



**City of Biddeford
Policy Committee**

March 23, 2026 at 6:00 PM
City Hall Council Chambers & Teams

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1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Approval of Minutes
 - 4.a 20260223 Policy Committee Minutes
5. Discussion/Review
 - 5.a Proposed Ordinance Article VI. Section 79. Solar Energy Systems Ordinance
 - 5.b Proposed Electric Vehicle Charging Ordinance
 - 5.c Proposed Creation of a Master Fee Schedule
6. Adjourn

Policy Committee

February 23, 2026

Meeting called to Order: 6:08pm

1. Roll Call – Council President Beaupre, Councilor Pierson, Councilor Kurtz, Norman Belanger, Marie Potvin
2. Pledge of Allegiance- dispensed with Pledge due to meeting being on-line only
3. Adjustment(s) to Agenda – None
4. Approval of Minutes
- 4.a Policy Committee Minutes 1-26-26

Moved: Marie Potvin

Second by: Jacob Pierson

Passed Unanimous

5. Discussion/Review

- 5.a Revised Household Waste Definition and 2 bag overflow limit per week.

Director Demers stated that he worked with the committee to put together the list of what is acceptable kitchen waste and what they felt was an acceptable amount of overflow trash bags that could go curbside except for the holiday seasons that we would just do unlimited like we do.

Councilor Pierson stated one of the most important things is that all the members of the recycling, solid waste, did a ride along with Jeff's team.

And that number is pretty accurate with how many overflow bags are being used. And on my two that I did, at least half of them, if not more of the bags were definitely things that are not real, shouldn't be getting into the truck. It's not, you know, kitchen waste, as Jeff mentioned, for sure that you know. The fees to take stuff to our to the recycling center are pretty reasonable. It's a good fix to help our staff be efficient and use the trucks to the best of their ability.

Motion to accept by Norman Belanger

Second by Councilor Pierson

Motion to amend by Norman Belanger: amend the Ordinance, section 58-10, subsection 2 before the 1st after the word container before the comma to add the words “or the violation of the provisions of section 58-4”

Second: Councilor Pierson

Amendment Passed unanimously

Motion as amended Passed unanimously to go to Council on March 17, 2026

5.b Revised Emergency Medical Services Ordinance

Chief Best noted that he made some changes to update the City ordinance section 30-26, Division two emergency medical services. This ordinance covers a few things. One of the things that it covers is charging for the use of the ambulance and setting the fee structure. This ordinance hasn't been updated since there was a fire Commission, which was many, many years ago. The other piece of the ordinance to update is the use of ambulance by other municipalities and a fee. There is also collection and remittance of fees and the mutual aid pacts portion.

Section 30-26.

First is Ambulance location. Chief Best simply changed the city ambulance will be garaged at “a” fire station of the city instead of “the” fire station in the city. For options for the future.

The second piece of this is section 30-27 charge for use.

Fees for the use of the city's ambulance service shall be charged in accordance with reasonable and customary charges. The Fire Dept. contracts with a company called Comstar that does our billing for us, and we set annual rates for EMS responses and billing when the ambulances go out. Based upon the level of service that is given. One of the things that was in section 30-27 was “the fee shall be reviewed and established annually on or about January 1st by the Fire Commission”. There hasn't been a fire Commission for a number of years, so for discussion and for feedback from all of you, Chief Best wrote it as “fees relating to the use of the City's ambulances service shall be reviewed annually on or about January 1 of each year by the Fire Chief and Finance Director” that is B and “Any recommended fee changes will be submitted to the City Manager for review and approval”.

Marie Potvin noted the need to correct the alphabetization for the typos in this section.

The next one is section 30-28. Use of ambulance by other municipalities and a fee for it. If we respond with mutual aid to another community, that community would pay us for the ambulance service. Practice has been, and this is something that Saco does with us, we

do with Saco, Arundel, Goodwin Mills, when we respond mutual aid to provide aid to their community to provide EMS or they respond mutually to our community to provide EMS. The bill simply goes to the patient, the ambulance service that transports the patient is the one that has to do the billing.

Norman Belanger noted in the second sentence the word “aid” is missing after the word mutual.

The next portion is section 30-29 collection remittance of fees.

“All fees required by this article be collected by the fire department or by a third party ambulance billing company as contracted by the city and remitted to the city Treasurer monthly.”

Basically I just added in “or by a third party ambulance billing company as contracted by the city”, which is current practice. I believe it's been done this way for a number of years. I know the contract that we have in place with Comstar was signed in 2021.

The last one is section 30-30 mutual aid packs.

This article shall not affect cities and towns within the state of Maine as established in the MRS. Title 37B-784B Maine first responder statewide mutual aid agreement. It used to read that we would have to have mutual aid pacts with any individual community that we responded to. This statewide mutual aid agreement is something that did away with that and makes it easier for us to respond with mutual aid across the state as needed, based on any large scale incident that may occur.

The Chief was also looking for some feedback here as well.

Motion to accept language as presented: Marie Potvin

Second: Norman Belanger

Approved Unanimously

5.c Revised Manufactured Housing Mobile Home Parks Ordinance.

Councilor Pierson noted as presented in the packet, City Council discussed a moratorium on mobile lot fee increases and during that discussion the group decided that we wanted to work on coming up with a policy in the city for all mobile home Lot fees to have a discussion and craft an ordinance. This is the first go of it and he used as a template the recommended draft ordinance that the state group put together. The city already has an ordinance about manufactured housing and mobile home parks so he just put it in as the third piece of that. Almost all of it falls under Division Three. He put the administrator as

the Office of Code Enforcement. It was vague in the draft ordinance by the state group. The biggest things that are really for discussion are the limitation on numbers of rent increases which is under section C #1, #3 notice requirements, #4 rent increase formula and the appeals process.

Councilor Beaupre asked for clarification about the percent change in CPI or 10%. There was a discussion about the either or language.

Motion to accept as presented: Councilor Pierson

Second: Marie Potvin

Councilor Cote Joined from the audience goes back to some residents in my ward who are dealing with a lot owner that is out of state and has done three or four Lot increases that are much larger than what they've dealt with in the past. A lot of the residents there are getting to the point where they can no longer afford the lot fees and there's a couple houses that are vacant that are going to have a lot fee of \$900 compared to some of the others in the neighborhood that are at \$650. There's not many other amenities to substantiate the large cost increases they've had so there's been a lot of outcry from folks in that neighborhood, and so we tried the moratorium and the Council, like Councilor Pearson mentioned. They weren't a fan of the moratorium. They'd rather see something more concrete happen before doing a moratorium instead of doing a moratorium. I'd just also like to say thank you to Counselor Pearson for taking the bull by the horns and getting some language written up to present today.

The chairman took comments from several other members of the public.

Marie Potvin thanked Councilor Pierson for his work and requested we go page by page vs. by section. Everything new is after page 33.

This is an Ordinance change. Norman Belanger offered his opinion on rent control in general.

Motion by Councilor Kurtz to amend the order by striking under Section A, Subsection 1 Exemptions, Paragraph B to amend that subsection B be struck.

Second: Councilor Pierson

Norman Belanger:

If you look at applicability, it says, "located in the city, If it's a move from one part of the city to another" exempt those. I would take out those of which an exemption applies. Take out the word exemptions and say except mobile home parks, owned by a cooperative or other entity in which the membership is limited to mobile home residents and just clean up

the language of the whole thing. I think the exempt is supposed to be except. Taking out B and changing “exempt” to “except”.

Motion to strike B and change the word exempt to except. Passed Unanimously

Motion Councilor kurtz: Under C subsection 4 at the top of page 11, “rent increase formula” where it says “any lot rent or fee increase is limited to” I would change that to “all Lot or rental fee increases within in a 12 month period are limited to”.

Second: Marie Potvin

Norman Belanger had a discussion about annual lot rent increase limits.

Motion failed 4- 1 with Councilor Kurtz in favor

Motion Councilor Kurtz: Under the same subsection under rent increase formula, there's paragraphs A&B. I believe the intention here was to propose that the word “Lesser” in subsection a to “the lesser of the most recently posted CPI be limited to the lesser of A or B.

Motions withdrawn

Motion By Norman Belanger: The motion on the floor is to change the word “either” to “lesser”. Ther was further discussion by members of the committee.

Second: Councilor Kurtz

Public comment was taken on the amendment

Norman Belanger: is it says any lot or fee increase is limited to instead of either the lesser of A and then we take out the words lesser than so it'll say the letter of the most recently posted annual percentage change in CPI Plus 3 1/2 percent or B. and then we take out lesser than again 10% of the then current base rent or fee. So it'll say either the limited to the lesser of the most recently posted annual percentage change in CPI plus 3 1/2 or 10% of the current base rent or fee.

Passed Unanimously

Councilor Kurtz: The next one is in the same section. It's so that the two options would be CPI plus 3.5% or to a maximum of 10%. There's, according to this ordinance as proposed, you can increase your rents with 120 days notice. So three times, approximately during a 365 day period, is how I read this and each one of those increases every 120 days would be limited to either the consumer price index as federally published plus 3.5% to a maximum

of 10%. For example as of today CPI is about 2.8% that's for January because it's a month behind, so it would be 2.8 + 3.5 is 6.3% would be the limitation of a single rent increase, assuming those numbers held throughout the year. You could then raise the rent 6.8% three times in a single year.

Councilor Pierson noted that the first section limits it to twice a year. So with 120 day lead up, but only two in a 12 month period. 13.6% per annum in a one year period at today's numbers.

Motion by Councilor Kurtz: Subsection 4 where it says rent increase formula has broken into A&B. I'm proposing that A be changed so instead of it saying CPI plus 3.5% it will be changed to 50% of CPI and in subsection B, where it says 10%, it will instead say 5%.

Second: Councilor Pierson

Marie Potvin noted its more in line with some surrounding communities.

Motion failed: Three votes in the negative (Beaupre, Belanger & Pierson), two votes in the affirmative (Kurtz and Potvin)

Motion by Councilor Kurtz: To delete Section 5 in its entirety

Second: Councilor Pierson

Motions failed: One in favor (Kurtz), Four opposed (Beaupre, Belanger, Pierson & Potvin)

Further discussion by the public

Motion by Norman Belanger: We changed the word to except, but I think we see the the motion to say to another except and then take out the words "those to which an exemption applies" Take out the word 1 exemptions Colon take out the subsection A and have that Continue as a sentence to say to another, except mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home residents.

"These regulations shall apply to all mobile home parks located in the city of Biddeford. It will move from one part of the city to another except mobile home parks, owned by a cooperative or other entity in which membership is limited to mobile home residents. All of A becomes that one sentence.

Second: Councilor Pierson

Passed unanimous

Motion by Norman Belanger: Next subsection B,1 I rather than say the code Enforcement Officer shall be administrator, I would like to say the code enforcement officer or their designee.

The language was already addressed.

Motion by Norman Belanger: SUBSECTION 2, which is subsection 1 again. So the second subsection, consumer price index should be subsection 2. add after the words Northeast region, comma “all items” comma and that is the actual global Northeast region CPI so we're actually tying it to 1 number.

Second by Councilor David Kurtz

Passed Unanimous

Motion by Norman Belanger: what is currently three should end up being 4 four, says it really has two concepts included in that one sentence. The rent increase means any additional lot or rent fees demanded or paid by a mobile home residence and includes any reduction in services.

