimated)</u>
TOTAL PROJECT:	\$350,000 (estimated)

Gale is in the process of preparing a draft scope of work in anticipation of a future scoping meeting with the Airport Commission, FAA, and MaineDOT.

V:\01 Airports\01 Airport Client Library\01 Current Airports\03 Maine Airports\Biddeford (BID)\01 - Monthly Updates\2020

\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge

PA \$160.00
1/28/2020

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: BLAZE Brewing LLC.

Business Address: 28 PEARL St. Map Lot

Mailing Address: 34 mines Rd. Blue Hill, ME 04614

Business Telephone Number: 207-944-8723- MATT'S cell#

Email Address: finbackakehouse@hotmail.com

OWNER/OPERATOR: Matthew Haskell

Home Physical Address: 34 mines Rd. Blue Hill, ME 04614

Home Mailing Address: SAME

Home Telephone Number: 207-944-8723

Applicant(s) Date of Birth: 7/6/78

Matthew Haskell
Applicant's Signature

1/10/19
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

- ☒ Concert - LIVE MUSIC
☐ Exhibitions (live performances)
☐ Circus/Carnival

\$150.00 (single/multiple events)

☐ Playhouse/Play

- ☐ Indoor Skating Rink
☐ Bowling Lanes
☐ Theater/Movie House
(plus \$25.00 per screen)
☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
☐ Dealers in gold jewelry, etc.
☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
☐ Junk Dealer/Recycling

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

PAWNBROKER: \$200.00

VENDOR ON A PUBLIC PLACE: \$50.00

ICE CREAM TRUCK VENDOR \$75.00

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS \$100.00

OPERATING LICENSE:

☐ Victualer (no alcohol)-State Cert. Required \$75.00

☐ Victualer serving beer and/or wine-State Cert. Required \$100.00

☐ Victualer serving beer, wine and/or liquor \$150.00

☐ Taxicab, motorbus, public automobile
State Cert. Required \$50.00
(plus \$20.00 per vehicle)

☐ Massage Establishment/Therapist \$100.00

☐ Combined Massage Establishment/Massage Therapist \$150.00

☐ Adult Business \$2,000.00

☐ Sludge Disposal \$50.00

MISCELLANEOUS:

☐ Advertising (for liquor licenses) \$60.00

☐ Newspaper Vending Machines (per machine) \$10.00

☐ Video Game Devices (up to a max of \$50.00) \$10.00 (each machine)

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: Scott D. Wells CST
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): BLAZE Brewing LLC.	Business Name (D/B/A): BLAZE BREWING Co. Biddeford
Individual or Sole Proprietor Applicant Name(s): Matthew Haskeel	Physical Location: 28 PEARL St. Biddeford, ME 04005
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 34 Mines Rd. Blue Hill, ME 04611
Mailing address, if different from DBA address: 34 Mines Rd. Blue Hill, ME 04611	Email Address: finbackalehouse@hotmail.com
Telephone # Fax #: 207-944-8723	Business Telephone # Fax #: 207-571-9412
Federal Tax Identification Number: 47-5643350	Maine Seller Certificate # or Sales Tax #: Applied For
Retail Beverage Alcohol Dealers Permit: N/A	Website address: UNDER CONSTRUCTION

1. New license or renewal of existing license? ☒ New ☐ Renewal

If a renewal, please provide the following information:

Your current license expiration date: **N/A**

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: **X** Beer, Wine or Spirits: **X** Guest Rooms: **X**

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☐ Wine ☐ Spirits

3. Indicate the type of license applying for: (choose only one)

- ☒ Restaurant (Class I, II, III, IV) ☐ Class A Restaurant/Lounge (Class XI) ☐ Class A Lounge (Class X)
- ☐ Hotel (Class I, II, III, IV) ☐ Hotel – Food Optional (Class I-A) ☐ Bed & Breakfast (Class V)
- ☐ Golf Course with auxiliary and mobile cart options (Class I, II, III, IV) ☐ Tavern (Class IV)
- ☐ Qualified Caterer ☐ Self-Sponsored Events (Qualified Caterers Only)
- ☐ Other: _____

Refer to Section V for the License Fee Schedule

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

Feb 12th 2020

5. Business records are located at the following address:

34 mines Rd. Blue Hill, ME 04614

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
BLAZE Restaurant		198 MAIN ST. BANGOR
BLAZE Restaurant		18 BROAD ST. BANGOR
Hoxhill / Kura TV to		5 Bayview Landing CAMDEN

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
MATTHEW HASKELL	7/6/78	BANGOR, ME

Residence address on all the above for previous 5 years

Name: MATTHEW HASKELL	Address: 34 mine Rd. Blue Hill, ME 046
Name:	Address: 9 Edward Ct. Bar Harbor, ME
Name: EVELINA KACPRZAKOWSKA	Address: 34 mines Rd. Blue Hill, ME 04600
Name:	Address: 9 Edward Ct. BAR HARBOR, ME 04614

9. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

10. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☐ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

I own Another Brewery in Camden.

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

*

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: BLAZE BAYGOR Date of Conviction: FALL 2019
 Offense: Catering Violation Location: Charleston, ME.
 Disposition: Please see Literary JAN BORN

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: Matthew Haskell Date of Conviction: 2014
 Offense: pos. of MARIJUANA Location: Penobscot County, ME.
 Disposition: Guilty

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No still hold (3)
 17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Port Properties - Portland, ME

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Brewery + Tap Room - Former Dixigo Brewing Co.
Space - Live music - Food - Fresh Beer.
Diagram attached

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: CHURCH

Distance: 1/2 mile

Section II: Signature; Fee; Delivery of application

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 1/28/20

[Signature]
Signature of Duly Authorized Person*

Signature of Duly Authorized Person*

Matthew Haskell
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

*The person signing this application must appear in Section VII on this application.

Section III: For use by Municipal Officers and County Commissioners only
Approval of an application for an on-premises liquor license

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Approval Expires in 60 Days

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00
Self-Sponsored Events	This class is for Qualified Caterers Only	\$ 700.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

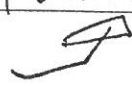
See attached

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

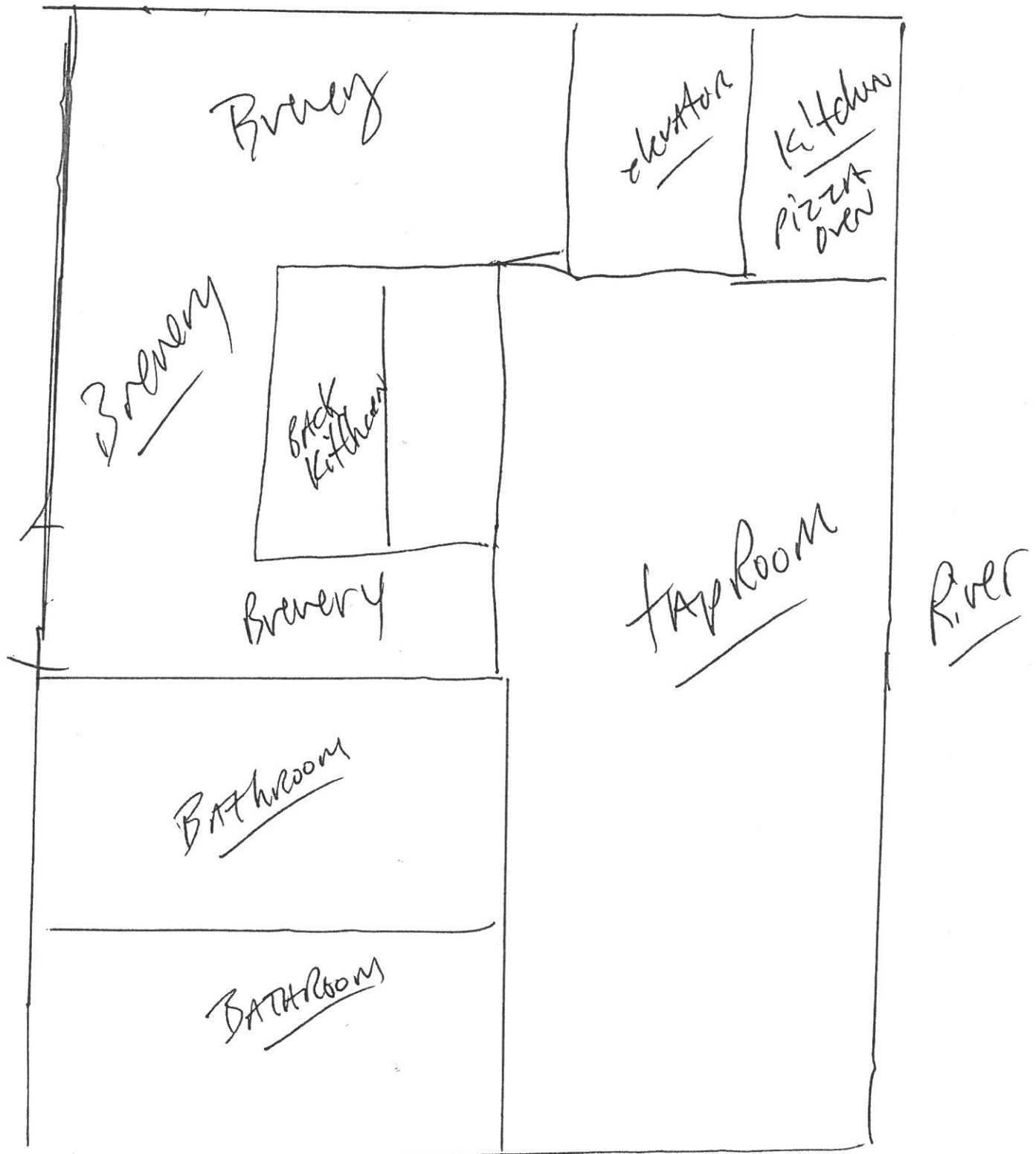
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: BLAZE BREWING LLC
2. Doing Business As, if any: BLAZE BREWING BIDDEFORD
3. Date of filing with Secretary of State: ~~2019~~ 2019 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Matthew Haskell	41 miles Rd Biddeford, ME 04614	7/6/78	owner	100%
	9 Edward St. Biddeford, ME 04609			
Evelina Kaprzykowska		10/25/86	Vice President	X
	<u>SAME</u>			

(Ownership in non-publicly traded companies must add up to 100%.)

Whole
Facility!!



\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge

PA \$160.00
1/28/2020

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: BLAZE Brewing LLC.

Business Address: 28 PEARL St. Map Lot

Mailing Address: 34 mines Rd. Blue Hill, ME 04614

Business Telephone Number: 207-944-8723- MATT'S cell#

Email Address: finbackakehouse@hotmail.com

OWNER/OPERATOR: Matthew Haskell

Home Physical Address: 34 mines Rd. Blue Hill, ME 04614

Home Mailing Address: SAME

Home Telephone Number: 207-944-8723

Applicant(s) Date of Birth: 7/6/78

Matthew Haskell
Applicant's Signature

1/10/19
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license - per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

- ☒ Concert - LIVE MUSIC
☐ Exhibitions (live performances)
☐ Circus/Carnival

\$150.00 (single/multiple events)

☐ Playhouse/Play

- ☐ Indoor Skating Rink
☐ Bowling Lanes
☐ Theater/Movie House
(plus \$25.00 per screen)
☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
☐ Dealers in gold jewelry, etc.
☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
☐ Junk Dealer/Recycling

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

PAWNBROKER: \$200.00

VENDOR ON A PUBLIC PLACE: \$50.00

ICE CREAM TRUCK VENDOR \$75.00

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS \$100.00

OPERATING LICENSE:

☐ Victualer (no alcohol)-State Cert. Required \$75.00

☐ Victualer serving beer and/or wine-State Cert. Required \$100.00

☐ Victualer serving beer, wine and/or liquor \$150.00

☐ Taxicab, motorbus, public automobile
State Cert. Required \$50.00
(plus \$20.00 per vehicle)

☐ Massage Establishment/Therapist \$100.00

☐ Combined Massage Establishment/Massage Therapist \$150.00

☐ Adult Business \$2,000.00

☐ Sludge Disposal \$50.00

MISCELLANEOUS:

☐ Advertising (for liquor licenses) \$60.00

☐ Newspaper Vending Machines (per machine) \$10.00

☐ Video Game Devices (up to a max of \$50.00) \$10.00 (each machine)

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: Scott J. Wells CST
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information;
Type of License and Status

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

Legal Business Entity Applicant Name (corporation, LLC): BLAZE Brewing LLC.	Business Name (D/B/A): BLAZE BREWING Co. Biddeford
Individual or Sole Proprietor Applicant Name(s): Matthew Haskeel	Physical Location: 28 PEARL St. Biddeford, ME 04005
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 34 Mines Rd. Blue Hill, ME 04611
Mailing address, if different from DBA address: 34 Mines Rd. Blue Hill, ME 04611	Email Address: finbackalehouse@hotmail.com
Telephone # Fax #: 207-944-8723	Business Telephone # Fax #: 207-571-9412
Federal Tax Identification Number: 47-5643350	Maine Seller Certificate # or Sales Tax #: Applied For
Retail Beverage Alcohol Dealers Permit: N/A	Website address: UNDER CONSTRUCTION

1. New license or renewal of existing license? ☒ New ☐ Renewal

If a renewal, please provide the following information:

Your current license expiration date: N/A

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: X Beer, Wine or Spirits: X Guest Rooms: X

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☐ Wine ☐ Spirits

3. Indicate the type of license applying for: (choose only one)

- ☒ Restaurant (Class I, II, III, IV) ☐ Class A Restaurant/Lounge (Class XI) ☐ Class A Lounge (Class X)
- ☐ Hotel (Class I, II, III, IV) ☐ Hotel – Food Optional (Class I-A) ☐ Bed & Breakfast (Class V)
- ☐ Golf Course with auxiliary and mobile cart options (Class I, II, III, IV) ☐ Tavern (Class IV)
- ☐ Qualified Caterer ☐ Self-Sponsored Events (Qualified Caterers Only)
- ☐ Other: _____

Refer to Section V for the License Fee Schedule

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

Feb 12th 2020

5. Business records are located at the following address:

34 mines Rd. Blue Hill, ME 04614

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
BLAZE Restaurant		198 MAIN ST. BANGOR
BLAZE Restaurant		18 BROAD ST. BANGOR
Hoxhill / Kura TV to		5 Bayview Landing CAMDEN

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
MATTHEW HASKELL	7/6/78	BANGOR, ME

Residence address on all the above for previous 5 years

Name: MATTHEW HASKELL	Address: 34 mine Rd. Blue Hill, ME 046
Name:	Address: 9 Edward Ct. Bar HARBOR, ME
Name: EVELINA KACPRZAKOWSKA	Address: 34 mines Rd. Blue Hill, ME 04600
Name:	Address: 9 Edward Ct. BAR HARBOR, ME 04614

9. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

10. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☐ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

I own Another Brewery in Camden.

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

*

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: BLAZE BAYGOR Date of Conviction: FALL 2019
 Offense: Catering Violation Location: Charleston, ME.
 Disposition: Please see letter JAWBORN

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: Matthew Haskell Date of Conviction: 2014
 Offense: pos. of MARIJUANA Location: Penobscot County, ME.
 Disposition: Guilty

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No still hold (3)
 17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Port Properties - Portland, ME

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Brewery + Tap Room - Former Dixigo Brewing Co.
Space - Live music - Food - Fresh Beer.
Diagram attached

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: CHURCH

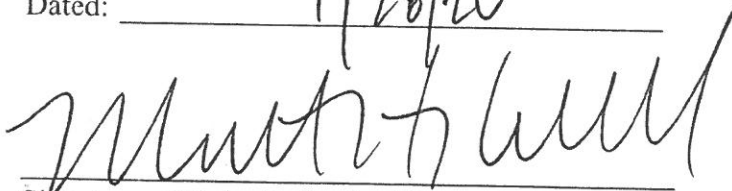
Distance: 1/2 mile

Section II: Signature; Fee; Delivery of application

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 1/28/20


Signature of Duly Authorized Person*

Signature of Duly Authorized Person*

Matthew Haskell
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

*The person signing this application must appear in Section VII on this application.

Section III: For use by Municipal Officers and County Commissioners only
Approval of an application for an on-premises liquor license

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Approval Expires in 60 Days

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00
Self-Sponsored Events	This class is for Qualified Caterers Only	\$ 700.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

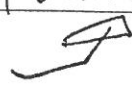
See attached

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

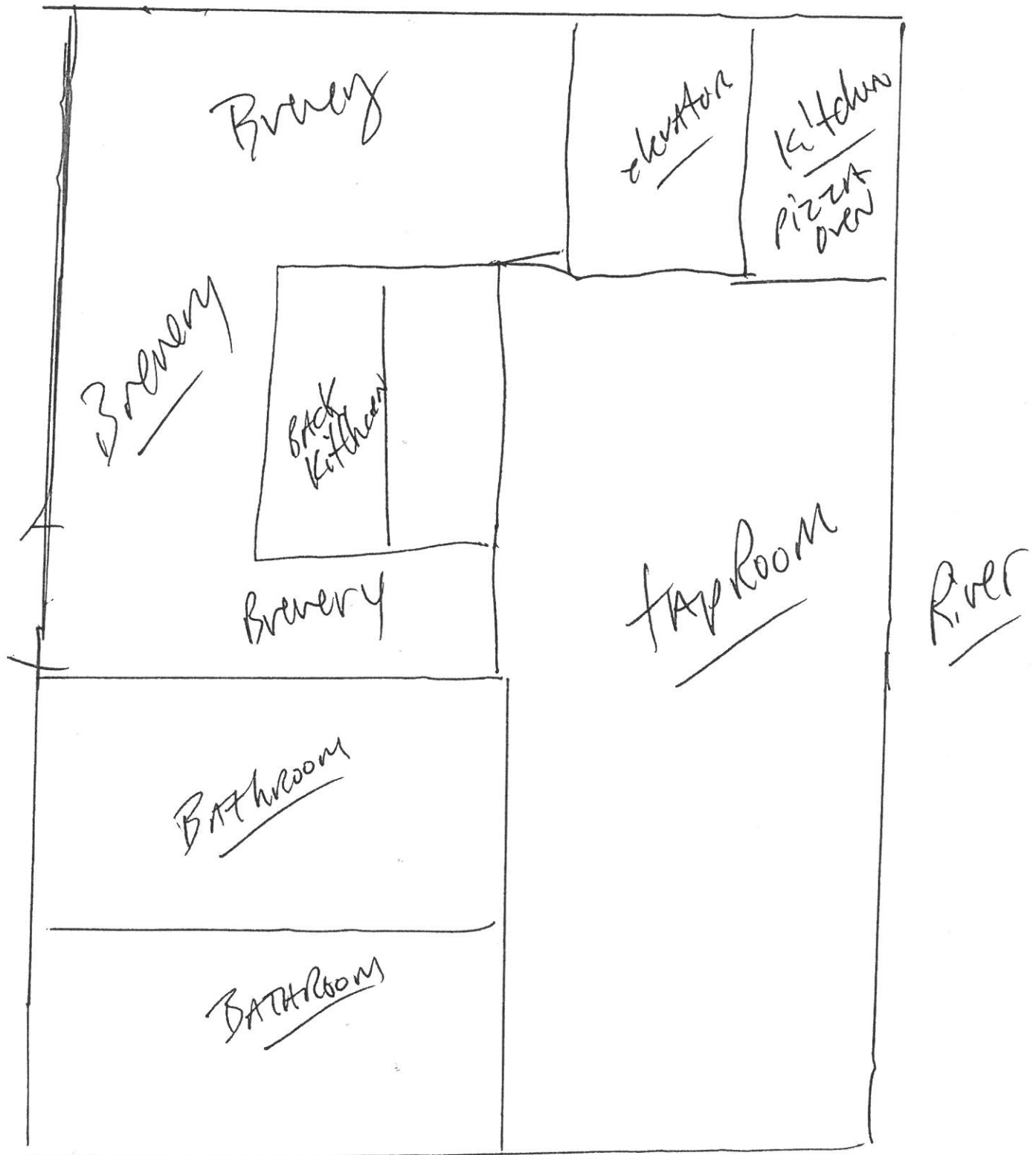
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: BLAZE BREWING LLC
2. Doing Business As, if any: BLAZE BREWING BIDDEFORD
3. Date of filing with Secretary of State: ~~2019~~ 2019 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Matthew Haskell	41 miles Rd Biddeford, ME 04614	7/6/78	owner	100%
	9 Edward Ct. Biddeford, ME 04609			
Evelina Kaprzykowska		10/25/86	Vice President	X
	<u>SAME</u>			

(Ownership in non-publicly traded companies must add up to 100%.)

Whole
Facility!!



**COUNCIL MEETING
JANUARY 21, 2020**

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: William Emhiser, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

Amy Clearwater was excused.

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustments to the Agenda:

- Remove Order 2020.7) Authorization/Appropriation of Funds for Summer Weekly Music Events in Mechanics Park {this item failed at the Finance Committee meeting}
- Add: Executive Session: 1 MRSA 405(6)(E)...Consultation with City Attorney

Special Events Applications: **WinterFest 2020; LaKermesse Festival 2020**

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the Special Event Application to WinterFest 2020.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the Special Event Application to LaKermesse Festival 2020.

Vote: Unanimous.

Presentation: **Biddeford Saco Old Orchard Beach Transit**

Biddeford Saco Old Orchard Beach Transit Executive Director, Tony Scavuzzo gave an overview of the following:

- ✓ FY19 Operational, Financial and Ridership Highlights/Facts/Growth
- ✓ Upcoming Subsidy Expense
- ✓ Budget Challenges
- ✓ Plans & Needs

Consideration of Minutes: **January 7, 2020**

Motion by Councilor McCurry, seconded by Councilor Belanger to accept the minutes as printed.

Vote: Unanimous.

Orders of the Day:

2020.5

IN BOARD OF CITY COUNCIL..JANUARY 21, 2020

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90.1 No Parking during special events**, be amended by adding or deleting to read as follows:

There is no parking on the following streets during a special event that is held at either the Waterhouse Field and/or at the St. Louis Field:

Ashland Avenue, odd-numbered side

Bald Avenue, even-numbered side, from West Street to end

~~Belmont Avenue, even-numbered side~~

~~Belmont Avenue, odd-numbered side, from Prospect Street to end~~

Debbie Avenue, even-numbered side

Dupont, even-numbered side

Forest Street, odd-numbered side, from Ashland to West Streets

~~Free Street, even-numbered side~~

Gertrude Avenue, odd-numbered side, from West Street to Harding Street

Greenfield Lane, even-numbered side

~~Harding Street, odd-numbered side, from Graham Street to Prospect Street~~

Havey Avenue, even-numbered side
~~Herring Avenue, even-numbered side~~
~~Herring Extension, even-numbered side~~
~~Hill Street, even-numbered side from Clarendon Street to West Street~~
~~Hill Street Extension, both sides~~
~~Hillside Avenue, even-numbered side, from Prospect Street to Hill Street~~
~~Hubert Street, even-numbered side~~
~~John Street, even-numbered side~~
~~Laurier Street, even-numbered side~~
~~Liberty Avenue, even-numbered side~~
Penney Avenue, even-numbered side
Prospect Street, even-numbered side from Clarendon to West Street
~~Ritz Avenue, even-numbered side~~
~~Sunrise, even-numbered side~~
~~Sunset, even-numbered side~~
~~Victory Avenue, even-numbered side~~
Wendell Avenue, even-numbered side
~~West Street, even-numbered side, from Five Points to Graham Street Extension.~~
~~West Street, odd-numbered side, from Granite Street to Hill Street~~
~~Westfield, even-numbered side~~
~~Wilson Street, even-numbered side~~

NOTE: The Policy Committee considered this ordinance amendment at their January 9, 2020 meeting and voted unanimously to recommend passage by the City Council.

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the first reading of the ordinance amendment.
Vote: 7/1; Councilor Lessard opposed.
Councilors Emhiser, McCurry, St. Cyr, Quattrone, Belanger, Ready and Ortiz in favor.
Motion carries.

2020.6 **IN BOARD OF CITY COUNCIL...JANUARY 21, 2020**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 70, Utilities, Article II Wastewater System, Division 4. Use Regulations and Article III Wastewater System Capacity Management**; be amended by adding or deleting to read as follows:

ARTICLE II. WASTEWATER SYSTEM

DIVISION 4. USE REGULATIONS

Sec. 70-104. General rules and regulations for customers of sewer system.

(a) Agreement.

The following rules and regulations, and such regulations as may be hereafter established by the Street Committee shall be considered binding with every customer who uses the sewer, and such customer shall be bound thereby.

(b) Definitions and statements.

APPLICANT The same as customer and may be used interchangeably.

CUSTOMER Any person, firm, corporation, governmental unit or subdivision supplied with sewer service by the City and is the owner or agent thereof for the property being serviced.

SERVICE CONNECTION The point of connection of the customer's piping at the City main.
All sewer mains within the limits of the highway, of appropriate easements, including manholes and appurtenances, shall be owned and maintained by the City of Biddeford.

From the service connection at the main in the right-of-way to the premises served, shall be owned and maintained by the customer.

SEWER MAIN(S) The pipe or pipes which convey the customer's effluent away from his premises. The sewer main is generally dedicated for sanitary purposes, however, a combined storm drain/sewer line may also serve a sewer main in the absence of a dedicated line if the combined line was in use for this purpose.

Sewer mains installed in a private road (not City accepted) as part of a private subdivision shall remain the property of the developer. These lines will not be accepted by the City for the operation and maintenance unless the roadway is accepted by the City in the future. Construction of the sewer lines will be in accordance with state and City requirements.

SEWER SERVICE The connection between the tap at the City main and the customer's source of sewage and shall include all of the pipe, fittings, and couples necessary to make the connections.

(c) Enforcement.

Any violation of the rules and regulations hereby established or failure on the part of any customer utilizing the sewer to promptly pay any and all claims of the Department, shall be considered sufficient cause for the Sewer Department to take the appropriate steps as allowed by law to recover their interests.

(d) Required use.

As specified in federal, state and local ordinances and/or regulations all buildings located within a reasonable distance from said sewer connection or reasonable extension thereof shall be connected to the municipal sewer determined by the authorized agent of the City of Biddeford. Any request for a variance will be appealed as outlined in Section 70-104(o) of these general rules.

(e) Application for service.

All applications for sewer entrances must be made at the City Clerk's office stating fully and truly the uses to which the entrance is required. Such applications must be signed by the customer or his duly authorized agent. A fee of ~~\$400~~ **\$500** shall be made with each application before work is begun on a new service. If the service as determined by the authorized City representative must enter a manhole then this connection requires boring and the proper booting contractor should secure a private company to do this work. In the event no private company is available, then the City can be contracted for the boring and an additional ~~\$300~~ **\$500** must be paid for this work.