A rent increase doesn't include that if we just reducing services. So I would take the words “and includes” and replace that with “or “ so a rent increase means additional fees paid demanded for or paid for or a reduction in services without a corresponding reduction in the amount paid. To me, those are two separate concepts. One is not included in the other one's the rent increase. The other is a reduction in services. Proposing we take out “and includes” and replace that with “or”.

Second: Councilor Pierson

Passed unanimous

Marie Potvin noted the section will be renumbered

C 2 should be plus

Motion by Norman Belanger: now we're in fee 4, where we spent a bunch of time. I propose that we add between you know the words “any” and “lot”. I would say any “cumulative annual” lot rent or fee increase is limited to... So I would add the words cumulative annual between any and lot.

Second : Marie Potvin

Motion passed Three in favor (Beaupre, Belanger & Potvin), Two opposed (Kurtz & Pierson)

Norman Belanger: in Subsection 5, where we go about greater rent increase. It says “in addition to certain capital improvements or other emergencies”, The next section sentence says “improvements must directly benefit mobile home residents and be necessary for maintenance or the correction of health or safety conditions”. I wouldn't require that both parts be required, so I'd like to change the word “and” to “or”.

Second: Marie Potvin

Motion passed four in favor, one against (Kurtz)

Motion By Norman Belanger: To amend to say “ increase in cost for capital improvements must be amortized over the useful life of those capital improvements” to be placed right after the first sentence

Second by Marie Potvin

Motion Passed four in favor, one against (Kurtz)

Motion by Norman Belanger “the Administrator will make a determination and may grant all or part of the requested increases taking into consideration prior increases, inflation and input of the mobile home owners.”

Second by Councilor Pierson

Public comment was taken

Motion Passed four in favor, one against (Kurtz)

Motion by Norman Belanger in D section 1 p.39 The decision of the administrator may be appealed to the City Manager or their designee”

Second by Councilor Beaupre

Councilor Kurtz made a motion to amend the amendment for the appeal to go to a rent control board

The Amendment to the amendment failed for lack of a second.

Motion Passed four in favor, one against (Kurtz)

All in favor of the whole ordinance as amended

Motion passed four in favor one opposed (Kurtz)

Councilor Belanger asks that when the language goes before the council it be mentioned that the language was approved by the policy committee as language for consideration but not as an ordinance.

5.d Proposed Ordinance Article VI. Section 79. Solar Energy Systems Ordinance

Brad Favreau joined the meeting to discuss the draft solar ordinance. He showed an example of 10 megawatt array in comparison it is a bit larger than our mill district. This ordinance will help us combat a rise in greenhouse gas emissions. There have been 2 workshops and passed by the Planning Board in January 2025. It appeared before policy committee in April 2025. There were two primary questions that arose around the assessed value of a hypothetical array. There were two amendments made at the September meeting. Increased the waiting time and removed the language around pollinator Friendly language. There was a discussion about the valuation and revenue generation over the course of ten years. There was verbiage included in section 6 and 7 which clarified the overall intent of the ordinance but were not voted on and is included for consideration.

Public comments were taken.

Motion to accept the proposed ordinance as presented by Councilor Pierson

Second by Norman Belanger

There was further public comment about a specific project.

Councilor Pierson was willing to make an amendment on the Maine Inland Fisheries on the GIS and the DEP permitted clearing and having the site no longer be what it was that may be something to discuss a change in the ordinance and that is not what the intent of the ordinance is and could be an exemption. These are more broad-based and the others fall under the Planning Board.

Councilor Beaupre would like language to exempt certain projects and made two suggestions for two different ways to move forward.

Norman Belanger made a motion to table to the next policy meeting in March.

Marie Potvin noted that one question from prior meeting about who would be checking on the compliance specifically in regards to post construction and revegetation and need to be sure that is addressed in the draft coming up.

Second by Marie Potvin

Motion to table passed unanimously

5.e Proposed Electric Vehicle Charging Ordinance

Brad Favreau and Will Kotchitsky was the author of the ordinance and would like to present tonight. There was a presentation given. Marie Potvin mentioned the formatting of the ordinance and keeping it consistent throughout the ordinance going from 1,2,3 to a,b,c and the numbers in 5.3 it looks like the numbers were jumping around. And the same thing in 5.4 and 5.5 as well.

Norman Belanger noted this isn't just for parking structures but also for new homes. Table 4.1 is injected into the middle of 4.3 . New and reconstructed parking structures but the language goes beyond parking structures and discusses new homes. The definition of structure is broad in this ordinance. They need to be clarified in the definitions. Councilor Pierson feels like this is an overreach by the city. Huge added tome to track by staff and a deterrent to new home builds. There was additional discussion.

Marie Potvin made a motion to table to the March meeting

Second by Councilor Pierson

Motion to table passed four in favor, one opposed (Kurtz)

Councilor Beaupre noted the length of the time of the meeting and the

6. Adjourn

Motion to adjourn made by Marie Potvin

Second by Councilor Kurtz

Meeting Adjourned at 9:09pm



Policy Committee

Meeting Date: March 23, 2026
Meeting Time: 6:00 PM
Agenda Item No: 5.a
Item Description: Proposed Ordinance Article VI. Section 79. Solar Energy Systems Ordinance
Submitted By: Brad Favreau, Development and Sustainability Coordinator

Key Terms:

See Definitions in proposed ordinance.

Executive Summary:

To encourage the transition to renewable energy in accordance with the 2023 Climate Action Plan, the Sustainability Commission proposes this ordinance that will allow solar development of every scale in Biddeford, including large-scale solar arrays that provide electricity to Maine's power grid.

Detailed Review:

This proposal has been presented to the Policy Committee April, 2025, September 2025, and February 2026.

As a review: This proposed ordinance divides solar development into three categories:

Small-scale Solar Energy Development – 2,000 square feet or less of developed area, primarily for single residential use;

Medium-scale Solar Energy Development – 20,000 square feet of developed area, primarily for commercial or industrial use;

Large scale Solar Energy Development – Greater than 20,000 square feet of developed area, primarily for supplying power to the “grid.”

Rooftop solar development is allowed by right, provided it meets all safety and dimensional requirements.

Small-scale solar development must comply with all Land Development Regulations and meet specific dimensional requirements of this proposed ordinance.

Medium and large-scale solar development must comply with Land Development Regulations and dimensional requirements, but must also meet additional requirements for a Conditional

Use permit as approved by the Biddeford Planning Board, such as detailed site plans, landscape plans, maintenance plans, and visual impact studies.

Large scale developments also require environmental impact studies and decommissioning plans.

The intent of this ordinance is to direct solar development, as far as is practicable, toward “previously disturbed land” and away from land with “prime agricultural soils of statewide significance,” and away from forested land. These requirements will allow the development of solar energy systems (helping Biddeford achieve greenhouse gas emission reduction goals) and minimize adverse effects on sensitive areas, including wildlife habitats.

Two revisions were made to the draft per approval by this Committee at the September 2025 meeting:

Lengthen the waiting period for cleared forested land to be developed from five years to ten years (Section 6.(a.)(ii.) and 7.(b.), and
Remove "pollinator-friendly" from Section 6.(g.).

The draft sent to Policy in September 2025 contains changes that staff recommends be further considered.

Section 6.(a.)(iii. - iv.) aligns farmland terminology with the Maine Department of Agriculture, Conservation, and Forestry, and clarifies the priorities given to various types of sites suitable for development.

Similarly, Section 7. (a. - c.) aligns terminology.

At the February 23, 2026, meeting, Evan Vashon of Maine Water spoke in favor of changes that would facilitate a solar development near its South Street plant. These proposals are outlined in a memo from Maine Water as found in the agenda packet and included in the attached draft:

1. Amended language in section 5(b) regarding environmental impact study,
2. Removal of the requirement for bi-annual soil test in section 6(j),
3. Revised language in section 7(b) to ease the ten-year restriction on clear-cutting for an array,
4. Easing dimensional requirements (setbacks) based on requirements of the zone in which the development is proposed 8(b).

Funding Source:

N/A

Staff Recommendation:

Staff supports this action as part of the larger strategy to implement the Climate Action Plan.

Next Steps:

With a recommendation by this committee, the proposal will go on to City Council for consideration.

Attachments:

1. Maine Water Co Memo_Draft Solar Ordinance Amendment_02272026
2. SECTION 79 Solar Energy Systems Ordinance DRAFT MAR 23 2026




The Maine Water Company
93 Industrial Park Road
Saco, ME 04072
T: 207.282.1543
www.mainewater.com

MEMORANDUM

To: The City of Biddeford's Policy Committee

CC: Brad Favreau, Economic Development Coordinator

From: Evan Vashon, Project Engineer 
The Maine Water Company

Date: February 27, 2026

Subject: Proposed Amendments to the City's draft ordinance:
Article VI. Performance Standards Section 79. Solar Energy Systems

OBJECTIVE

The Maine Water Company would like to thank the City's Policy Committee for the opportunity to make the following suggested amendments to the City's draft solar ordinance. We recognize the Policy Committee is working diligently to produce a City ordinance, creating a regulated framework for the City to develop renewable energy in a responsible manner. We hope the following proposed amendments aid in the Committee's efforts while they face the inherent challenges of developing an ordinance that is in the best interests of our community.

Please find The Maine Water Company's proposed changes to the City's current draft ordinance language. Proposed changes are emphasized utilizing **bold** text for clarity.



Proposed Amendment 1 – section 5.b

Current Language:

5.b. Impact study prepared by a qualified consultant for the project site, chosen by, and reporting to the City, but paid by the applicant, to determine all impacts on the environment, including, but not limited to wetlands, native vegetation, wildlife habitat, water quality, and the presence of any and all species invasive to Maine .

Proposed Amendment:

5.b. **Applicant to provide environmental impact study by qualified environmental professional** to determine all impacts on the environment, including but not limited to wetlands, native vegetation, wildlife habitat, water quality, and the presence of any and all species invasive to Maine. **The City, at its sole discretion, may choose to have the study peer reviewed by a third party qualified consultant,** paid for by the applicant.

Reasoning:

To satisfy the standards of the ordinance and Site Plan Review an applicant will be required to have environmental professionals complete reviews for the project to include wetland delineations, vernal pool surveys, vegetation/habitat screens, etc. Third party review of the assessments submitted would be a more efficient and cost-effective method for providing City assurance in the quality of work submitted without the added time and administrative effort for a full scope redundant study.

Proposed Amendment 2 – Section 6.j

Current Language:

6.j. Operations and Maintenance: The applicant must provide for the long-term operation of the Solar Energy System and maintenance of the Solar Land Area, including ensuring that vegetation buffers are maintained, inspections are performed as needed, new instances of species that are considered invasive to Maine are removed, biannual soil testing is conducted and reported to the City, and the site is accessible to emergency responders in the event of an emergency. This work shall be conducted in accordance with Maine State law.



Proposed Amendment:

6.j. Operations and Maintenance: The applicant must provide for the long-term operation of the Solar Energy System and maintenance of the Solar Land Area, including ensuring that vegetation buffers are maintained, inspections are performed as needed, new instances of species that are considered invasive to Maine are removed, **biannual soil testing is conducted and reported to the City**, and the site is accessible to emergency responders in the event of an emergency. This work shall be conducted in accordance with Maine State law.

Reasoning:

The requirement for biannual soil testing conducted and reported to the City is too vague of a requirement for reasonable application by a project owner. The requirement does not identify what the goal of soil sampling is, what constituents are to be tested for, and what standards are applicable to testing. Solar panel materials are sealed and stable with long service lifespans. During normal operation, PV solar panels pose no risk of chemical leaching to justify the long term expense of sampling. Broken panels are promptly replaced as part of normal service.