All septage haulers that discharge septage waste at the Biddeford WWTP shall be licensed by the Sewer Department. License fee of \$25 per year will be paid on or before July of each year. If no violations occur in that twelve-month period, the next year's license will be granted at the same charge. Failure to obtain a license or revocation of the license will prohibit the septic hauler from pumping septic tanks within the City of Biddeford or discharging any waste at the Biddeford WWTP.

Exceptions:

(1) Subdivisions:

The entrance fee for subdivisions shall be the entrance fee of \$400 plus \$100 per lot. Said charges to be paid before the subdivision will be opened for use.

(2) Easements:

Certain sewer easements may exempt the customer from the entrance fee. This will be clearly stated in the easement itself.

(3) Liens: See Section 70-104(p).

(4) Apartments and condominiums:

The entrance fee for an apartment building/complex or for a condominium complex

shall be the entrance fee of \$400 plus \$100 per unit. These charges shall be paid before the connections are started.

(f) Size of service.

The minimum size of the service connection shall be four inches. Actual sewer services may be four inches or six inches as the situation dictates. Any sewer serving a single building containing three or more units will be a minimum of six inches.

(g) Installation.

(1) The customer shall make arrangements and pay for the remaining sewer service from the service connection at the main to the house entrance. Service pipe and fixtures shall conform to the requirements of the Sewer Ordinance (Article II of Chapter 70 of the Municipal Code of Ordinances).

(2) A minimum slope of 1/4 inch per foot (two-percent slope) and a minimum of three feet of cover is standard practice for sewer service as stated in the design and construction of sanitary and storm sewers, MREP No. 37 or MOP No. 9. One-way valves are recommended for all lines and are required when sewer services are installed at minimum slope.

(3) Except as provided in the Sewer Ordinance or approved by the Street Committee each building shall have an independent sewer connection.

(4) Ordinarily no new sewer services or extensions for mains will be installed during winter conditions (November 15 to April 15) unless the customer shall defray all extra expenses incurred.

(5) Service connections shall not be made in manholes unless the depth of the sewer main is in excess of 15 feet in which case an inside drop may be used if approved by the City Engineer or an authorized City representative. All services entering a manhole will be bored and booted.

(h) Pipes and fixtures.

(1) No persons except those duly authorized by the City Council as specified in Section 70-28 of the Code of Ordinances of the City of Biddeford will tap any sewer main or connect any sewer service thereto.

(2) Applicants desiring more than one sewer service on the same premises shall pay all costs in connection therewith.

(3) Repairs and/or modifications to applicant's service connections, whether required as a result of freezing or other causes, will be charged to the customers on a cost basis. All work must be done under authorization and/or supervision of the authorized City representative.

(4) No service pipe shall be laid in the same trench with gas pipes, water pipes, or any facility of a public utility not within three feet of any open excavation or vault.

(5) No cross connection between the sewer service and any drainage appurtenances will be allowed. No connection capable of causing blockages in the City mains or enabling drainage overflows into the sewer will be permitted.

(i) Connecting and disconnecting.

Twenty-four hours' advance notice is required for connecting and disconnecting sewer connections. The requested service will be provided as soon as possible thereafter. All expenses involved will be the responsibility of the applicants. Overtime charges at the rate of time and 1/2 will be charged before or after duty hours, with a minimum two-hour charge.

(j) Miscellaneous charges.

Charges for labor and material shall be billed upon completion of the work which the bill covers. If such bills are not paid within 30 days, the sewer will be disconnected or become a

lien on the property or both. Collection procedures will be taken and any costs will be charged to the customer.

(k) Interruption of service.

The City of Biddeford reserves the right to shut off service temporarily whenever it becomes necessary to make extensions, alterations or repairs.

(l) Violations.

(1) Failure to pay charges when due or violations of any regulations established by the street committee whether by a current or past owner shall result in the filing of an attachment against the property being served as provided by state statutes. The customer shall be responsible for all costs associated with the filing.

(2) Violations for septage haulers that will be cause for revocation of license include but not limited to:

a. Failure to pay monthly bills in a timely manner.

b. Failure to pretreat septage hauled as requested by the Superintendent and/or plant operator of the WWTP.

c. Failure to notify the Superintendent and/or plant operator of the WWTP of the strong or abnormal waste prior to discharge to any point in the City's collection system or treatment works.

(3) Failure to provide required information on dump slips.

(4) Revocation of the license will be subject to a majority vote of the City Council. The septage hauler will be notified of the date of the hearing and may be present to defend the charges.

(5) A septage hauler that has had his/her license revoked has the right to appeal to the City Council.

(m) Inspection.

Any employee acting as authorized representative of the City of Biddeford with proper identification shall be allowed access to the customer's premises between the hours of 8:00 a.m. and 6:00 p.m. for examination of pipes, fixtures, connection, and the manner of use. In case of emergency, no prior notice need be given and, in the event of refusal of entry, application can be made to the courts for an appropriate order with all legal costs being charged to the customer.

(1) Any residence or commercial establishment found to have roof, drain, floor drain, foundation drain, etc. (refer to Section 70-73 Biddeford Code of Ordinances) hooked into the City sewer after August 15, 1978, upon notification will cease such violation within 30 days or be subject to penalties as stated in the Biddeford Code of Ordinances Section 70-31.

(2) Any residence or commercial establishment found to have items (refer to Section 70-73), tied into the City sewer system prior to August 15, 1978, shall pay a minimum fee of \$75 to offset the costs of required additional treatment. A higher fee may be set if excessive quantities of inflow are discharged. This determination will be made by the environmental specialist or Director of Public Works.

(n) Rates.

(1) Actual rates are as recommended by the Street Committee and are reviewed annually. The City Council shall approve all rate recommendations.

(2) All property owners are liable for the entire cost of installation, maintenance, repairs, alterations or removal from their house to their service connection at the main.

(3) Labor rate of \$12.50 per hour. Minimum labor charge of two hours. Overtime charges at a rate of time and 1/2 will be charged before or after duty hours being 7:00 a.m. to 3:00 p.m. with a minimum two-hour charge.

(4) Any calls for a sewer blockage at the same address that exceeds three calls in a twelve-month period and are determined to be the owners problem in each case will subject to the charges stated herein.

(5) Rates for special equipment shall be as follows:

a. Sewer jet \$110 per hour with a two-hour minimum charge.

b. Dye testing \$40 per one hour minimum charge.

c. Boring machine \$300 per hole (when machine becomes available).

If another community needs emergency help, the above charges will be negotiable or won't apply.

(6) All monies from fees and rates charged will be placed into a special account within the sewers and drains budget to offset capital and ongoing costs created by the adoption of these general rules. Excess revenue will be reflected in the following years recommendation for fees and rates.

(o) Variance/appeals.

(1) All requests for variances or appeals to these regulations and the Sewer Ordinance are to be directed to the Street Committee all requests to meet with the street committee must be received at least two weeks prior to the meeting to allow for proper notification. Appeals of street committee decisions go to the City Council.

(2) Total variance from the mandatory use requirement [Section 70-104(d)] will not be granted as that violates state and federal laws. Time extensions will be granted for good causes allowing more than 90 days for the hook-up period. Conditional variances are possible.

(3) The Street Committee recognized that some buildings might be located in excess of 500 feet from the sewer line while the property line may be within five feet. In these situations, the committee will consider requests for variances and make a decision based on the specific conditions involved. A conditional variance may be granted.

(p) New mains and liens.

(1) When a subdevelopment is built, the costs of all work associated with the installation of sewer service is borne by the developer as provided in the Subdivision Ordinance and Construction Ordinance.

(2) Should the City of Biddeford install a main line or extend a sewer main, whether by petitions of the abutters or for the public good, the total City cost shall be determined and be proportionate cost for each abutter shall become a lien on such abutting property as provided by the construction ordinance. Payment must be made prior to any connection to the City line and may be arranged through the City treasurer. Note: Payment of a lien supersedes the entrance fee, provided it is larger than the entrance fee as outlined in Section 70-104(e).

(3) Any individual dissatisfied with the determination of his/her proportionate share of costs may appeal as outlined in Section 70-104(o).

(4) If an individual/company beyond the terminus of an existing sewer main desires to connect to the line, that individual/company shall extend the sewer main along his/her entire lot frontage (or to the limits of gravity flow with the City of Biddeford). All costs for this extension shall be borne by the individual/company unless the extension is installed via petition in which case the preceding paragraphs dealing with liens overrides this paragraph.

(q) Changes to these rules and regulations.

The forgoing rules and regulations are subject to change with the pleasure of the Biddeford Street Committee, but all such changes will be given reasonable publicity and final approval will be the decision of the City Council.

ARTICLE III. WASTEWATER SYSTEM CAPACITY MANAGEMENT

DIVISION 1. GENERALLY

Sec. 70-126. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AFFILIATE: A person with whom an applicant under this article has a direct financial, business or management interest.

CAPACITY: Not only the ability of the treatment plant to physically receive a particular amount of flow per day but the ability of the treatment plant to properly and effectively treat the flow within all limits established by any federal or state license.

COMMENCEMENT OF CONSTRUCTION: The placement of the foundation, whether a frost wall, floating slab, or complete cellar, the walls and/or the floor of which must be considered complete by the Building Inspector.

Sec. 70-127. Entry of wastewater, permit required; permit limitations.

(a) No person may undertake any development activity which will create new wastewater flow into the City sewer system or which will increase existing flow from any property without first obtaining a sewer use permit from the City Engineer under this article. Sewer use permits shall not be required for the replacement or addition of plumbing fixtures within existing residential units.

(b) Neither the Building Inspector nor the Plumbing Inspector may issue any building permit, occupancy permit, or any other type of permit, to anyone who, prior to September 18, 1990, had received a sewer use permit under this article, or for any project appearing in the appendix to the ordinance from which this chapter was derived which is on file in the City Clerk's office, unless the applicant presents a certificate from the City Engineer that the applicant has complied within the provisions of this chapter.

(c) Regardless of allotted capacity, as determined for any period, and as shown in the documents on file in the City Clerk's office for any period, no sewer use permit may be issued during periods when no capacity remains, as determined by the City Engineer. The prohibition set forth in this subsection applies notwithstanding any other provision of this chapter.

Sec. 70-128. Findings, statement of emergency and purpose.

(a) The design capacity of the wastewater treatment plant, 3,300,000 6,500,000 million gallons per day, is met or exceeded during spring runoffs when groundwater, infiltration, inflow, cellar sumps and yard drains are tied into the sewer system. Rainfall also leads to exceeded capacity by entering through combined sewer systems and roof drains. These flow conditions overburden hydraulic equipment at the treatment plant causing overflow situations. Current average hydraulic loading to the treatment plant is between 3,000,000 2,000,000 million and 3,100,000 3,300,000 million gallons per day. Current design is 3,300,000 6,500,000 million gallons a day. Estimated time for completion of upgrade of the wastewater facility is four years. The City has estimated an allocation of 240,000 gallons over the four year period. This estimate is subject to change. This article provides for periodic review, by the City Engineer, of the actual capacity remaining to be allocated.

(b) During periods when no remaining capacity exists, new flow into the system will be prohibited until capacity is restored or created through upgrade or removal of infiltration and inflow or other methods. Educational efforts will be required by both the public and private sectors to encourage conservation, to help create available capacity.

While the City is taking steps to cure these problems and to increase the system's capacity, these steps cannot all be accomplished immediately. Accordingly, it is the intent of this article that new or additional sewage be discharged into the system in moderate amounts to permit some growth and to ensure that any excess capacity which develops is portioned out fairly and over a period of time until the City has taken all steps necessary to cure the system's problems and significantly increase its capacity.

(c) An additional element of this article is the implementation of voluntary and mandatory conservation measures designed to effectively increase available capacity.

(d) Because existing plant capacity could be greatly exceeded if immediate efforts are not undertaken to control and manage new wastewater flow and because this article is a vital part of the City's efforts to plan for orderly growth, the City Council determines that the facts justifying this article constitute an emergency within the meaning of Article III, Section 8, of the Charter.

(e) It is the intent of the City to establish, in the long run, a program under which anyone seeking to enter new flow into the system will be required to remove a defined percentage of the amount of the proposed new flow through the elimination of infiltration and inflow. Once the inflow and infiltration removal program is in place, the allocation system may be eliminated.

Sec. 70-129. Capacity of plant.

(a) At the time of any reenactment or amendment of this article, and at such other times as the City Council may direct, the City Engineer shall establish the total remaining capacity of the wastewater treatment plant, determine the nature and extent of efforts to remove infiltration and inflow from the system, and report that information to the City Council.

~~(b) Until such time as the final inflow and infiltration removal program set out in this chapter is implemented, any applicant for a sewer use permit is subject to the interim provisions of Section 70-172.~~

~~(c)~~ (b) Any person who received a sewer use permit prior to September 18, 1990, or whose project appears in the documents on file in the City Clerk's office, is subject to the provisions of Section 70-127(b).

Sec. 70-130. Expiration of article; program monitoring; amendments.

~~(a) This article shall be in effect for one hundred eighty-day renewable periods and should be maintained by future City Councils until such time as a capital improvement program is completed that increases the City's treatment plant capacity to 5,500,000 million gallons per day.~~

(b) The capital improvement program shall be reviewed and monitored by the City Council through the City Engineer to determine the program's effectiveness. Amendments deemed necessary should be made at the time of renewal under this section or at such times as deemed necessary by the City Council.

Sec. 70-131. Penalties for violation of article.

Any person who violates this article commits a civil violation for which a forfeiture of \$2,500 shall be imposed. Each day of violation constitutes a separate violation. The City Solicitor, in addition to seeking forfeitures, may request injunctive relief, as necessary.

Sec. 70-132. Growth management program renewed.

The provisions of this Article III (Wastewater System Capacity Management), of the Biddeford Code of Ordinances, as most recently revised and ordained on March 5, 1991, be renewed in its entirety in accordance with the provisions of Section 70-130 hereof, and that this measure take effect upon passage.

Sec. 70-133. through Sec. 70-140. (Reserved)

DIVISION 2. PERMITS

Sec. 70-141. Application; fee; determination of discharges.

(a) Applications for permits under this article shall be on forms provided by the City Engineer, and shall be accompanied by such plans as he may require. As the case may be, applications must be accompanied by written evidence of final approval from the Planning Board, Zoning Board or Building Inspector, where approvals of or permits for the development activity are

required from those boards or officials. Applications shall be accompanied by a nonrefundable fee of ~~\$50~~ **\$200**.

(b) In determining the amount of wastewater flow likely to be discharged from any development activity, the City Engineer shall be guided by the State of Maine Internal Plumbing Rules. His determination is final.

Sec. 70-142. Expiration of permits.

Permits issued under this article shall expire if construction of the development for which each permit is issued has not commenced within one year of the permit being issued, except that the City Engineer may extend the life of such permits if the holder is able to demonstrate that he has been delayed in his development by natural conditions beyond his control or that he has been diligently pursuing other licenses required for the development but has not yet received approval through no fault of his own. Decisions of the City Engineer under this section may be appealed to the City Council.

Sec. 70-143. Nontransferability.

Permits issued under this article may not be transferred to other development projects on other real estate but shall run with the real estate which is the subject of the proposed development for which the permit is issued, but only for the life of the permit as indicated in Section 70-142.

Sec. 70-144. through Sec. 70-155. (Reserved)

DIVISION 3. CONSERVATION

Sec. 70-156. Mandatory.

(a) Notwithstanding any other provisions of this Code, the following provisions apply to development which will create new wastewater flow into the City sewer system or which will increase existing flow from any property.

(1) All toilet fixtures, whether for residential or nonresidential uses, must have flushing volumes less than or equal to 1.6 gallons.

(2) All shower and faucet fixtures for residential and nonresidential uses must be installed with volume reduction devices. This requirement may be waived for certain nonresidential uses by the Codes Enforcement Officer at his discretion when the requirement interferes with the fixture's purpose, such as but not limited to industrial showers designed to treat burn victims.

(b) The standards of this section must be met by all units inspected by the City Plumbing Inspector as of the date of passage of the ordinance from which this article derives, in order to receive a certificate of occupancy.

Sec. 70-157. Voluntary.

In order to avoid requiring conversion to low-volume toilets in the City's existing households and businesses, the City requests users of the City's sewer system to, as an example, reduce discharge volumes by installing displacement devices such as bricks and milk containers in toilet holding tanks. The installation of water flow reduction devices in showerheads and faucets are other inexpensive means of reducing both residential and nonresidential wastewater discharge.

Sec. 70-158. through Sec. 70-170. (Reserved)

DIVISION 4. INFLOW AND INFILTRATION REMOVAL

Sec. 70-171. Study by City Engineer; report; amendment of article.

(a) The City Engineer ~~shall~~ **may** forthwith investigate the areas within the existing sewer system which may be changed, altered or repaired to remove infiltration and inflow, and determine both the nature and extent of such repairs, the specific amounts of gallons per day removed for any particular repair project, and the associated cost per gallon per day of any such repair. He will, in addition, determine an average cost per gallon per day of removal for all projects in such a fashion that the average cost may be adjusted from time to time to reflect

changing conditions. The determinations by the City Engineer will be used to create a fee to be charged to applicants of the removal of infiltration and inflow in an amount equal to a specific percentage of the amount of new flow into the system which the applicant is proposing to create. That percentage shall conform to any requirements imposed on the City by state or federal agencies.

(b) The City Engineer shall report the results of his study under this section to the City Council. The City Council may then, consistent with the terms of federal and state approvals, implement and adopt a mandatory inflow and infiltration removal requirement. Under the terms of the requirement, a sewer use permit may only be obtained to remove an adequate amount of inflow and infiltration from the system or if the sewer user has paid the appropriate fee in lieu of completing a project.

(c) At the time of the submittal of the results of his study under this section, the City Engineer shall present to the City Council a proposed amendment to this article setting out the method of administration of the removal requirement, and demonstrating compliance with any provisions of law restricting the creation of such a program, including the creation of any dedicated fund into which fees will be placed.

Sec. 70-172. Issuance of permit; interim fee.

(a) Pending completion of the study, report and presentation set forth in Section 70-171, and subject to the availability of capacity at the treatment plant and compliance with all other provisions of this article, a sewer use permit may be given after an applicant complies with this section.

(b) An applicant for a sewer use permit shall, in addition to other information required by this article, pay the **interim** fee set out in Subsection (c) of this section. The City Engineer may require such other information as he deems necessary.

(c) Except as indicated in Subsection (d) of this section, applicants shall pay a fee equal to five times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineer under Section 70-141(b). Fees received under this subsection shall be segregated from the projects designed to remove inflow and infiltration from the sewer system as finally determined after the completion of the study, report and presentation set forth in Section 70-171. Fees, or any portion of those fees, actually paid, which exceed the actual cost of removal, or which are not expended according to the removal schedule to be finally adopted, shall not be refunded. These unexpended fees shall be deposited in a designated enterprise account segregated from the City's general revenues and be earmarked to help defray the cost of future more costly inflow and infiltration removal projects.

(d) Persons who had received a sewer use permit prior to September 18, 1990, projects appearing in Appendix B of this section which is on file in the City Clerk's office and lots of record as of September 18, 1990, which were within 200 feet of the existing sewer system at the time, are subject to a fee equal to one times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineering Department under Section 70-141.

FORMULA:

For 180-day period commencing:

Total remaining capacity:

Divided by semiannual terms remaining:

Equals semiannual allotment:

Minus preferred allotment:

Equals remaining allotment:

_____ % remaining allotment = Residential allotment of

_____ % remaining allotment = Nonresidential allotment of

***All noted figures in thousands of gallons per day.**

City Engineer

(e) An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to the pump station located adjacent to 528 Alfred Road shall pay an impact fee for said pump station equal to \$3.35 times the number of gallons of proposed new flow as that flow is finally determined by the City Engineer under Section 70-141(b). Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for inflow and infiltration removal projects. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary.

f. An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to a pump station located in an area that will serve the flows to be produced from a new or upgraded project shall pay an impact fee for said pump station equal to a prorated share of the costs of any upgrades needed for the pump station and/or associated conveyance system to receive and convey the flows to be produced. The cost of the prorated share will be the ratio of the existing flows to the new flows times the cost of needed upgrades as finally determined by the City Engineer. Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for the needed upgrades to the affected pump stations. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary.

Sec. 70-173. through Sec. 70-195. (Reserved)

NOTE: The Policy Committee considered this ordinance amendment at their January 9, 2020 meeting and voted unanimously to recommend passage by the City Council.

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the first reading of the ordinance amendment.
Vote: Unanimous.

2020.4 **IN BOARD OF CITY COUNCIL...JANUARY 7, 2020**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approved the proposed FY21 Budget Calendar of scheduled budget-related meetings and public hearings.

Motion by Councilor Ready, seconded by Councilor McCurry to remove this Order from the table.
Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the order.
Vote: Unanimous.

2020.8 **IN BOARD OF CITY COUNCIL...JANUARY 21, 2020**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, Administration, Article V Finance, be amended by adding Division 6 – Senior Property Tax and Rent Assistance Refund Program as follows:

Division 6 – Senior Property Tax and Rent Assistance Refund Program

Sec. 2-300. Purpose.
The purpose of this article is to establish a program to provide a property tax and rent assistance refund to persons 65 years of age and over who reside in the City of Biddeford. Under this program, the City of Biddeford will provide refund payments to those individuals who maintain a homestead in the City of Biddeford and meet the criteria established by this Division.

Sec. 2-301. Definitions.
As used in this article, the following terms shall have the meanings indicated:
BENEFIT BASE
Property taxes paid by a qualifying applicant during the tax year on the qualifying applicant's homestead or rent constituting property taxes paid by the resident individual during the tax year on a homestead.

HOMESTEAD
For purposes of this article, "homestead" shall have the same meaning as defined in 36 M.R.S. § 5219-KK(1)(C). Generally, a homestead is a dwelling owned or rented by the person seeking

tax assistance under this article or held in a revocable living trust for the benefit of that person. The dwelling must be occupied by that person and that person's dependents as a home.

INCOME

Total household income as determined by the total (gross) income reported on the applicant's most recent federal income tax return (line 22 of Form 1040; line 15 of Form 1040A; line four of Form 1040EZ), plus the total (gross) income reported on the most recent federal income tax return of each additional member of the household if filing separately. If the applicant and/or any member of the household do not file a federal income tax return, income shall be the cumulative amount of all income received by the applicant and each additional member of the household from whatever source derived, including, but not limited to, the following items:

- A. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items;
- B. Gross income derived from business;
- C. Gains derived from dealings in property (capital or other);
- D. Interest;
- E. Rents from real estate;
- F. Royalties;
- G. Dividends;
- H. Alimony and separate maintenance payments received;
- I. Annuities;
- J. Pensions;
- K. Income from discharge of indebtedness;
- L. Distributive share of partnership gross income;
- M. Income from an interest in an estate or trust;
- N. IRA distributions;
- O. Unemployment compensation; and
- P. Social security benefits.

QUALIFYING APPLICANT

A person who is determined by the City Manager upon recommendation by the General Assistance Administrator or his/her designee, after review of a complete application under Sec. 2-303 of this article, to be eligible for a refund payment under the terms of this article.

RENT CONSTITUTING PROPERTY TAX

Fifteen percent of the gross rent actually paid in cash or its equivalent during the tax year solely for the right of occupancy of a homestead. For the purposes of this article, "gross rent" means rent paid at arm's length solely for the right of occupancy of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as part of the rental agreement, whether or not expressly set out in the rental agreement.

Sec. 2-302. Criteria for participation.

In order to participate in the property tax assistance program, an applicant shall demonstrate all of the following:

- A. The applicant shall be 65 years of age or more at the time of application.
- B. The applicant shall have a homestead in the City of Biddeford at the time of the application and for the entire year prior to the date of application.
- C. The applicant has been a resident of the City of Biddeford for at least 10 years immediately preceding the date of application for participation in the Program.
- D. The applicant shall meet the application and eligibility criteria set forth in Sec 2-303 and 2-304 and of this article.

Sec. 2-303 Application and payment procedures.

- A. Persons seeking to participate in the property tax assistance program shall submit an application to the General Assistance Administrator no later than August 1 of the year for which the refund is requested. Applications are required for every year the applicant seeks to participate in this program. The application form for the program shall be made available upon

request in the General Assistance Administrator's office and online and shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof of household income.

B. Applicants shall also submit proof of property taxes paid or rent constituting property taxes paid during the tax year on the individual's homestead in the City of Biddeford.

C. The General Assistance Administrator or his/her designee shall coordinate the review of applications and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the program. The General Assistance Administrator or his/her designee shall notify an applicant if an application is determined to be incomplete. Failure to provide required information within the time specified shall result in an incomplete application determination. The General Assistance Administrator's decision on eligibility to participate in the program shall be final.

Sec. 2-304 Determination of eligibility and amount.

A. Eligibility under this article is designed to provide greater benefits proportionally to applicants with lower income in relation to their benefit base. Applicants with income greater than an amount equal to 90% of the applicable United States Department of Housing and Urban Development metropolitan area median family income, as adjusted annually and as adjusted for family size, shall not be eligible for benefits under this article. Eligible applicants will receive a benefit totaling the amounts set forth in Subsection A(1) and (2) as follows, provided that the cumulative maximum benefit allowed shall be \$750:

(1) The total amount of any increase to the applicant's benefit base from the most recent tax year to the current tax year; and

(2) Benefits based on a calculation of the applicant's benefit base as a percentage of their income [(Benefit/Income) x 100 = Benefit base as percent of income.]

(a) If the benefit base as a percent of income is 10% or greater, the applicant will receive \$350;

(b) If the benefit base as a percent of income is 8.00% to 9.99% of income, the applicant will receive \$250;

(c) If the benefit base as a percent of income is 6.00% to 7.99% of income, the applicant will receive \$150;

(d) If the benefit base as a percent of income is 5.99% or less, the applicant will receive \$50.

Sec. 2-305 Limitations on payments.

A. The City Manager shall report to the Biddeford City Council for approval at its first meeting in October each year the projected payments and number of eligible applicants requesting assistance from the program fund.

B. Payments under this article shall be conditioned upon the existence of sufficient monies in the program fund for the year in which participation is sought. If there are insufficient program funds to pay all qualifying applicants under this article per the calculations set forth in Sec. 2-304, payments shall be limited to the amounts available in the fund and may be prorated accordingly. In the event a lack of funding results in no payment or less than the full payment to a qualifying applicant, the request and/or unpaid balance will not carry over to the next year.

Sec. 2-306 Creation of program fund.

The program fund from which payments shall be made under the terms of this article shall be created as follows:

A. The City Council shall appropriate funds annually. The appropriation shall first cover administrative program costs with the remaining balance available for benefit payments. Thereafter, the City Council may annually appropriate funds in an amount acceptable to the City Council from the general fund or other sources to support this program as part of the budget approval process.

B. Any surplus funds available after all payments have been made shall be carried forward to the next fiscal year.

Sec. 2-307 Timing of payments.