Proposed Amendment 3 – 7.b

Current Language:

7.b. No application for large-Scale Solar Energy System will be considered if the parcel has been deforested within ten (10) years prior to application. This measure will ensure the parcel is maintained in its original state that will enable a thorough review of wildlife habitat, natural areas, and other sensitive areas.

Proposed Amendment:

7.b. No application for large-Scale Solar Energy System will be considered if the parcel has been deforested within ten (10) years prior to application, **unless an applicant can show the deforestation was completed, following a review and approval process by either the City or Maine DEP**. This measure will ensure the parcel is maintained in its original state that will enable a thorough review of wildlife habitat, natural areas, and other sensitive areas, **or ensure that a previously disturbed parcel went through a comparable review prior to deforestation or disturbance occurring.**



Reasoning:

Applicants making every effort to meet the Priority 1 siting of projects on previously disturbed land should be allowed to avoid the 10 year application ban if the area was evaluated and approved by regulators to be cleared at the time of the clearing, meeting the intent of the ordinance language which aims at preventing deforestation with intent of avoiding representative review of pre-cleared conditions. This also encourages use of appropriately disturbed areas as more timely and preferred paths to development instead of a project opting to clear existing forests for faster project timelines.

Proposed Amendment 4 – 8.b

Current Language:

8. Dimensional requirements for medium-scale and large-scale Solar Energy Systems:
 - a. The Solar Energy System shall be less than 25 feet in Height.
 - b. Minimum Setbacks: The following minimum setback requirements must be met, regardless of the zoning district in which the Solar Energy System is located, unless the minimum setback requirement in the applicable zoning district is more restrictive, in which case the more restrictive requirement shall apply:
 - i. Front Lot Line 125 feet
 - ii. Side and Rear Lot Line 125 feet
 - iii. Street Right-of-Way 150 feet

Proposed Amendment:

8. Dimensional requirements for medium-scale and large-scale Solar Energy Systems:
 - a. The Solar Energy System shall be less than 25 feet in Height.
 - b. Minimum Setbacks: The following minimum setback requirements must be met, regardless of the zoning district in which the Solar Energy System is located, unless the minimum setback requirement in the applicable zoning district is more restrictive, in which case the more restrictive requirement shall apply:
 - i. Front Lot Line 125 feet
 - ii. Side and Rear Lot Line 125 feet
 - iii. Street Right-of-Way 150 feet



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A project proposing to meet the Priority 1 siting description defined in Section 6.a.i of this Ordinance may propose to meet the setbacks of the zoning district where it is located to encourage use of Priority 1 spaces. The Planning Board may review the lesser setbacks on a case by case basis for location relationship to surrounding uses. The more restrictive setbacks of this section will be made applicable at the discretion of the Planning Board.

Reasoning:

The proposed additional language maintains the City's objective to increase setbacks for most arrays, while allowing the planning board to consider and approve potentially lesser setbacks of the underlying zone to encourage development of Priority 1 locations, a stated goal of the ordinance. Because previously disturbed land will generally be pre-existing in its location, it is unlikely that many otherwise feasible Priority 1 locations suitable for development will also meet the more restrictive setbacks. In some cases, the more restrictive setbacks may force a project out of a Priority 1 location, and into forested areas that wouldn't otherwise have been impacted by lessening the setbacks. By providing planning board discretion depending on location, not all projects will be considered appropriate for the lesser setbacks (for example disturbed area adjacent to dense residential development), where others may be deemed an appropriate compromise to promote the use of Priority 1 spaces (more rural spaces with natural buffers, no adjacent public ways or other development) to avoid more extensive land clearing to meet setbacks.

The Maine Water Company appreciates the committee's time and consideration of our proposed amendments while finalizing your Solar Energy System Performance Standards. Should you have any questions or wish to discuss any aspect of our suggestions in greater detail, please do not hesitate to contact me at your convenience. I may be reached by telephone at 207-298-1569 or by email at Evan.Vashon@mainewater.com.

Regards,

A handwritten signature in black ink that reads "Evan Vashon".

Evan Vashon

The Maine Water Company

Article VI. Performance Standards Section 79. Solar Energy Systems

A. Purpose

1. The purpose of this ordinance is to allow and regulate, in the public interest, the development and use of solar energy systems and to increase local renewable energy production, to decrease our reliance on fossil fuels to produce electricity, and to reduce carbon emissions.
2. The allowance of solar photovoltaic installations is to be accomplished pursuant to the standards set forth herein for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, scenic, natural resources, especially the protection of wildlife habitat and significant wildlife corridors, and historic resources, and provide adequate financial assurance for the eventual decommissioning of such installations.

B. Definitions

1. **Agrivoltaics** – Dual use of land for both solar energy production and agriculture.
2. **Building-Integrated Photovoltaic (BIPV) Systems.** A solar energy system that consists of integrating photovoltaic modules into the building structure, such as the roof or the façade and which does not alter the relief of the roof.
3. **Electricity Generation** (production, output). The amount of electric energy produced by transforming other forms of energy, commonly expressed in kilowatt-hours (kWh) or megawatt-hours (MWh).
4. **Electrical Equipment.** Any device associated with a solar energy system, such as an outdoor electrical unit/control box, that transfers the energy from the solar energy system to the intended location.
5. **Mounting.** The manner in which a solar PV system is affixed to the roof or ground (i.e., roof mount, ground mount, pole mount).
6. **Pole-Mount System.** A solar energy system that is directly installed on specialized solar racking systems, that are attached to pole, which is anchored and firmly affixed to a foundation in the ground, and wired underground to an attachment point at the building's meter. Pole-mounted systems can be designed to track the sun (with single-axis or dual-axis tracking motors) and maximize solar output throughout the year.
7. **Power.** The rate at which work is performed (the rate of producing, transferring, or using energy). Power is measured in Watts (W), kilowatts (kW), Megawatts (MW), etc.
8. **Solar Array.** Multiple solar panels combined together to create one system.

9. **Solar Collector.** A solar PV cell, panel, or array, or solar thermal collector device, that relies upon solar radiation as an energy source for the generation electricity or transfer of stored heat.
10. **Solar Energy System.** A device or structural design feature, a substantial purpose of which is to provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.
11. **Solar Energy System, Ground-Mounted.** An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).
12. **Solar Energy System, Large-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is equal to or greater than 20,000 square feet.
13. **Solar Energy System, Medium-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is equal to or greater than 2,001 square feet but less than 20,000 square feet.
14. **Solar Energy System, Roof-Mounted.** An Active Solar Energy System that is mounted on the roof of a building or structure; may be of any size (small-, medium- or large-scale).
15. **Solar Energy System, Small-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is 2,000 square feet or less.
16. **Solar Glare.** The potential for solar panels to reflect sunlight, with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
17. **Solar Photovoltaic (Solar PV) System.** Solar systems consisting of photovoltaic cells, made with semiconducting materials, that produce electricity (in the form of direct current (DC)) when they are exposed to sunlight. A typical PV system consist of PV panels (or modules) that combine to form an array; other system components may include mounting racks and hardware, wiring for electrical connections, power conditioning equipment, such as an inverter and/or batteries.
18. **Solar Panel (or module).** A device for the direct conversion of sunlight into useable solar energy (including electricity or heat).
19. **Solar Thermal System (Solar Hot Water or Solar Heating Systems).** A solar energy system that directly heats water or other liquid, or air, using sunlight.
20. **Tilt.** The angle of the solar panels and/or solar collector relative to horizontal. The optimal tilt to maximize solar production is perpendicular, or 90 degrees, to the sun's rays at true solar noon. True solar noon is when the sun is at its highest during its daily east-west path across the sky (this is also known as 0° Azimuth). Solar energy systems can be manually or automatically adjusted throughout the year. Alternatively, fixed-tilt systems remain at a static tilt year-round

c. Applicability

1. Notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, the requirements of this Section shall apply to all roof-mounted, small-, medium-, and large-scale ground-mounted solar energy systems modified or installed 30 days after the approval of this ordinance.
2. All solar energy systems shall be designed, erected and installed in accordance with all applicable codes, regulations and standards.
3. Any upgrade, modification or structural change that materially alters the size, placement or output of an existing solar energy system shall comply with the provisions of this Section.

d. Performance Standards

1. Roof-mounted and building-mounted solar energy systems and equipment are permitted by right unless they are determined by a Code Enforcement Officer, with consultation from the City Engineer and/or the City Fire Chief to present one or more unreasonable safety risks including, but not limited to the following:
 - a. Weight load;
 - b. Wind resistance;
 - c. Ingress or egress in the event of fire or other emergency, or;
 - d. Proximity to ground mounted systems relative to buildings.
2. Roof-Mounted Solar Energy Systems must comply with the Dimensional Requirements applicable to structures within the zoning district in which such systems are to be located and the standards in Part III Article III Official Zoning Map and Article V Establishment of Zones of this Ordinance.
3. Small-Scale Ground Mounted Solar Energy Systems must comply with the Dimensional Requirements applicable to structures within the zoning district in which such systems are to be located and the standards in Part III Land Development Regulations of this Ordinance.

In addition to the standards in Part III of this Ordinance, Small-Scale Solar Energy Systems shall comply with the following standards:

- a. The Solar Energy System shall be less than 25 feet in height.
- b. The Solar Energy System shall be operated and located such that no disruptive electromagnetic or radio frequency interference with signal transmission or reception is caused beyond the property lines of the site.
- c. The Solar Energy System shall be located and designed to avoid, minimize, or mitigate any glare onto abutting properties or roadways.

- d. The Solar Energy System shall be located and designed to consider the visual character of the neighborhood in which it is constructed.
 - e. The solar energy System shall not be located within the property setbacks.
4. Medium-Scale Ground-Mounted Solar Energy Systems shall comply with all requirements as stated in Part III Land Development Regulations of the Code of Ordinances. Such developments shall also require a Conditional Use Permit and Site Plan Review approval by the Planning Board. In addition to submission requirements in Article VII, Conditional Uses; Article XI Site Plan Review; and Article XII Floodplain Management, an application for medium-scale solar energy system development must also include:
- a. Written confirmation from the Utility to which the Solar Energy system will be connected confirming the solar operator has conditional or final approval to interconnect the Solar Energy System to the Utility Grid.
 - b. A description of the major components of the Solar Energy System proposed to be used, including manufacturer’s specifications and cut sheets, and construction drawings showing all dimensions.
 - c. Erosion and sedimentation control narrative with plans and details.
 - d. Site plan(s) indicating all proposed construction and alteration of the project site, including changes to the landscape of the project area, filling, grading, earthmoving, vegetation clearing and planting, screening, fencing, Solar Energy System components, utilities (above and/or below ground) and all other aspects of the project.
 - e. Site plan(s) indicating water bodies, wetlands, flood hazard areas, and vernal pools.
 - f. A landscaping plan, prepared by a licensed forester, landscape architect or arborist, demonstrating compliance with all applicable landscaping and vegetated buffering requirements. At minimum, the landscaping plan must specify the locations, elevations and height above finished grade of all vegetation, berms, and plantings, and must identify the plant species and other materials that will comprise the elements used to establish any vegetated buffers and substantially screen the Solar Energy System from view from abutting residential properties, public roads, and public vantage points.
 - g. A long-term operations and maintenance plan providing for ongoing monitoring and inspections of all site improvements, soils, and surrounding habitat. The plan must provide a method for maintaining sufficient financial resources for performing ongoing maintenance, mitigation, and repair of the Solar Energy System project.
 - h. A proposed decommissioning plan for the removal of the Solar Energy System, disposal of system components, and stabilization of the site, which meets the requirements in Section