A person who qualifies for payment under this program shall be mailed a check for the benefit amount for which he/she is eligible under Sec. 2-304 no later than 14 days from the date of Council approval of the City Manager's report under Sec. 2-305(A).

Sec. 2-308 One applicant per household.

Only one qualifying applicant per household shall be entitled to payment under this program each year. Eligibility shall be determined based on total household income. The right to file an application under this article is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney in fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount due the deceased applicant shall be disbursed to another member of the household upon request and as determined by the General Assistance Administrator. If the applicant was the only member of a household, then no payment shall be made under this article

Motion by Councilor Ready, seconded by Councilor Quattrone to grant the first reading of the ordinance amendment.

Vote: 1/7; Councilor Ready in favor.

Councilors Emhiser, McCurry, St. Cyr, Quattrone, Belanger, Ortiz and Lessard opposed.

Motion fails.

2020.9 IN BOARD OF CITY COUNCIL...JANUARY 21, 2020

BE IT ORDERED, by the City Council of the City of Biddeford that the City Manager be authorized to develop and execute a stormwater easement with the York Judicial Center, or their designated representative, for property located at 516 Elm Street (Tax map 14 Lot 14-3) and 520 Elm Street (Tax map 14, Lots 14-1 and 14-2).

BE IT FURTHER ORDERED, that the stormwater easement be developed in consultation with the City Solicitor;

BE IT FURTHER ORDERED, that the stormwater easement be developed substantially in the form outlined in the Council Agenda Brief.

Motion by Councilor Quattrone, seconded by Councilor Ready to grant the order.

Vote: Unanimous.

Committee-of-the-Whole: Discussion on Marijuana Ordinances/Policies

Mayor Casavant gave some background on the current City ordinances on medical marijuana. He noted that the prior Council had no interest in putting ordinances into place that would deal with adult-use marijuana, and with two new Councilors, he felt this discussion is warranted again.

Motion by Councilor Belanger, seconded by Councilor Ready to move into Committee-of-the-Whole.

Vote: 7/1; Councilor McCurry opposed.

Councilors Emhiser, St. Cyr, Quattrone, Belanger, Ready, Ortiz and Lessard in favor.

Motion carries.

Time: 7:04 p.m.

Councilor Belanger is willing to looking into coming up with an ordinance, but only because of the public interest that has been expressed recently.

Councilor McCurry feels that until the City can fix the odor quality and complaints that already exist with medical marijuana growing facilities, he does not think the City should expand and allow adult-use marijuana facilities.

Councilor Ortiz supports looking into expanding the ordinance to allow adult-use marijuana facilities and sees this as growing business in the City and possibly offering employment

opportunities; and her fear is that businesses will leave and move into other municipalities if the City does not address this issue..

Councilor Lessard is not in favor of expanding any of the City’s marijuana ordinances to include adult-use facilities. He was stretched to accept medical marijuana ordinances.

Councilor St. Cyr is somewhat neutral on this issue. He asked if this issue passed in Biddeford when it was voted on by State Referendum in the November 2016 Election. City Clerk, Carmen Morris searched and gave the results of that election. Biddeford voters did pass the State Referendum to legalize adult-use marijuana.

Councilor Emhiser is in favor in taking a look at this issue and considering a white paper.

Councilor Quattrone is also in favor of looking into this issue and a white paper.

Mayor Casavant gets a sense that a majority of the Council is agreeable to looking at a white paper on adult-use marijuana.

Councilor Lessard asked that if this is the route the City is going to take, he’d like to see options and not necessarily set ordinance language.

Mayor Casavant asked the City Manager how he thinks we should proceed. Jim will talk with Staff and come up with some options to bring back to the Council.

Councilor McCurry would like to see a white paper go to Policy Committee first and get public input first and be well advertised.

Councilor Lessard feels differently in that the options should be brought back to Council first and then a recommendation sent to the Policy Committee to explore and offer recommendations to the Council. Councilor Belanger agreed with this.

Motion by Councilor McCurry, seconded by Councilor Quattrone to move out of Executive Session.

Vote: Unanimous. Time: 7:25 p.m.

Appointment:

IN BOARD OF CITY COUNCIL...JANUARY 21, 2020

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Daniel Lessard
3 Lynn Avenue
Ward 3**

to the *Solid Waste Management Commission*, for a term to expire in December 2022.

Motion by Councilor McCurry, seconded by Councilor Ready to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
A couple citizens addressed the Council.

City Manager Report:
City Manager, James Bennett distributed the Management Letter from the Auditors.

Other Business:
Councilor Lessard: was saddened this evening when Order 2020.7 (Appropriation of Funds for Weekly Music Events in Mechanics Park) was removed from the agenda. He would have liked to at least been given the opportunity to speak on this issue since he is the one who brought it forward.

Council President Addressing the Council: Councilor McCurry thanked Linda Holmes for all her efforts and congratulated her on being awarded the National Night Award again.

He noted that he now serves on the Biddeford School Department Foundation and is pleased that a grant was awarded for promoting art for the students. Recently, an art contest was held and students submitted pictures; with the winning pictures being included on banners that will be hung in the downtown.

Councilor McCurry thanked Mayor Casavant for all that he has done to organize the upcoming WinterFest event.

The floor was yielded to Councilor Quattrone, who congratulated the Biddeford High School Cheerleaders for winning the State Championship.

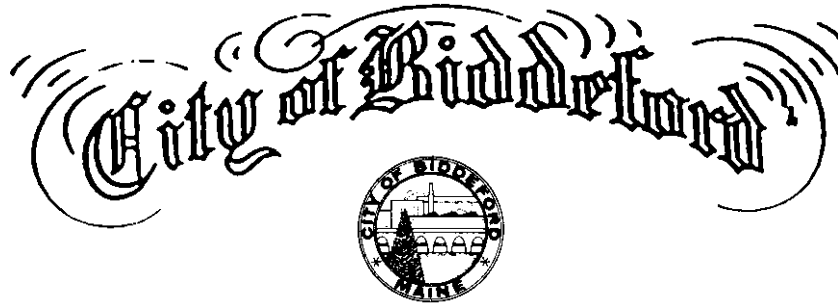
Mayor Addressing the Council: Mayor Casavant talked about some of the events planned for WinterFest 2020. He noted that the adult sledding hill will be designed to promote more speed than last year’s hill! He also spoke about other events, shows and food that are planned for this event.

Executive Session: 1 MRSA 405(6)(E)...Consultation with City Attorney – Contract
Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:39 p.m.

Motion by Councilor McCurry, seconded by Councilor St. Cyr to move out of Executive Session.
Vote: Unanimous. Time: 7:53 p.m.

Motion by Councilor McCurry, seconded by Councilor St. Cyr to adjourn.
Vote: Unanimous. Time: 7:53 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2020.5 **IN BOARD OF CITY COUNCIL...JANUARY 21, 2020**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90.1 No Parking during special events**, be amended by adding or deleting to read as follows:

There is no parking on the following streets during a special event that is held at either the Waterhouse Field and/or at the St. Louis Field:

Ashland Avenue, odd-numbered side

Bald Avenue, even-numbered side, from West Street to end

~~Belmont Avenue, even-numbered side~~

~~Belmont Avenue, odd-numbered side, from Prospect Street to end~~

Debbie Avenue, even-numbered side

Dupont, even-numbered side

Forest Street, odd-numbered side, from Ashland to West Streets

~~Free Street, even-numbered side~~

Gertrude Avenue, odd-numbered side, from West Street to Harding Street

Greenfield Lane, even-numbered side

~~Harding Street, odd-numbered side, from Graham Street to Prospect Street~~

Havey Avenue, even-numbered side

~~Herring Avenue, even-numbered side~~

~~Herring Extension, even-numbered side~~

~~Hill Street, even-numbered side from Clarendon Street to West Street~~

~~Hill Street Extension, both sides~~

~~Hillside Avenue, even-numbered side, from Prospect Street to Hill Street~~

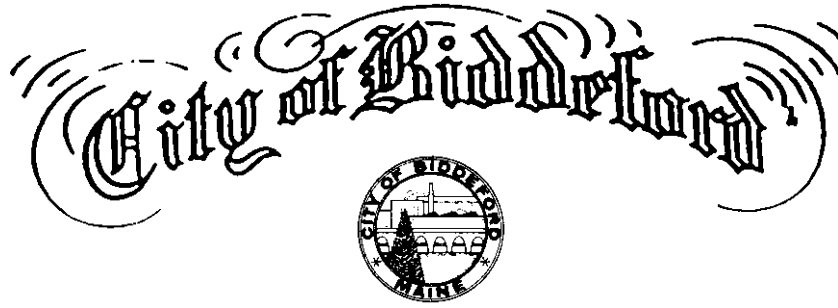
~~Hubert Street, even-numbered side~~

John Street, even-numbered side

~~Laurier Street, even-numbered side~~

~~Liberty Avenue, even-numbered side~~

Penney Avenue, even-numbered side



Prospect Street, even-numbered side from Clarendon to West Street

~~Ritz Avenue, even-numbered side~~

~~Sunrise, even-numbered side~~

~~Sunset, even-numbered side~~

~~Victory Avenue, even-numbered side~~

Wendell Avenue, even-numbered side

~~West Street, even-numbered side, from Five Points to Graham Street Extension.~~

~~West Street, odd-numbered side, from Granite Street to Hill Street~~

~~Westfield, even-numbered side~~

~~Wilson Street, even-numbered side~~

NOTE: The Policy Committee considered this ordinance amendment at their January 9, 2020 meeting and voted unanimously to recommend passage by the City Council.

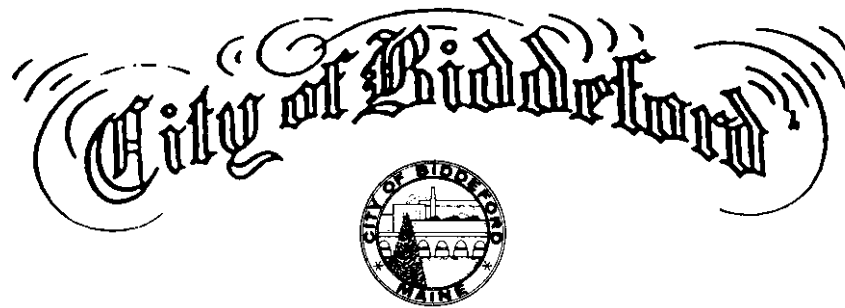
January 21, 2020

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the first reading of the ordinance amendment.

Vote: 7/1; Councilor Lessard opposed.

Councilors Emhiser, McCurry, St. Cyr, Quattrone, Belanger, Ready and Ortiz in favor.

Motion carries.





Council Meeting

Meeting Date: February 4, 2020

Meeting Time: 6:00 p.m.

Agenda Item No: 11.a

Item Description: 2020.5) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90. 1-No Parking during special events/Remove certain streets from this section

Submitted by: Roger P. Beaupre, Chief

Supporting Information/Documentation:

Council Order 2020.5

Council Meeting – January 21, 2020 – First Reading

http://biddeford.granicus.com/MediaPlayer.php?view_id=1&clip_id=690&meta_id=52126#

Policy Committee – January 9, 2020

https://biddeford.granicus.com/MediaPlayer.php?view_id=1&clip_id=683

Key Terms:

“N/A”

Executive Summary:

This ordinance was originally enacted in 2004 to control parking around St. Louis and Waterhouse Fields during events such as: football games; Battle of the Bands; and most importantly, the LaKermesse Festival. Typically, these events were well attended, and required officers to post surrounding streets with temporary No Parking signs. Since some of these events were held weekly, the work around was to create an ordinance to address this matter on a more permanent basis, without tying up resources to post the neighborhoods. Since that time, these events no longer attract the crowds that it used to, and many of the streets on the list are a very healthy distance from the attraction sites, scaling back some of the streets make the most practical sense. This ordinance amendment simply removes the “event override” but still leaves the existing underlying restrictions that may be found under separate sections of the parking ordinance in place. Additionally, some of the streets on this list have since been posted as permanent No Parking zones, making this moot.

Detailed Review:

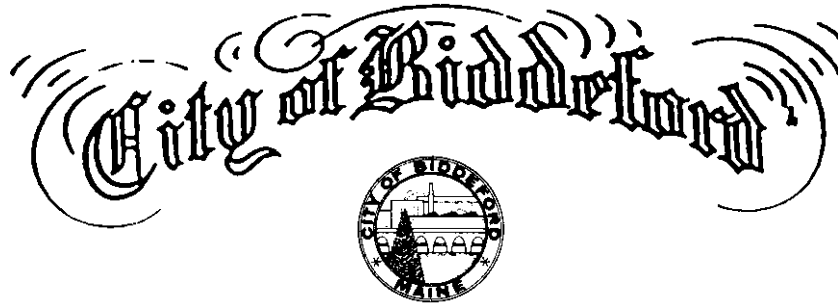
Removal of some streets on this list is intended to eliminate some of the confusion about parking while events are being held at either of the two fields. Persistent or ongoing parking problems near the fields can be dealt with in a more permanent fashion.

Funding Source:

Removal of signs through day to day operations of DPW. Signs in some areas are already missing, so there so be no recognizable impact on these areas.

Staff Recommendation:

That this pass as printed.



2020.6 IN BOARD OF CITY COUNCIL...JANUARY 21, 2020
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 70, Utilities, Article II Wastewater System, Division 4. Use Regulations and Article III Wastewater System Capacity Management**; be amended by adding or deleting to read as follows:

ARTICLE II. WASTEWATER SYSTEM

DIVISION 4. USE REGULATIONS

Sec. 70-104. General rules and regulations for customers of sewer system.

(a) Agreement.