79 (D) (10) of this Ordinance, and a written statement of the applicant’s intent concerning the following:

- i. Physical removal of any Solar Energy System components, structures, foundations, supports, fencing, or security barriers from the site.
 - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal laws and rules.
 - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion and substantially return the site to its pre-construction state.
-
- i. A description of any proposed dual-use or co-location of the property, including but not limited to agrivoltaics. If no dual-use is proposed or intended on the property, an explanation as to why such dual-use or co-location is not practicable.
 - j. A visual impact assessment that includes a line-of-sight profile analysis that illustrates what is visible and what is obstructed along a straight line running from the Solar Energy System and each Public Vantage Point. The Planning Board may require additional visual impact assessments, including digital view shed maps, if it determines in its sole discretion that such assessments are necessary for the Planning Board to evaluate the Solar Energy System’s compliance with the scenic impact standards in Section 79 (D) (6) (h) of this Ordinance.
 - k. An Environmental Impact Assessment and/or habitat impact assessment shall be created for the installations planned to be sited on or near areas noted within Biddeford’s Global Information System (GIS) maps to include deer wintering areas, vernal pools, wetland habitat, and rare or threatened species habitat. Findings of adverse impacts to the habitat of threatened or endangered species shall preclude development of those areas.
5. In addition to the application requirements for Medium-Scale Ground Mounted Solar Energy Systems for Site Plan Review and to obtain a Conditional Use Permit, the application for Large-Scale Ground Mounted Solar Energy Systems shall also include:
- a. Evidence of financial capacity to construct, operate, and decommission the Solar Energy System.
 - b. Applicant to provide environmental impact study by a qualified environmental professional ~~Impact study prepared by a qualified consultant for the project site, chosen by, and reporting to the City, but paid by the applicant,~~ to determine all impacts on the environment, including, but not limited to wetlands, native vegetation, wildlife habitat, water quality, and the presence of any and all species invasive to Maine . The City, at its sole discretion, may choose to have the study peer-reviewed by a third party qualified consultant, paid for by the applicant.

- c. Site Plan(s) clearly identifying soil type and location of existing “Prime Farmland,” and “Farmland of Statewide Importance,” as well as locations of local or National Historic Districts or landmarks. These requirements shall be certified by a qualified professional.
6. In addition to Conditional Use application requirements for Medium-Scale Solar Energy Systems, other standards for Medium-Scale Ground-Mounted Solar Energy Systems are:
- a. Siting of Solar Energy Systems on previously disturbed land to the greatest extent possible shall be recommended, with the intent of preventing or reducing the conversion of current and former agricultural land or forests to solar installations. A priority hierarchy for siting solar systems should follow:
 - i. Priority 1: Former landfills, roof-mounted systems, former industrial or extractive sites, areas along highway corridors, parking lots, and other heavily disturbed parcels.
 - ii. Priority 2: Parcels with existing cleared land (older than ~~5~~10 years) that is not agricultural in its history, and municipal ~~lots and others.~~
 - ~~iii.~~ Priority 3: Undisturbed wooded parcels planned to be cleared for solar development not otherwise excluded or prohibited from solar development. Such land may be considered for solar development if no other feasible alternative is available and there remains the option for conducting the studies and assessments required under Sections 4(j-k), 5(b) and 6(d-f).

~~The following areas may be considered for solar development if no other feasible alternative is possible:~~

~~Undisturbed wooded parcels and agricultural lands not identified below:~~

 - ~~iii.~~ iv. Prohibited Areas: Prime Agricultural Soils, Soils of Statewide Significance, Unforested areas of Prime Farmland and Farmland of Statewide Importance as designated by the Maine Department of Agriculture, Conservation, and Forestry deer wintering areas, vernal pool complexes, and other significant habitat as identified by the Maine Department of Inland Fisheries and Wildlife.
- b. The Solar Energy System shall be operated and located such that no disruptive electromagnetic or radio frequency interference with signal transmission or reception is caused beyond the property lines of the site.
- c. The Solar Energy System shall be located and designed to avoid, minimize, or mitigate any glare onto abutting properties or roadways.
- d. Wildlife Habitat: The Solar Energy System shall have no undue adverse effect on any portion of the property designated by the Maine Department of Inland Fisheries and Wildlife as

Rare, Threatened, or Endangered Wildlife, Essential Wildlife Habitat, or Significant Wildlife Habitat. The applicant shall assess the potential impacts of the Solar Energy System on any such designated species or habitat, including any adjacent areas that are important to the maintenance of the affected species or habitat, and shall take measures to avoid, minimize, or mitigate impacts of the Solar Energy System on the habitat and the species that the area supports. The Planning Board shall require the applicant to consult with the Maine Department of Inland Fisheries and Wildlife or a wildlife biologist preapproved by the Board in conducting such an assessment.

- e. Natural Areas: The Solar Energy System shall have no undue adverse effect on any portion of the property designated as a unique natural area or a Rare or Exemplary Plant and Natural Community in the City's Comprehensive Plan or by the Maine Natural Areas Program. The applicant shall assess the potential impacts of the Solar Energy System on any such designated natural area or community, including any adjacent areas that are important to the maintenance of the affected area or community, and shall take measures to avoid, minimize, or mitigate impacts of the Solar Energy System on the natural area or community.

The Planning Board shall require the applicant to consult with the Maine Natural Areas Program in conducting such an assessment.

- f. Historic or Archaeological Resources: The Solar Energy System shall have no undue adverse effect on any portion of the property that has been identified as containing a significant historic or archaeological resource in the City's Comprehensive Plan or on the National Register of Historic Places, or is considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant historic or archaeological resource. The applicant shall assess the potential impacts of the Solar Energy System on any such resource, including any adjacent areas that are important to the preservation of the resource, and shall take measures to protect these resources, including but not limited to, modification of the proposed location and design of the Solar Energy System, timing of construction, limiting the extent of excavation, physical or legal protection, or by archaeological excavation or mitigation. The applicant shall comply with all requirements of Article XV Historic Preservation Ordinance as applicable. The Planning Board shall require the applicant to consult with the Maine Historic Preservation Commission in conducting such an assessment.

- g. Revegetation: Any disturbed ground cover on the site shall be revegetated with ~~pollinator friendly~~, native, and non-invasive vegetation.

- h. The Solar Energy System must be located and designed for minimal visual impact on the surrounding area, particularly when viewed from abutting residential properties or any Public Vantage Point.

- i. A vegetated buffer comprising native vegetation that is at least half the width of the minimum setback requirement in Section 79 (D) (8) (b) of this Ordinance, and no less

than six (6) feet in height from finished grade, shall be maintained along any property boundary line of a Solar Energy System that abuts a residential dwelling or a public road, except where necessary to accommodate a driveway entrance to the site. All vegetation shall be installed in such a manner so as to completely conceal solar energy system from view.

ii. Existing vegetation must be used to the greatest practical extent. If there is insufficient existing vegetation to create a vegetated buffer, the applicant shall plant and maintain native species of conifers and evergreens to adequately screen the Solar Energy System from view.

i. Security Fencing: All components of the Solar Energy System, excepting overhead utility and communication lines and poles, shall be completely enclosed by a minimum 6-foot-high fence. The fence shall be elevated an minimum of 6 inches above the ground to accommodate crossings by small terrestrial animals. Functional alternatives to chain-link style fencing is encouraged.

j. Operations and Maintenance: The applicant must provide for the long-term operation of the Solar Energy System and maintenance of the Solar Land Area, including ensuring that vegetation buffers are maintained, inspections are performed as needed, new instances of species that are considered invasive to Maine are removed, ~~biannual soil testing is conducted and reported to the City,~~ and the site is accessible to emergency responders in the event of an emergency. This work shall be conducted in accordance with Maine State law.

7. In addition to the standards for Medium-Scale Solar Energy Systems as described above, Large-Scale Solar Energy Systems shall also comply with the following standards:

a. No solar development shall be constructed on ~~land designated as "Prime Farmland" or "Farmland of Statewide Importance."~~ unforested areas of Prime Farmland or Farmland of Statewide Importance as designated by the Maine Department of Agriculture, Conservation and Forestry.

b. No application for large-Scale Solar Energy System will be considered if the parcel has been deforested within ~~fiveten (510)~~ years prior to application ~~unless the applicant can demonstrate that deforestation was completed following a review and approval process by Maine Department of Environmental Protection.~~ This measure will ensure the parcel is maintained in its original state that will enable a thorough review of wildlife habitat, natural areas, and other sensitive areas, ~~or ensure that a previously deforested parcel has undergone a comparable review prior to deforestation or disturbance.~~

c. If a large scale development is planned, it may not be characterized at the time of application as a medium-scale development, with the intention of later expanding the project in phases until the development meets the definition of large-scale solar development.

d. Agricultural Resources: The Solar Energy System shall have no undue adverse effect on any portion of the property containing prime agricultural soils or soils of statewide importance.

The applicant shall assess the potential impacts of the Solar Energy System on any such soils, and shall take measures to avoid or minimize impacts to such soils. The Planning Board shall require the applicant to consult with the Department of Agriculture, Conservation, and Forestry, Agricultural Resource Development Division, in conducting such an assessment. No topsoil or prime agricultural soil shall be removed from the site for installation of the Solar Energy System. All stockpiled topsoil shall be retained on site and reused in the landscaping plan for the site.

- e. Utility Connections: All on-site utility transmission lines and piping associated with the Solar Energy System shall be placed underground to the greatest extent practicable. The Planning Board may waive this requirement if the applicant can demonstrate that satisfying this requirement is not practicable based on requirements of the utility provider or specific site conditions.

8. Dimensional requirements for medium-scale and large-scale Solar Energy Systems:

- a. The Solar Energy System shall be less than 25 feet in Height.
- b. Minimum Setbacks: The following minimum setback requirements must be met, regardless of the zoning district in which the Solar Energy System is located, unless the minimum setback requirement in the applicable zoning district is more restrictive, in which case the more restrictive requirement shall apply:
 - i. Front Lot Line 125 feet
 - ii. Side and Rear Lot Line 125 feet
 - iii. Street Right-of-Way 150 feet

A project proposing to meet the Priority 1 siting description defined in Section 6. (a.)(i.) of this Ordinance may propose to meet the setbacks of the zoning district in which it is located to encourage use of Priority 1 sites. The Planning Board may review the lesser setbacks on a case-by-case basis for location relationship to surrounding uses. The more restrictive setbacks of this Section will be made applicable at the discretion of the Planning Board.

- c. The land area of a Solar Energy System shall not exceed 50 acres exclusive of required setbacks.

9. All solar energy systems shall comply with regulations as outlined in Part III Article XIV Shoreland Zoning Ordinance as required.

10. Post-Approval Requirement for Medium-Scale Solar Energy Systems and Large-Scale Solar Energy Systems: Prior to the start of construction of a Medium-Scale Solar Energy System or Large-Scale Solar Energy System, the permit holder must submit to the Code Enforcement Officer a decommissioning plan and financial assurance approved by the Maine Department of Environmental Protection, in accordance with the requirements of 35-A M.R.S.A. Sections 3491-3496, as may be amended, for all costs associated with decommissioning the Solar Energy System.