The following rules and regulations, and such regulations as may be hereafter established by the Street Committee shall be considered binding with every customer who uses the sewer, and such customer shall be bound thereby.

(b) Definitions and statements.

APPLICANT The same as customer and may be used interchangeably.

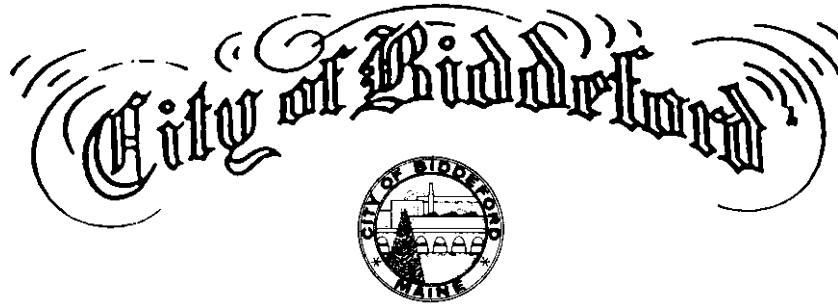
CUSTOMER Any person, firm, corporation, governmental unit or subdivision supplied with sewer service by the City and is the owner or agent thereof for the property being serviced.

SERVICE CONNECTION The point of connection of the customer's piping at the City main.

All sewer mains within the limits of the highway, of appropriate easements, including manholes and appurtenances, shall be owned and maintained by the City of Biddeford. From the service connection at the main in the right-of-way to the premises served, shall be owned and maintained by the customer.

SEWER MAIN(S) The pipe or pipes which convey the customer's effluent away from his premises. The sewer main is generally dedicated for sanitary purposes, however, a combined storm drain/sewer line may also serve a sewer main in the absence of a dedicated line if the combined line was in use for this purpose.

Sewer mains installed in a private road (not City accepted) as part of a private subdivision shall remain the property of the developer. These lines will not be accepted by the City for the operation and maintenance unless the roadway is accepted by the City in the future. Construction of the sewer lines will be in accordance with state and City requirements.



SEWER SERVICE The connection between the tap at the City main and the customer's source of sewage and shall include all of the pipe, fittings, and couples necessary to make the connections.

(c) Enforcement.

Any violation of the rules and regulations hereby established or failure on the part of any customer utilizing the sewer to promptly pay any and all claims of the Department, shall be considered sufficient cause for the Sewer Department to take the appropriate steps as allowed by law to recover their interests.

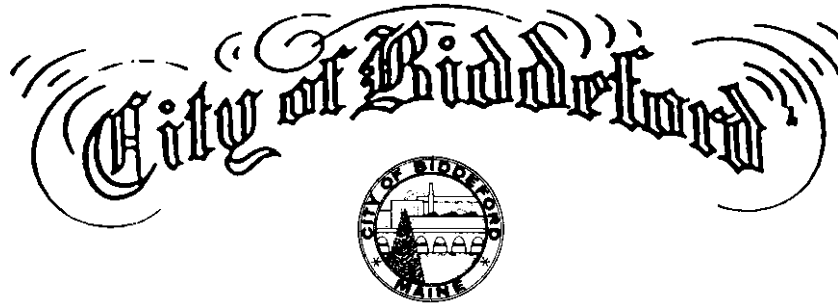
(d) Required use.

As specified in federal, state and local ordinances and/or regulations all buildings located within a reasonable distance from said sewer connection or reasonable extension thereof shall be connected to the municipal sewer determined by the authorized agent of the City of Biddeford. Any request for a variance will be appealed as outlined in Section 70-104(o) of these general rules.

(e) Application for service.

All applications for sewer entrances must be made at the City Clerk's office stating fully and truly the uses to which the entrance is required. Such applications must be signed by the customer or his duly authorized agent. A fee of ~~\$400~~ **\$500** shall be made with each application before work is begun on a new service. If the service as determined by the authorized City representative must enter a manhole then this connection requires boring and the proper boring contractor should secure a private company to do this work. In the event no private company is available, then the City can be contracted for the boring and an additional ~~\$300~~ **\$500** must be paid for this work.

All septage haulers that discharge septage waste at the Biddeford WWTP shall be licensed by the Sewer Department. License fee of \$25 per year will be paid on or before July of each year. If no violations occur in that twelve-month period, the next year's license will be granted at the same charge. Failure to obtain a license or revocation of the license will prohibit the septic hauler from pumping septic tanks within the City of Biddeford or discharging any waste at the Biddeford WWTP.



Exceptions:

(1) Subdivisions:

The entrance fee for subdivisions shall be the entrance fee of \$400 plus \$100 per lot. Said charges to be paid before the subdivision will be opened for use.

(2) Easements:

Certain sewer easements may exempt the customer from the entrance fee. This will be clearly stated in the easement itself.

(3) Liens: See Section 70-104(p).

(4) Apartments and condominiums:

The entrance fee for an apartment building/complex or for a condominium complex shall be the entrance fee of \$400 plus \$100 per unit. These charges shall be paid before the connections are started.

(f) Size of service.

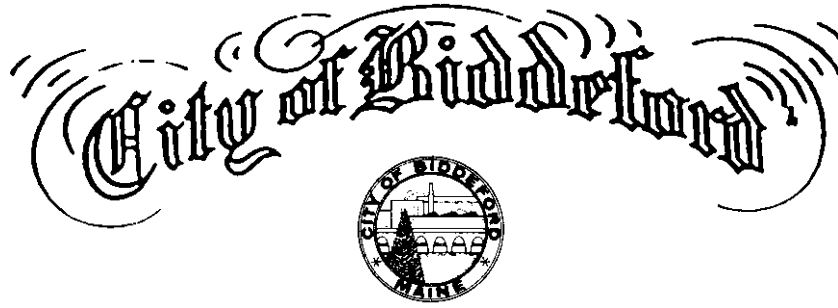
The minimum size of the service connection shall be four inches. Actual sewer services may be four inches or six inches as the situation dictates. Any sewer serving a single building containing three or more units will be a minimum of six inches.

(g) Installation.

(1) The customer shall make arrangements and pay for the remaining sewer service from the service connection at the main to the house entrance. Service pipe and fixtures shall conform to the requirements of the Sewer Ordinance (Article II of Chapter 70 of the Municipal Code of Ordinances).

(2) A minimum slope of 1/4 inch per foot (two-percent slope) and a minimum of three feet of cover is standard practice for sewer service as stated in the design and construction of sanitary and storm sewers, MREP No. 37 or MOP No. 9. One-way valves are recommended for all lines and are required when sewer services are installed at minimum slope.

(3) Except as provided in the Sewer Ordinance or approved by the Street Committee each building shall have an independent sewer connection.



(4) Ordinarily no new sewer services or extensions for mains will be installed during winter conditions (November 15 to April 15) unless the customer shall defray all extra expenses incurred.

(5) Service connections shall not be made in manholes unless the depth of the sewer main is in excess of 15 feet in which case an inside drop may be used if approved by the City Engineer or an authorized City representative. All services entering a manhole will be bored and booted.

(h) Pipes and fixtures.

(1) No persons except those duly authorized by the City Council as specified in Section 70-28 of the Code of Ordinances of the City of Biddeford will tap any sewer main or connect any sewer service thereto.

(2) Applicants desiring more than one sewer service on the same premises shall pay all costs in connection therewith.

(3) Repairs and/or modifications to applicant's service connections, whether required as a result of freezing or other causes, will be charged to the customers on a cost basis. All work must be done under authorization and/or supervision of the authorized City representative.

(4) No service pipe shall be laid in the same trench with gas pipes, water pipes, or any facility of a public utility not within three feet of any open excavation or vault.

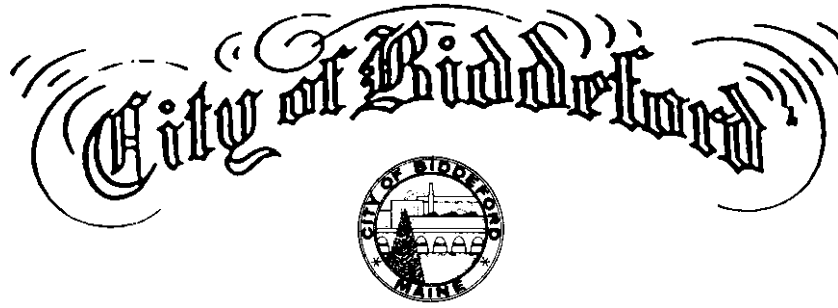
(5) No cross connection between the sewer service and any drainage appurtenances will be allowed. No connection capable of causing blockages in the City mains or enabling drainage overflows into the sewer will be permitted.

(i) Connecting and disconnecting.

Twenty-four hours' advance notice is required for connecting and disconnecting sewer connections. The requested service will be provided as soon as possible thereafter. All expenses involved will be the responsibility of the applicants. Overtime charges at the rate of time and 1/2 will be charged before or after duty hours, with a minimum two-hour charge.

(j) Miscellaneous charges.

Charges for labor and material shall be billed upon completion of the work which the bill covers. If such bills are not paid within 30 days, the sewer will be disconnected or



become a lien on the property or both. Collection procedures will be taken and any costs will be charged to the customer.

(k) Interruption of service.

The City of Biddeford reserves the right to shut off service temporarily whenever it becomes necessary to make extensions, alterations or repairs.

(l) Violations.

(1) Failure to pay charges when due or violations of any regulations established by the street committee whether by a current or past owner shall result in the filing of an attachment against the property being served as provided by state statutes. The customer shall be responsible for all costs associated with the filing.

(2) Violations for septage haulers that will be cause for revocation of license include but not limited to:

a. Failure to pay monthly bills in a timely manner.

b. Failure to pretreat septage hauled as requested by the Superintendent and/or plant operator of the WWTP.

c. Failure to notify the Superintendent and/or plant operator of the WWTP of the strong or abnormal waste prior to discharge to any point in the City's collection system or treatment works.

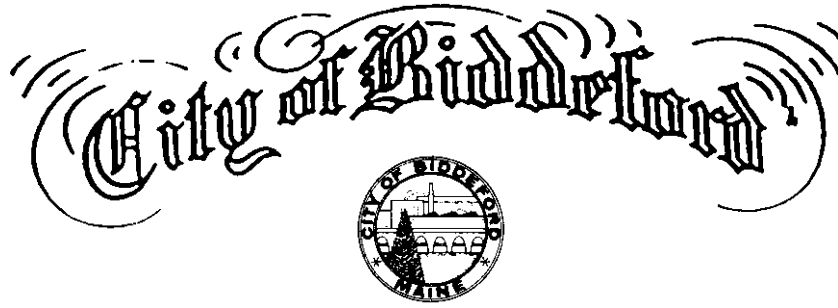
(3) Failure to provide required information on dump slips.

(4) Revocation of the license will be subject to a majority vote of the City Council. The septage hauler will be notified of the date of the hearing and may be present to defend the charges.

(5) A septage hauler that has had his/her license revoked has the right to appeal to the City Council.

(m) Inspection.

Any employee acting as authorized representative of the City of Biddeford with proper identification shall be allowed access to the customer's premises between the hours of 8:00 a.m. and 6:00 p.m. for examination of pipes, fixtures, connection, and the manner of use. In case of emergency, no prior notice need be given and, in the event of refusal of entry, application can be made to the courts for an appropriate order with all legal costs being charged to the customer.



(1) Any residence or commercial establishment found to have roof, drain, floor drain, foundation drain, etc. (refer to Section 70-73 Biddeford Code of Ordinances) hooked into the City sewer after August 15, 1978, upon notification will cease such violation within 30 days or be subject to penalties as stated in the Biddeford Code of Ordinances Section 70-31.

(2) Any residence or commercial establishment found to have items (refer to Section 70-73), tied into the City sewer system prior to August 15, 1978, shall pay a minimum fee of \$75 to offset the costs of required additional treatment. A higher fee may be set if excessive quantities of inflow are discharged. This determination will be made by the environmental specialist or Director of Public Works.

(n) Rates.

(1) Actual rates are as recommended by the Street Committee and are reviewed annually. The City Council shall approve all rate recommendations.

(2) All property owners are liable for the entire cost of installation, maintenance, repairs, alterations or removal from their house to their service connection at the main.

(3) Labor rate of \$12.50 per hour. Minimum labor charge of two hours. Overtime charges at a rate of time and 1/2 will be charged before or after duty hours being 7:00 a.m. to 3:00 p.m. with a minimum two-hour charge.

(4) Any calls for a sewer blockage at the same address that exceeds three calls in a twelve-month period and are determined to be the owners problem in each case will subject to the charges stated herein.

(5) Rates for special equipment shall be as follows:

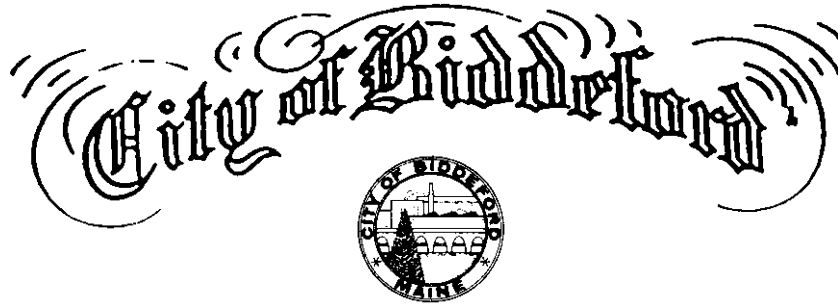
a. Sewer jet \$110 per hour with a two-hour minimum charge.

b. Dye testing \$40 per one hour minimum charge.

c. Boring machine \$300 per hole (when machine becomes available).