11. Post-Construction Requirements for Medium-Scale Solar Energy Systems and Large Scale Solar Energy Systems: After completion of construction and prior to commercial operation of a permitted Medium-Scale Solar Energy System or Large-Scale Solar Energy System, the permit holder must:
 - a. Submit to the Code Enforcement Department as-built drawings prepared by a Maine licensed professional land surveyor or engineer. The as-built drawings shall include the actual locations of the Solar Energy System and its components, any structures and their components, above and underground utilities, roads, swales, ditches, detention/retention facilities, areas of filling and grading, vegetated buffers, fencing, land and landscaping alterations, and any other infrastructure and facilities, all as actually constructed on the site. The as-built drawings should also include any documented locations of invasive species, wetland areas, wildlife corridors, or habitat present on the site. The as-built drawings must be accompanied by a letter signed by the surveyor or engineer certifying that the Solar Energy System had been constructed in accordance with all Planning Board approvals, including any conditions of approval and any accompanying plans and specifications.
 - b. Provide a written manual to the Biddeford Fire Department and Code Enforcement Department, which provides clear response information and instructions, including lock box details and disconnection locations necessary for a fire/emergency response at the site.



Policy Committee

Meeting Date: March 23, 2026
Meeting Time: 6:00 PM
Agenda Item No: 5.b
Item Description: Proposed Electric Vehicle Charging Ordinance
Submitted By: Brad Favreau with Sustainability Commission Chair Will Kochtitzky.

Key Terms:

See Definitions in draft ordinance.

Executive Summary:

The Sustainability Commission proposes a new ordinance requiring electric vehicle charging infrastructure as a part of new development.

Detailed Review:

To encourage the transition from fossil fuel-powered vehicles to cleaner electric vehicles, the Sustainability Commission proposes this ordinance to strengthen charging infrastructure in Biddeford. Chargepoint, Biddeford's current EV charging partner, has reported recently that demand for charging rose 25% since last year, but supply of charging infrastructure increased just 16%. This ordinance will help balance supply and demand.

All new or re-constructed parking facilities (either surface lots or structured parking) shall conform to the requirement of providing Level 2 chargers at a prescribed rate. This requirement applies to residential, commercial, industrial, and institutional uses.

The proposal requires charging infrastructure that falls into one of two categories:
EVCS Installed - Operational Electric Vehicle Charging Station, in place at parking space.
EVCS Ready - Electric service capacity provided at parking space.

An in-lieu of fee has been provided, with Planning Board approval, where the cost of compliance is prohibitive to the development in question.

This ordinance was presented to Policy Committee at the February 23 meeting. Due to scrivener's errors, this proposal was postponed to this meeting.

Funding Source:

N/A

Staff Recommendation:

Staff supports this proposal as part of city efforts to implement the Biddeford Climate Action Plan as approved by Council in 2023.

Next Steps:

With a recommendation by this committee, the proposal will go on to City Council for consideration.

Attachments:

1. Electric Vehicle Charger Ordinance JANUARY 2026
2. Section 49.1 Electric Vehicle Infrastructure Mar 2026

What are EVs and what does the future of transportation look like?

Biddeford Sustainability Commission

What is an EV?

- An electric vehicle in two flavors:
 - Battery electric vehicle (BEV) – 200-500 mile electric range
 - Plugin hybrid electric vehicle (PHEV) – 20-50 mile electric range
- Battery powers an electric motor
- EVs are faster and quieter than combustion engines
- Average American drives 29 miles per day, average EV goes 300 miles
- BEV is equivalent of paying \$1.95 per gallon according to Efficiency Maine (assumes \$0.24 per kwh, comparing Rav4 with Tesla Model Y)

How do EVs charge?

- Level-1 - 120 volts AC, 2-5 miles per hour
- Level-2 – 240 volts AC, 20-60 miles per hour (overnight)
- DC fast charge – 400-1000 volts DC – 100-1000 miles per hour (road trip)



Current price of EVs



[Video](#)

2026 Chevrolet Blazer 2LT

Pricing

Info

MSRP* ⓘ

\$40,865



[Video](#)

2026 Chevrolet Blazer EV LT

Pricing

Info

MSRP* ⓘ

\$46,095

Jack Chevrolet Discount* ⓘ

-\$1,303

Featured Price* ⓘ

\$44,792

Customer Cash

-\$1,000

[Details](#)

Sale Price

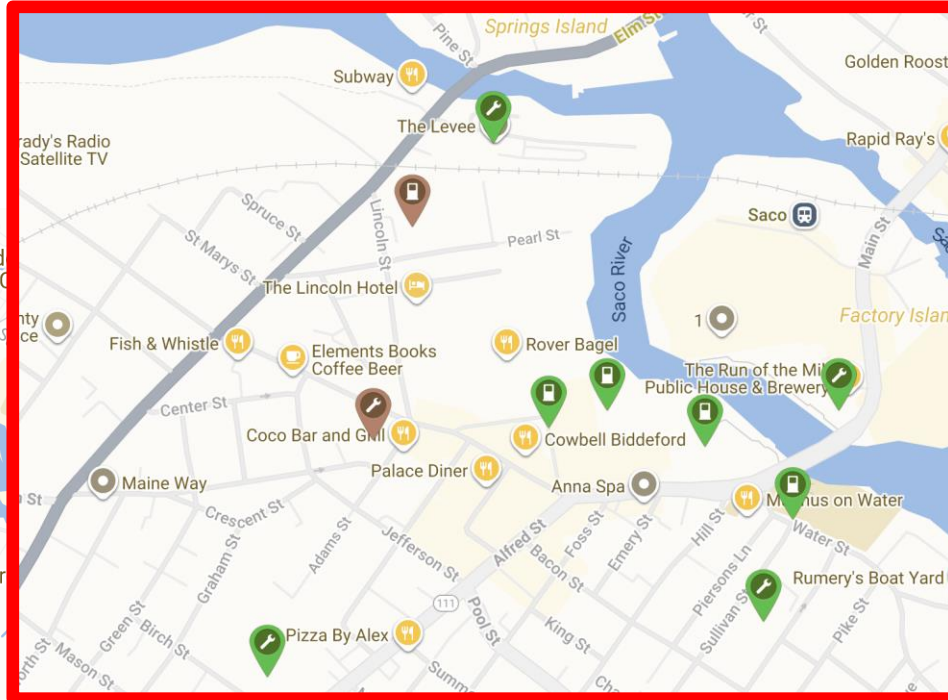
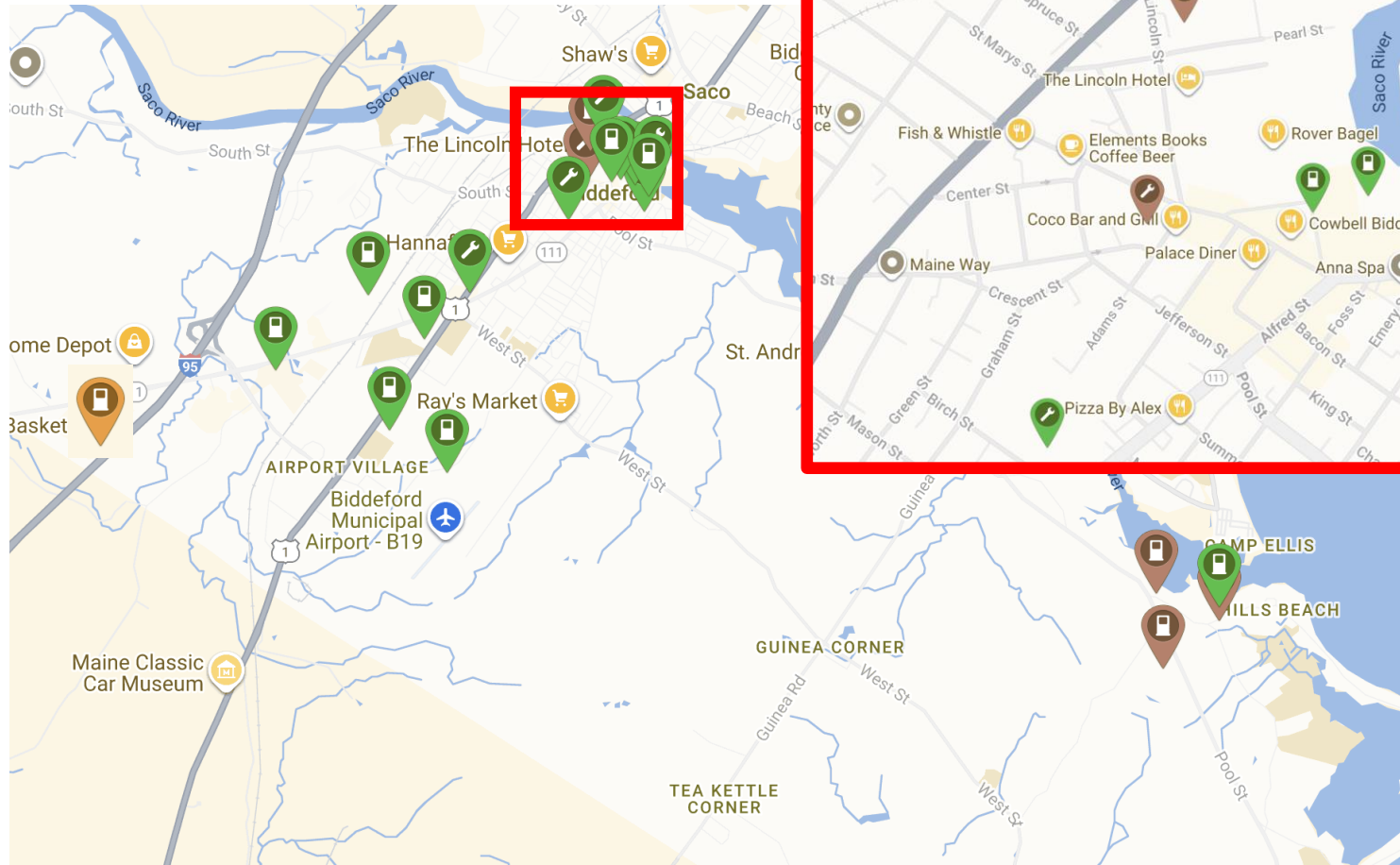
\$43,792

Purchase Allowance for Current Eligible Non-GM Owners and Lessees

-\$750

[Details](#)

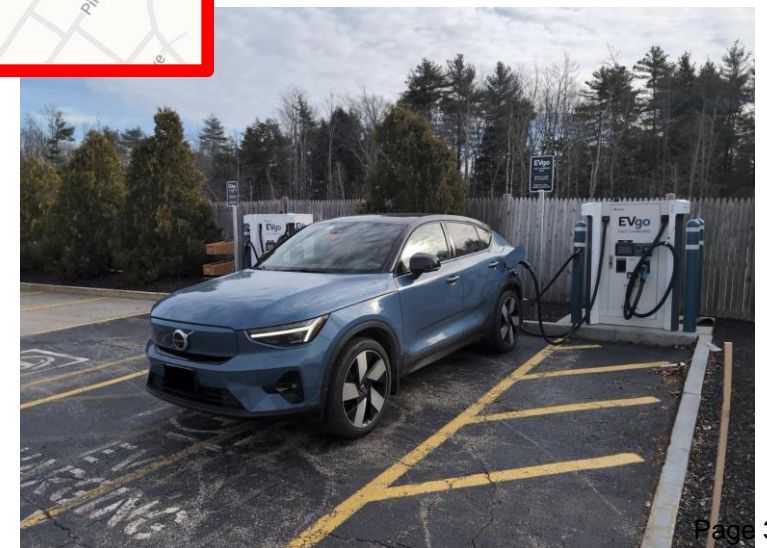
Chargers in Biddeford



Pearl St garage

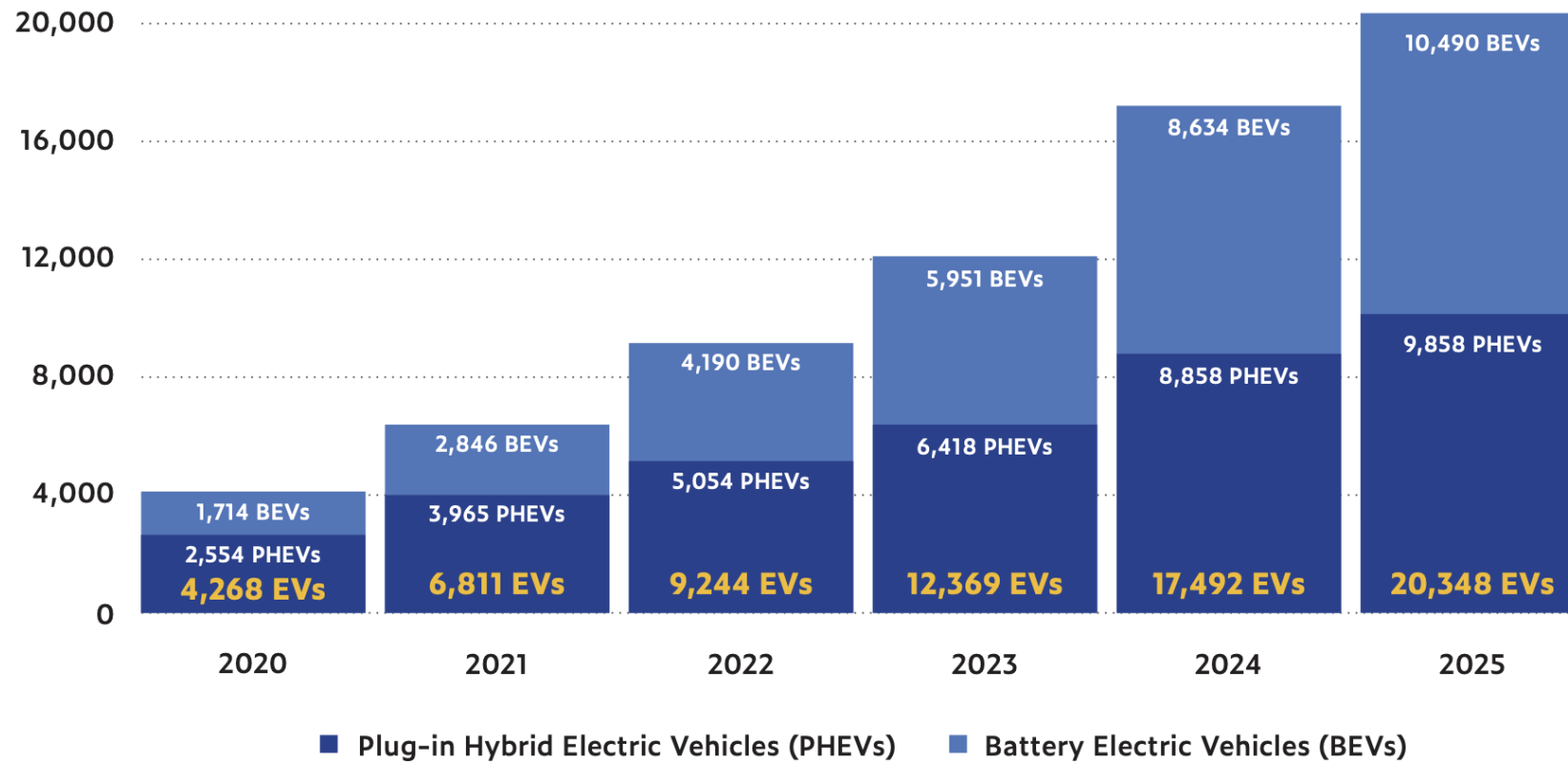


Market Basket



Registrations of EVs in Maine

Electric Vehicles on the Road in Maine



Source: Recharge Maine, 07/01/2025

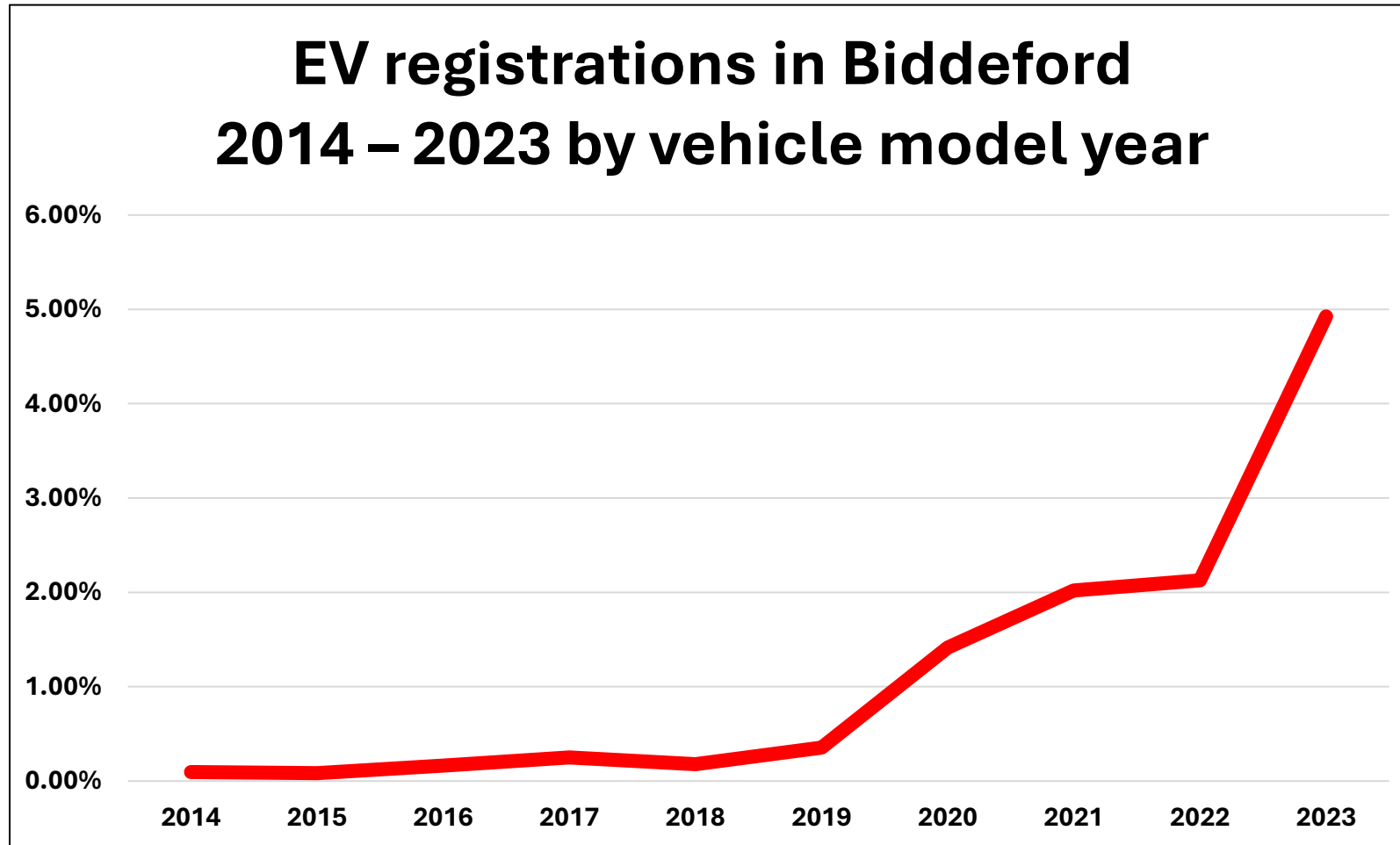
Registrations of EVs in Biddeford

467 2023 model year cars
23 of which are electric

86 total EVs registered in Biddeford

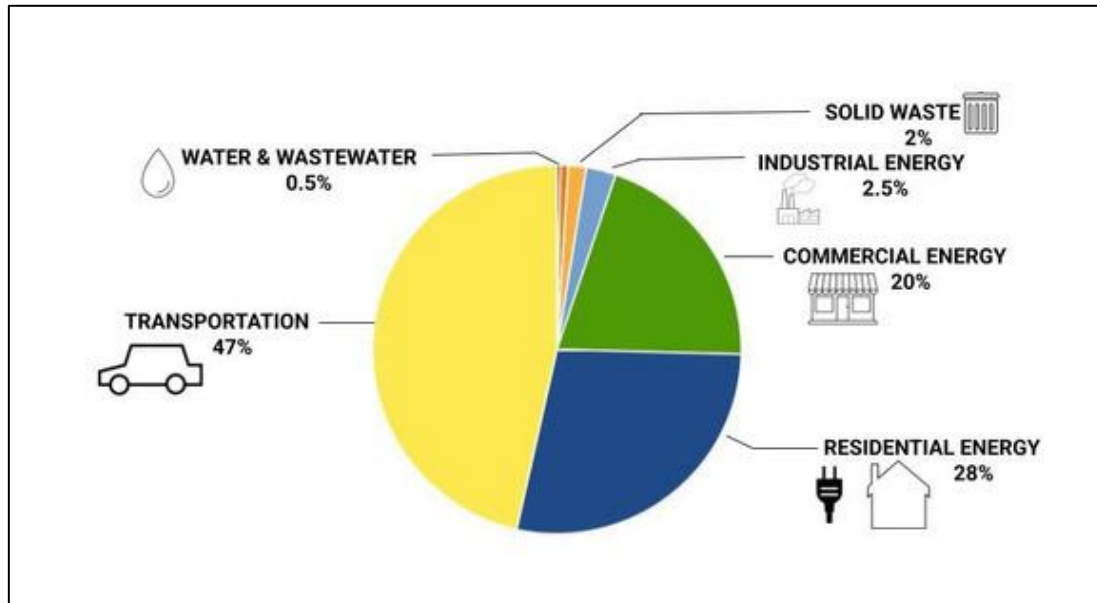
92% of US EV drivers say
their next vehicle will also
be an EV.