If another community needs emergency help, the above charges will be negotiable or won't apply.

(6) All monies from fees and rates charged will be placed into a special account within the sewers and drains budget to offset capital and ongoing costs created by



the adoption of these general rules. Excess revenue will be reflected in the following years recommendation for fees and rates.

(o) Variance/appeals.

(1) All requests for variances or appeals to these regulations and the Sewer Ordinance are to be directed to the Street Committee all requests to meet with the street committee must be received at least two weeks prior to the meeting to allow for proper notification. Appeals of street committee decisions go to the City Council.

(2) Total variance from the mandatory use requirement [Section 70-104(d)] will not be granted as that violates state and federal laws. Time extensions will be granted for good causes allowing more than 90 days for the hook-up period. Conditional variances are possible.

(3) The Street Committee recognized that some buildings might be located in excess of 500 feet from the sewer line while the property line may be within five feet. In these situations, the committee will consider requests for variances and make a decision based on the specific conditions involved. A conditional variance may be granted.

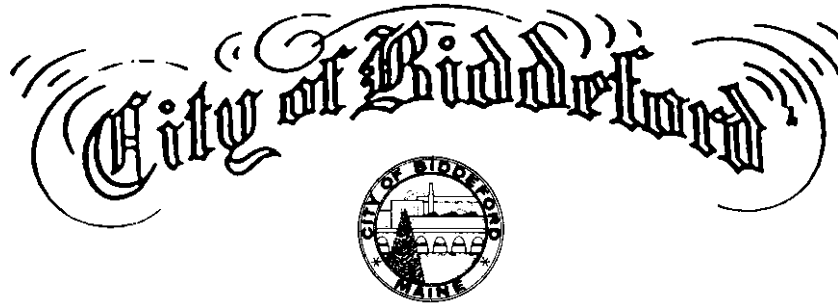
(p) New mains and liens.

(1) When a subdevelopment is built, the costs of all work associated with the installation of sewer service is borne by the developer as provided in the Subdivision Ordinance and Construction Ordinance.

(2) Should the City of Biddeford install a main line or extend a sewer main, whether by petitions of the abutters or for the public good, the total City cost shall be determined and be proportionate cost for each abutter shall become a lien on such abutting property as provided by the construction ordinance. Payment must be made prior to any connection to the City line and may be arranged through the City treasurer. Note: Payment of a lien supersedes the entrance fee, provided it is larger than the entrance fee as outlined in Section 70-104(e).

(3) Any individual dissatisfied with the determination of his/her proportionate share of costs may appeal as outlined in Section 70-104(o).

(4) If an individual/company beyond the terminus of an existing sewer main desires to connect to the line, that individual/company shall extend the sewer



main along his/her entire lot frontage (or to the limits of gravity flow with the City of Biddeford). All costs for this extension shall be borne by the individual/company unless the extension is installed via petition in which case the preceding paragraphs dealing with liens overrides this paragraph.

(q) Changes to these rules and regulations.

The forgoing rules and regulations are subject to change with the pleasure of the Biddeford Street Committee, but all such changes will be given reasonable publicity and final approval will be the decision of the City Council.

ARTICLE III. WASTEWATER SYSTEM CAPACITY MANAGEMENT

DIVISION 1. GENERALLY

Sec. 70-126. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AFFILIATE: A person with whom an applicant under this article has a direct financial, business or management interest.

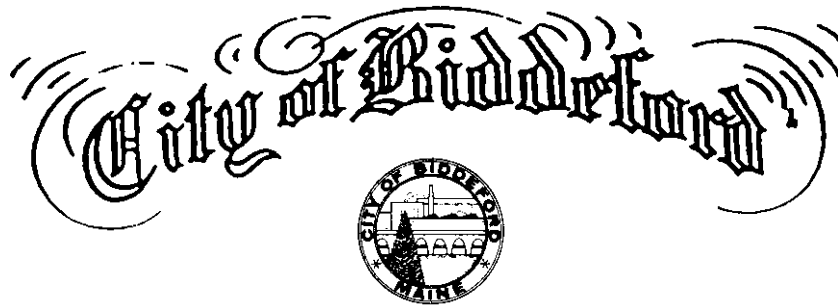
CAPACITY: Not only the ability of the treatment plant to physically receive a particular amount of flow per day but the ability of the treatment plant to properly and effectively treat the flow within all limits established by any federal or state license.

COMMENCEMENT OF CONSTRUCTION: The placement of the foundation, whether a frost wall, floating slab, or complete cellar, the walls and/or the floor of which must be considered complete by the Building Inspector.

Sec. 70-127. Entry of wastewater, permit required; permit limitations.

(a) No person may undertake any development activity which will create new wastewater flow into the City sewer system or which will increase existing flow from any property without first obtaining a sewer use permit from the City Engineer under this article. Sewer use permits shall not be required for the replacement or addition of plumbing fixtures within existing residential units.

(b) Neither the Building Inspector nor the Plumbing Inspector may issue any building permit, occupancy permit, or any other type of permit, to anyone who, prior to September 18, 1990, had received a sewer use permit under this article, or for any project appearing



in the appendix to the ordinance from which this chapter was derived which is on file in the City Clerk's office, unless the applicant presents a certificate from the City Engineer that the applicant has complied within the provisions of this chapter.

(c) Regardless of allotted capacity, as determined for any period, and as shown in the documents on file in the City Clerk's office for any period, no sewer use permit may be issued during periods when no capacity remains, as determined by the City Engineer. The prohibition set forth in this subsection applies notwithstanding any other provision of this chapter.

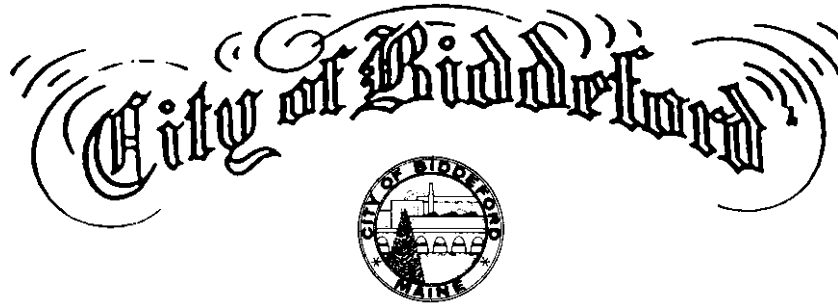
Sec. 70-128. Findings, statement of emergency and purpose.

(a) The design capacity of the wastewater treatment plant, ~~3,300,000~~ **6,500,000** million gallons per day, is met or exceeded during spring runoffs when groundwater, infiltration, inflow, cellar sumps and yard drains are tied into the sewer system. Rainfall also leads to exceeded capacity by entering through combined sewer systems and roof drains. These flow conditions overburden hydraulic equipment at the treatment plant causing overflow situations. Current average hydraulic loading to the treatment plant is between ~~3,000,000~~ **2,000,000** million and ~~3,400,000~~ **3,300,000** million gallons per day. Current design is ~~3,300,000~~ **6,500,000** million gallons a day. ~~Estimated time for completion of upgrade of the wastewater facility is four years. The City has estimated an allocation of 240,000 gallons over the four year period. This estimate is subject to change. This article provides for periodic review, by the City Engineer, of the actual capacity remaining to be allocated.~~

(b) During periods when no remaining capacity exists, new flow into the system will be prohibited until capacity is restored or created through upgrade or removal of infiltration and inflow or other methods. Educational efforts will be required by both the public and private sectors to encourage conservation, to help create available capacity.

While the City is taking steps to cure these problems and to increase the system's capacity, these steps cannot all be accomplished immediately. Accordingly, it is the intent of this article that new or additional sewage be discharged into the system in moderate amounts to permit some growth and to ensure that any excess capacity which develops is portioned out fairly and over a period of time until the City has taken all steps necessary to cure the system's problems and significantly increase its capacity.

(c) An additional element of this article is the implementation of voluntary and mandatory conservation measures designed to effectively increase available capacity.



(d) Because existing plant capacity could be greatly exceeded if immediate efforts are not undertaken to control and manage new wastewater flow and because this article is a vital part of the City's efforts to plan for orderly growth, the City Council determines that the facts justifying this article constitute an emergency within the meaning of Article III, Section 8, of the Charter.

(e) It is the intent of the City to establish, in the long run, a program under which anyone seeking to enter new flow into the system will be required to remove a defined percentage of the amount of the proposed new flow through the elimination of infiltration and inflow. Once the inflow and infiltration removal program is in place, the allocation system may be eliminated.

Sec. 70-129. Capacity of plant.

(a) At the time of any reenactment or amendment of this article, and at such other times as the City Council may direct, the City Engineer shall establish the total remaining capacity of the wastewater treatment plant, determine the nature and extent of efforts to remove infiltration and inflow from the system, and report that information to the City Council.

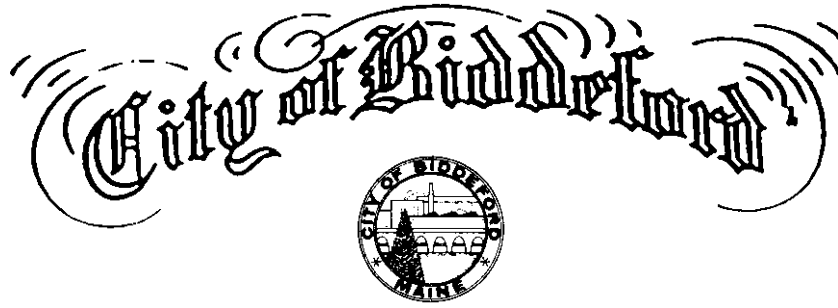
~~(b) Until such time as the final inflow and infiltration removal program set out in this chapter is implemented, any applicant for a sewer use permit is subject to the interim provisions of Section 70-172.~~

~~(c)~~ (b) Any person who received a sewer use permit prior to September 18, 1990, or whose project appears in the documents on file in the City Clerk's office, is subject to the provisions of Section 70-127(b).

Sec. 70-130. Expiration of article; program monitoring; amendments.

~~(a) This article shall be in effect for one hundred eighty-day renewable periods and should be maintained by future City Councils until such time as a capital improvement program is completed that increases the City's treatment plant capacity to 5,500,000 million gallons per day.~~

~~(b)~~ The capital improvement program shall be reviewed and monitored by the City Council through the City Engineer to determine the program's effectiveness. Amendments deemed necessary should be made at the time of renewal under this section or at such times as deemed necessary by the City Council.



Sec. 70-131. Penalties for violation of article.

Any person who violates this article commits a civil violation for which a forfeiture of \$2,500 shall be imposed. Each day of violation constitutes a separate violation. The City Solicitor, in addition to seeking forfeitures, may request injunctive relief, as necessary.

Sec. 70-132. Growth management program renewed.

The provisions of this Article III (Wastewater System Capacity Management), of the Biddeford Code of Ordinances, as most recently revised and ordained on March 5, 1991, be renewed in its entirety in accordance with the provisions of Section 70-130 hereof, and that this measure take effect upon passage.

Sec. 70-133. through Sec. 70-140. (Reserved)

DIVISION 2. PERMITS

Sec. 70-141. Application; fee; determination of discharges.

(a) Applications for permits under this article shall be on forms provided by the City Engineer, and shall be accompanied by such plans as he may require. As the case may be, applications must be accompanied by written evidence of final approval from the Planning Board, Zoning Board or Building Inspector, where approvals of or permits for the development activity are required from those boards or officials. Applications shall be accompanied by a nonrefundable fee of ~~\$50~~ **\$200**.

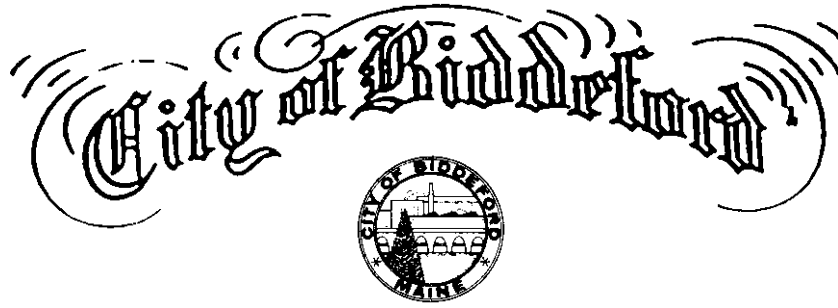
(b) In determining the amount of wastewater flow likely to be discharged from any development activity, the City Engineer shall be guided by the State of Maine Internal Plumbing Rules. His determination is final.

Sec. 70-142. Expiration of permits.

Permits issued under this article shall expire if construction of the development for which each permit is issued has not commenced within one year of the permit being issued, except that the City Engineer may extend the life of such permits if the holder is able to demonstrate that he has been delayed in his development by natural conditions beyond his control or that he has been diligently pursuing other licenses required for the development but has not yet received approval through no fault of his own. Decisions of the City Engineer under this section may be appealed to the City Council.

Sec. 70-143. Nontransferability.

Permits issued under this article may not be transferred to other development projects on other real estate but shall run with the real estate which is the subject of the proposed



development for which the permit is issued, but only for the life of the permit as indicated in Section 70-142.

Sec. 70-144. through Sec. 70-155. (Reserved)

DIVISION 3. CONSERVATION

Sec. 70-156. Mandatory.

(a) Notwithstanding any other provisions of this Code, the following provisions apply to development which will create new wastewater flow into the City sewer system or which will increase existing flow from any property.

(1) All toilet fixtures, whether for residential or nonresidential uses, must have flushing volumes less than or equal to 1.6 gallons.