(Sources: Global EV Drivers
Alliance; Green Car Reports;
Auto123; Plug In America)

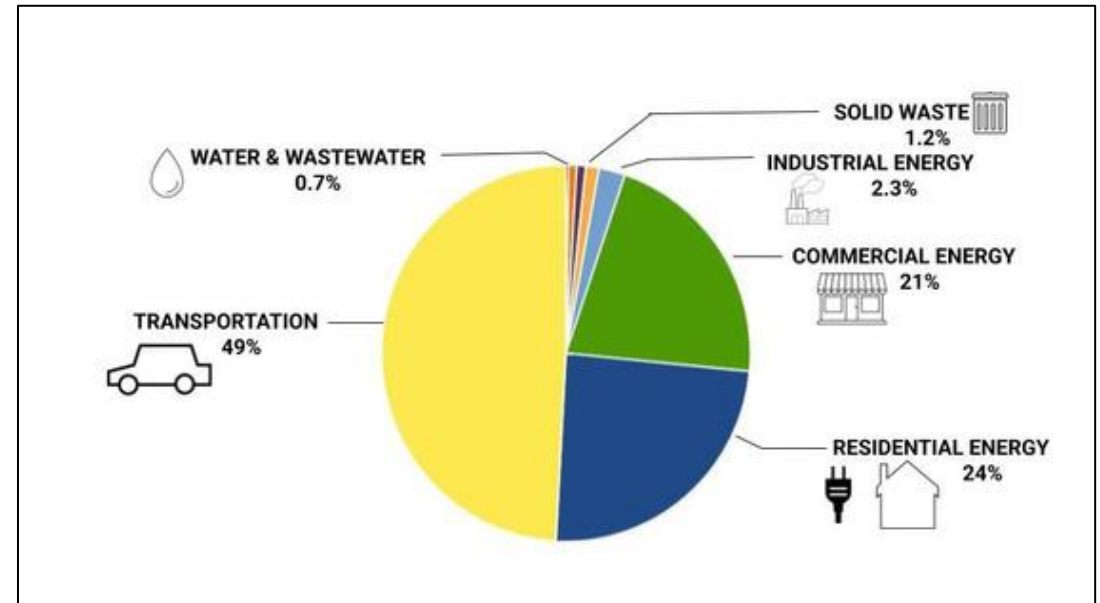


Climate goals

- Maine wants 150,000 EVs by 2030, currently 20,346 (7/1/25)



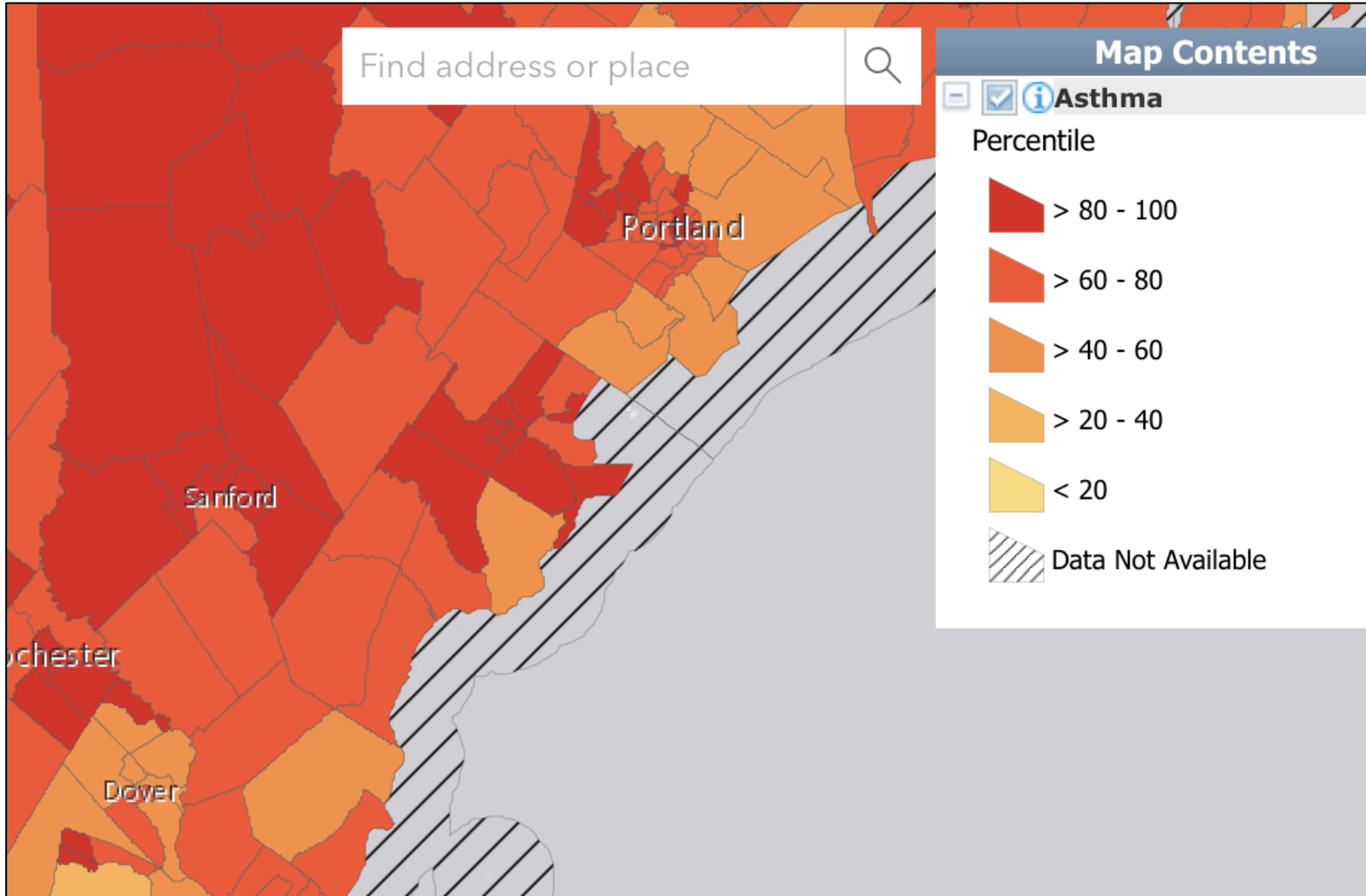
2019 – Transportation accounted for **47%** of Biddeford GHG Emissions



2023 – Transportation accounted for **49%** of Biddeford GHG Emissions

Improve public health

Very high asthma rates in Biddeford



American Lung Association found that switching to EVs would result in 90,000 fewer premature deaths and \$978 billion in public health benefits by 2050

“Long-term improvements in air quality were associated with statistically and clinically significant positive effects on lung-function growth in children.”
(New England Journal of Medicine)

Barriers to EV adoption

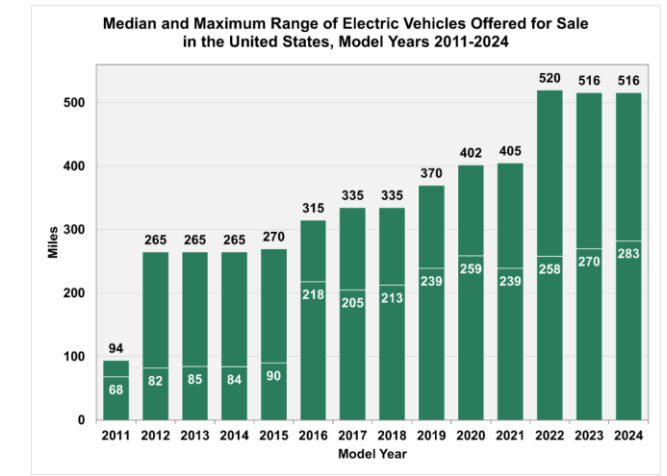
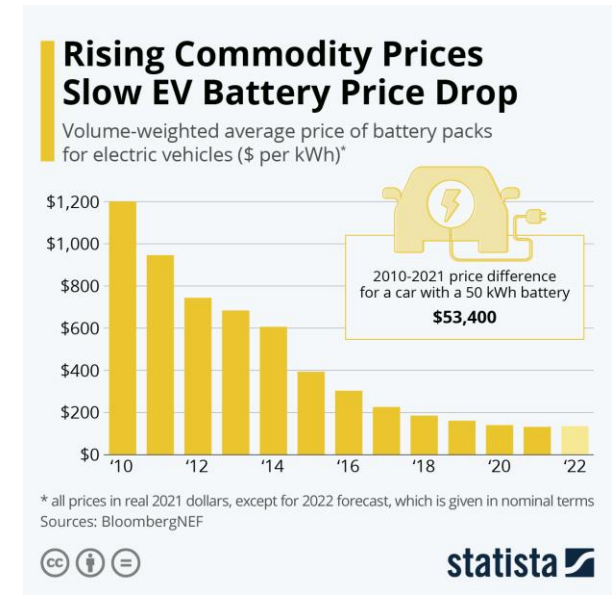
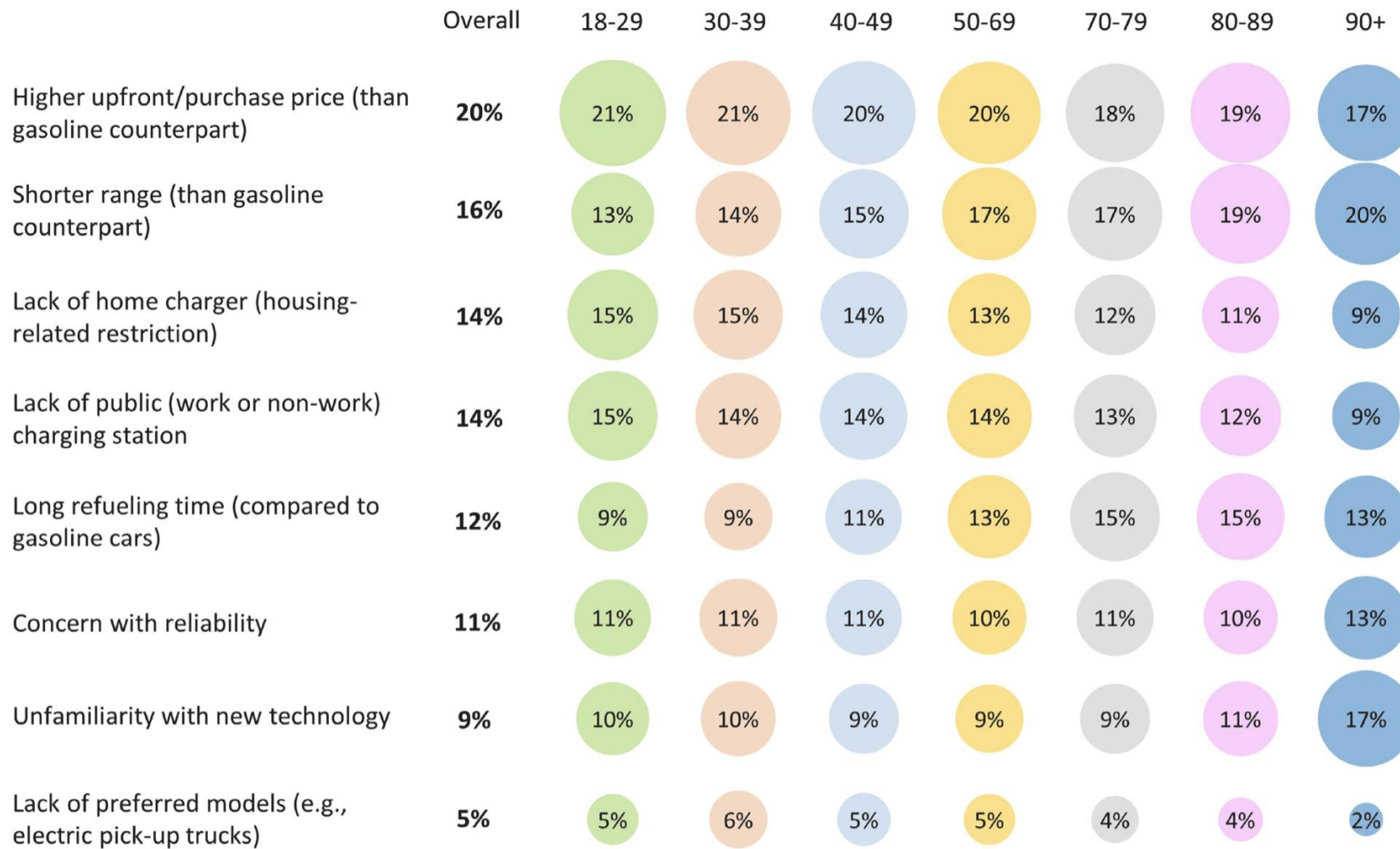


Fig. 4. Perceived barriers to PEVs by respondent age (as well as overall values in bold on the left), based on the responses to the question: What do you see as a barrier that prevents you from buying a plug-in electric vehicle (Select all that apply)?.