(2) All shower and faucet fixtures for residential and nonresidential uses must be installed with volume reduction devices. This requirement may be waived for certain nonresidential uses by the Codes Enforcement Officer at his discretion when the requirement interferes with the fixture's purpose, such as but not limited to industrial showers designed to treat burn victims.

(b) The standards of this section must be met by all units inspected by the City Plumbing Inspector as of the date of passage of the ordinance from which this article derives, in order to receive a certificate of occupancy.

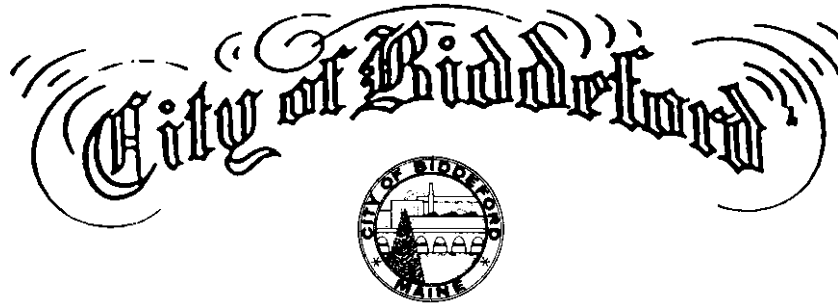
Sec. 70-157. Voluntary.

In order to avoid requiring conversion to low-volume toilets in the City's existing households and businesses, the City requests users of the City's sewer system to, as an example, reduce discharge volumes by installing displacement devices such as bricks and milk containers in toilet holding tanks. The installation of water flow reduction devices in showerheads and faucets are other inexpensive means of reducing both residential and nonresidential wastewater discharge.

Sec. 70-158. through Sec. 70-170. (Reserved)

DIVISION 4. INFLOW AND INFILTRATION REMOVAL

Sec. 70-171. Study by City Engineer; report; amendment of article.



(a) The City Engineer **shall may** forthwith investigate the areas within the existing sewer system which may be changed, altered or repaired to remove infiltration and inflow, and determine both the nature and extent of such repairs, the specific amounts of gallons per day removed for any particular repair project, and the associated cost per gallon per day of any such repair. He will, in addition, determine an average cost per gallon per day of removal for all projects in such a fashion that the average cost may be adjusted from time to time to reflect changing conditions. The determinations by the City Engineer will be used to create a fee to be charged to applicants of the removal of infiltration and inflow in an amount equal to a specific percentage of the amount of new flow into the system which the applicant is proposing to create. That percentage shall conform to any requirements imposed on the City by state or federal agencies.

(b) The City Engineer shall report the results of his study under this section to the City Council. The City Council may then, consistent with the terms of federal and state approvals, implement and adopt a mandatory inflow and infiltration removal requirement. Under the terms of the requirement, a sewer use permit may only be obtained to remove an adequate amount of inflow and infiltration from the system or if the sewer user has paid the appropriate fee in lieu of completing a project.

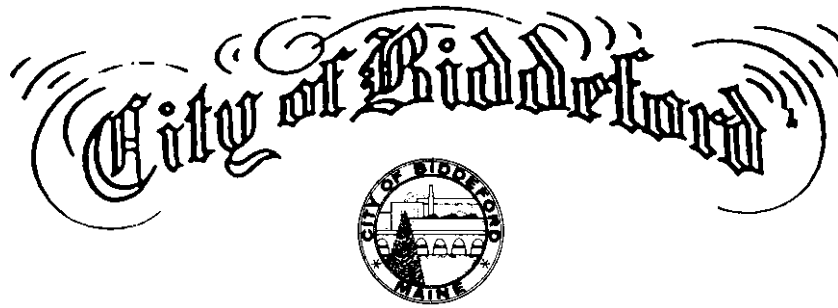
(c) At the time of the submittal of the results of his study under this section, the City Engineer shall present to the City Council a proposed amendment to this article setting out the method of administration of the removal requirement, and demonstrating compliance with any provisions of law restricting the creation of such a program, including the creation of any dedicated fund into which fees will be placed.

Sec. 70-172. Issuance of permit; interim fee.

(a) Pending completion of the study, report and presentation set forth in Section 70-171, and subject to the availability of capacity at the treatment plant and compliance with all other provisions of this article, a sewer use permit may be given after an applicant complies with this section.

(b) An applicant for a sewer use permit shall, in addition to other information required by this article, pay the **interim** fee set out in Subsection (c) of this section. The City Engineer may require such other information as he deems necessary.

(c) Except as indicated in Subsection (d) of this section, applicants shall pay a fee equal to five times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineer under Section 70-141(b). Fees received under this subsection shall be segregated from the projects designed to remove inflow and



infiltration from the sewer system as finally determined after the completion of the study, report and presentation set forth in Section 70-171. Fees, or any portion of those fees, actually paid, which exceed the actual cost of removal, or which are not expended according to the removal schedule to be finally adopted, shall not be refunded. These unexpended fees shall be deposited in a designated enterprise account segregated from the City's general revenues and be earmarked to help defray the cost of future more costly inflow and infiltration removal projects.

(d) Persons who had received a sewer use permit prior to September 18, 1990, projects appearing in Appendix B of this section which is on file in the City Clerk's office and lots of record as of September 18, 1990, which were within 200 feet of the existing sewer system at the time, are subject to a fee equal to one times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineering Department under Section 70-141.

FORMULA:

For 180-day period commencing:

Total remaining capacity:

Divided by semiannual terms remaining:

Equals semiannual allotment:

Minus preferred allotment:

Equals remaining allotment:

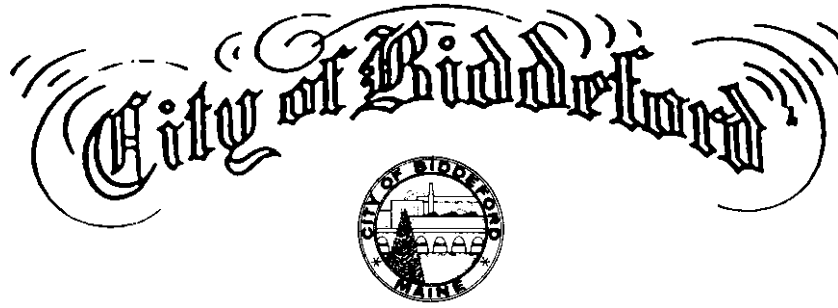
_____ % remaining allotment = Residential allotment of

_____ % remaining allotment = Nonresidential allotment of

*All noted figures in thousands of gallons per day.

City Engineer

(e) An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to the pump station located adjacent to 528 Alfred Road shall pay an impact fee for said pump station equal to \$3.35 times the number of gallons of proposed new flow as that flow is finally determined by the City Engineer under Section 70-141(b). Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for inflow and infiltration removal projects. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary.



f. An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to a pump station located in an area that will serve the flows to be produced from a new or upgraded project shall pay an impact fee for said pump station equal to a prorated share of the costs of any upgrades needed for the pump station and/or associated conveyance system to receive and convey the flows to be produced. The cost of the prorated share will be the ratio of the existing flows to the new flows times the cost of needed upgrades as finally determined by the City Engineer. Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for the needed upgrades to the affected pump stations. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary.

Sec. 70-173. through Sec. 70-195. (Reserved)

NOTE: The Policy Committee considered this ordinance amendment at their January 9, 2020 meeting and voted unanimously to recommend passage by the City Council.

January 21, 2020

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the first reading of the ordinance amendment.

Vote: Unanimous.



City Council

Meeting Date: February 4, 2020

Meeting Time: 6:00 PM

Agenda Item No: Second Reading, 11.b.

Item Description: 2020.6 Amendment/Ch. 70, utilities/Art. II-Wastewater system/Division 4.

Use Regulations; and Art. III-Wastewater system capacity management/various Amendments.

Submitted by: Jeff Demers

Supporting Information/Documentation:

Council order 2020.6

City Council – January 21, 2020, First Reading

https://biddeford.granicus.com/MediaPlayer.php?view_id=1&clip_id=690

Policy Committee – January 9, 2020

https://biddeford.granicus.com/MediaPlayer.php?view_id=1&clip_id=683#

Key Terms:

Update parts of Ch. 70 wastewater

Executive Summary:

This item was brought forward to the Waste Water Commission by Jeff Demers; Public Works Director/Waste Water and Tom Milligan; City Engineer to recommend to have the fee structures adjusted to make sure the funding was adequate with the growth of the city. Also added was new language for applicants for sewer user permits.

Detailed Review:

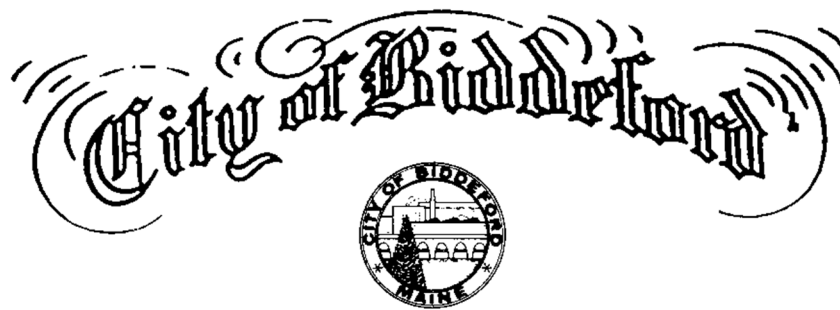
Please see the Policy Committee packet from January 9, 2020 along with the City council packet from January 21, 2020.

Funding Source:

N/A

Staff Recommendation:

Second Reading. Staff recommends approving the order as drafted.



2020.10

IN BOARD OF CITY COUNCIL...FEBUARY 4, 2020

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 2021 Ford F-650 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$100,527.00 (before discounts valued at \$3,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$100,527.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$100,527.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on February 4, 2020 and vote to recommend it to the City Council for approval. The purchase of this Hook lift truck is included in the FY/20 budget line 21204-60603 as a lease.



City Council

Meeting Date: February 4, 2020

Meeting Time: 6:00 PM

Agenda Item No: 12.a

Item Description: 2020.10) Authorization/Purchase of Ford Hook-Lift Truck for Public Works
Dept/Arundel Ford

Submitted by: Carl Marcotte

Supporting Information/Documentation:

Bid Tabulation

Key Terms:

NA

Executive Summary:

Approval to purchase the low bid hook lift truck that meets specification in the amount of \$100,527 with \$3,000 trade-in allowance for a total of \$97,527.

Detailed Review:

Received 3 bids to replace a 1988 Chevy 6500 dump truck the exact mileage is not available because odometer has been changed.

Funding Source:

FY/20 CIP 21204-60603 (This is budgeted as a standard 7-year lease)

Staff Recommendation:

Staff recommends the low bid that meets specification from Arundel Ford

Bid Opening for a Single Axle Hook Lift Truck

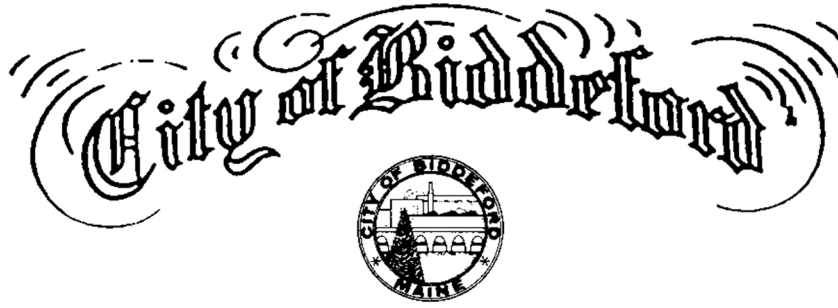
Present: Carl Marcotte – Public Works Mike Bean - Freightliner
Kara Cote – Public Works Dan Campbell - Hews

Bids were opened at the Public Works Department on January 23, 2020 at 11:00am. Staff is recommending the low bid that meets specification from Arundel Ford with trade in the amount of \$97,527.00. The trade is a 1988 Chevrolet 6500 dump truck the odometer has been changed twice so we don't have the exact mileage. This truck was approved in the FY/20 CIP budget line 21204-60603.

<u>Arundel Ford</u>	2021 F-650	\$100,527.00
	Trade-in	\$3,000.00
	Total:	\$97,527.00

<u>O'Connor</u>	2020 Chevrolet Silverado	\$89,842.00	Does not meet specification
	Trade-in	\$5,088.00	
	Total:	\$84,754.00	

<u>Freightliner</u>	Freightliner M2106	\$108,882.00
	Trade-in	\$2,500.00
	Total:	\$106,382.00



IN BOARD OF CITY COUNCIL...FEBRUARY 4, 2020
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Michael Grattelo
1 Penny Avenue
Ward 4

to the *Recreation Commission*, for a term to expire in December 2024.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 1-27-20

Name: Michael Grattelo

Street Address: 1 Penny Ave

Mailing Address:
(if different)

Phone Number(s): 207-590-4109

Email Address: mgrattelo@yahoo.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|--|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Housing Authority | ☐ • Planning Board |
| ☐ • Biddeford Police Advisory Committee | ☐ • Policy Committee |
| ☐ • Board of Assessment Review | ☐ • Project Canopy Committee |
| ☐ • Cable T.V. Committee | ☒ • Recreation Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Solid Waste Management Commission |
| ☐ • Downtown Development Commission | ☐ • Wastewater Management Commission |
| ☐ • Economic Improvement Commission | ☐ • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

been on committee for 30 years

Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

High school soccer coach 17 years

Please provide a brief statement describing your interest in serving the City of Biddeford.

To help the city grow programs for
kids/adults

Attach any additional information to this application and return it to the City Clerk's Office.