What this ordinance does:

- The aim is to be visionary – we want to build our future
- EVCS-installed vs EVCS-ready
- New parking lots with >25 spaces or increase capacity by 30%+
- 5% of parking spaces need to have EVCS-installed for non-residential
- 1 EVCS-ready per home for residential (except multi-family without dedicated parking)
- \$5k in lieu fee for EVCS-installed, suggest \$1k for EVCS-ready

EVCS-installed



EVCS-ready



City of Biddeford Code of Ordinances

Part III Land Use Development

Article VI Performance Standards

Section 49.1 Electric Vehicle Infrastructure

A. Purpose

The purpose of this ordinance is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and to establish minimum requirements for such infrastructure to serve both long-term and short-term parking needs. This Ordinance is consistent with the goals of Biddeford's approved Climate Action Plan, including reducing greenhouse gas emissions 62.6% over 2019 baseline levels by 2030.

B. Definitions

1. Accessible electric vehicle charging station - an electric vehicle charging station, that can be readily used by those of all abilities, where the battery charging station is located within accessible reach of a barrier-free access aisle and the electric vehicle.
2. Battery charging station - an electrical component, assembly or cluster of components and assemblies designed specifically to charge batteries within electric vehicles.
3. Battery electric vehicle - any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero tailpipe emissions or pollution when stationary or operating.
4. Charging levels - the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and DC fast charging are the most common charging levels, and include the following specifications:
 - a. Level 1 provides charging through a conventional 120 volt (V), alternating-current (AC) plug. Level 1 is considered as slow charging. Level 1 charging equipment is standard on vehicles and therefore does not require the installation of charging equipment. The most common place for Level 1 charging is at the vehicle owner's home and is typically conducted overnight.
 - b. Level 2 charging is through a 240V, AC plug and requires installation of home charging or public charging equipment. These units require a dedicated 40-amp circuit. Level 2 chargers are commonly found in residential settings, public parking areas, places of employment and commercial settings.

- c. Level 3 or DC Fast Charging (DCFC) charging is through a 400 to 1000 V, direct-current (DC) plug. Due to their high cost and extremely high-power draw, Level 3 chargers are typically found in commercial or industrial locations rather than residential.

- 5. Electric Vehicle (EV) - a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes. "Electric vehicle" includes:
 - a. Battery electric vehicle

 - b. Plug-in hybrid electric vehicle

- 6. Electric Vehicle Charging Station (EVCS) – battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. A charging station must include a port that conforms to EV industry standards and can charge the vehicle, although an adapter may be required.

- 7. EVCS-installed - parking spaces equipped with electrified EVCS that are operational.

- 8. EVCS-ready - parking spaces with necessary conduit installed and electrical capacity available to connect to an EVCS to charge an electrical vehicle (either plug or hardwired).

- 9. Electric Vehicle Charging Station, private restricted use - an electric vehicle charging station that is:
 - a. Privately owned with restricted access (e.g., single-family home, executive parking, designated employee parking, assigned parking at multi-family residential buildings); or

 - b. Publicly owned and restricted (e.g., fleet parking with no access to the general public).

- 10. Electric Vehicle Charging Station, public use - an electric vehicle charging station that is:
 - a. Publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking); or

 - b. Privately owned and available to visitors (e.g., shopping center parking).

11. Electric vehicle infrastructure - conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations.
12. Electric vehicle parking space - any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.
13. Electric vehicle supply equipment (EVSE) - any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves.
14. Electrical capacity shall mean, at minimum:
 - a. Electric Service Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger;
 - b. Conduit from an electric panel to future EVCS location(s).
15. Non-electric vehicle - any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets that does not meet the definition of an electric vehicle.
16. Plug-in hybrid electric vehicle - an electric vehicle that:
 - a. Contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;
 - b. Charges its battery primarily by connecting to the grid or other off-board electrical source;
 - c. May additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and
 - d. Has the ability to travel powered by battery-supplied electricity.

C. Applicability

1. This ordinance shall apply to all electric vehicle infrastructure installed, constructed, or modified after the effective date of this Ordinance.
2. Electric vehicle infrastructure in place prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance unless substantial modification to the infrastructure is proposed in accordance with the criteria identified in Section 5.1.

3. All electric vehicle infrastructure shall be designed, built, and installed in accordance with applicable local, state, and federal codes, regulations, and standards.

D. Required Facilities

All new or reconstructed parking structures or lots shall be required to install Level-2 or higher EVCSs according to Table D.1 when one of the following conditions is met:

1. The development includes a new off-street parking facility with more than 25 spaces; or
2. The parking capacity of an existing building, site, or parking facility is increased by 30 percent or more or 25 spaces, whichever is smaller (expressed as [number of additional spaces]/[number of existing spaces] x 100), resulting in 25 or more total spaces after expansion.
 - a. The number of EV charging stations required to be installed at the time of development is stated as a percentage of the total number of parking spaces in Column A of Table D.1. Requirements will be rounded up to closest whole number but will always be a value of at least one EVCS to be available at the time of development occupancy.
 - b. Electric capacity requirements for EVCS-ready are met by providing a cabinet, box or enclosure connected to a conduit linking parking spaces with 208/240V or higher voltage AC electrical service for the suitable for the number of charging stations. The wire may end in either a junction box, hardwired EVCS, or plug at the parking space.
 - c. Site design must provide electrical, associated ventilation, accessible parking, and wiring connection to electrical transformer to support electric vehicle charging.

Table D.1 EV Charging Requirements for New and Reconstructed Parking Structures

Land use type	A. EVCS-installed parking spaces required (or as % of total parking spaces)	B. EVCS-ready parking spaces required (or as % of total parking spaces)
One or two family residential	-	1 per unit
Multi-family residential w/o dedicated spaces	5%	-
Multi-family residential w/ dedicated spaces	-	1 per unit
Non-residential	5% or one (1) space, whichever is greater	

3. DC Fast Charging equipment (Level 3) may be installed to partially or fully meet the above requirement at one third the rate prescribed by table 5a .1.
4. These requirements may be revised upward or downward by the Planning Board as part of an application for a conditional use permit or planned unit development based on verifiable information pertaining to parking.
5. When the cost of installing EVSE required by this ordinance would exceed five percent of the total project cost, the property owner or applicant may request a reduction in the EVSE requirements and submit cost estimates for city consideration. When City Council approval of the project is not required, the Code Enforcement Director may administratively approve a reduction the required amount of EVSE to limit the EVSE installation costs to not more than five percent of the total project cost.
6. Affordable housing projects (120% AMI in 33% of dwelling units) can reduce requirement in table 5.1 by 50% or two total EVCS-installed spaces, whichever is fewer.
7. Where meeting the requirements of this ordinance is cost prohibitive, an in-lieu fee to the City of Biddeford at a rate of \$5,000 per EVCS-installed parking space and \$25 per EVCS-ready parking space shall be collected from the owner or developer. EVCS in-lieu fees collected by the City shall be used for supporting electric vehicle infrastructure in the City of Biddeford. These funds shall be used in accordance with the following:
 - a. The funds shall be used for electric vehicle charging infrastructure within the City. Specifically, these funds may be used for equipment, and/or

construction costs of electric vehicle charging infrastructure in existing or new City owned parking lots.

- b. A portion of these funds may also be used for administrative, legal, engineering, or other costs related to the planning, design, permitting, and property acquisition for electric vehicle charging.
- c. A portion of these funds may also be used to establish a grant or revolving loan program to provide direct financial assistance to offset the cost of retrofitting existing parking areas with electric vehicle charging infrastructure.
- d. These funds may be used in combination with other City funds and other private, non-profit, and government funding for expanding electric vehicle charging infrastructure within Biddeford.
- e. The in-lieu fees contributed by a development shall not be used by the same or other developments to fund the electric vehicle charging infrastructure that is required to meet the minimum standards described in Table D.1.
- f. The in-lieu fees collected by the City shall not be utilized to fund electric vehicle charging infrastructure that is otherwise required to meet minimum zoning standards.

E. General Requirements for Electric Vehicle Infrastructure

- 1. Electric vehicle charging stations within single-family and two-family residences are exempt from the below general requirements. This does not exempt electrical or other permit obligations.
- 2. General station requirements
 - a. Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.
 - b. Equipment Standards and Protection. Where provided, parking for electric vehicle charging purposes shall meet the standards of subsections E, paragraph (2) through (7) of this section.
 - i. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.

- ii. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
- iii. Charging Station Equipment Protection. When the electric vehicle parking space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards shall be used.
- iv. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
- c. Signage. Electric vehicle charging stations, other than in residential use, shall have posted signage allowing only charging electric vehicles to park in such spaces. For the purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment. Signage for parking of electric vehicles shall include:
 - i. Information regarding the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.
 - ii. Restrictions shall be included on the signage if removal provisions are to be enforced by the property owner
 - iii. As appropriate, directional signs to effectively guide motorists to the charging station space(s).
- d. Lighting. Site lighting shall be provided where EVCS is installed unless charging is for daytime purposes only. Lighting standards should be met pursuant to the Biddeford Code of Ordinances.
- e. Time limits may be placed on the number of hours that an electric vehicle is allowed to charge, prohibiting indefinite charging/parking. If applicable, warnings shall be posted to alert charging station users about hours of use and possible actions affecting EVCS that are not being used according to posted rules.
- f. The EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after

normal business hours of the use(s) it serves. If applicable, warnings shall be posted to alert charging station users about hours of use.

3. Accessible Facilities

- a. Where 5 or more EVCS-installed spaces are required, at least one space must be accessible as defined by the Americans with Disabilities Act (ADA).
- b. Accessible electric vehicle charging stations should be located in proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.

4. Charging and Parking

- a. EVCS parking spaces are to be included in the calculation for both the number of minimum and maximum parking spaces required, as provided by Part III Land Development Regulations, Article VI Performance Standards, Section 49 Off Street Parking and Loading in the City of Biddeford Code of Ordinances.
- b. EVCS parking spaces, where provided for public use, are reserved for charging electric vehicles only.
- c. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

5. Parking Restrictions

- a. No person shall stop, stand or park any non-electric vehicle in a space designated through signage as an electric vehicle charging station. Any non-electric vehicle is subject to removal by the property owner or the property owner's agent.
- b. Any electric vehicle in an electric vehicle parking stall that is signed exclusively for electric vehicle charging and that is either (1) not electrically charging or (2) parked beyond the days and hours designated on regulatory signs posted at or near the space shall be subject to removal as posted by the property owner or the property owner's agent. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

6. Decommissioning

Unless otherwise directed by City of Biddeford, within ninety (90) days of cessation of use of the EVCS, the property owner or operator shall restore the site to its original condition. Should the property owner or operator fail to complete said removal within ninety (90) days, the City Biddeford shall conduct the removal and disposal of improvements at the property owner or operator's sole cost and expense.

F. Effectiveness, Interpretation, Severability

1. This ordinance shall become effective January 1 following the date of its adoption. Applications already in review at time of adoption shall not be subjected to the above requirements.
2. All other portions, parts, and provisions of the Code of Ordinances of the City Biddeford as heretofore enacted and amended shall remain in force and effect.
3. The invalidity of any section or provision of the ordinance shall not be held to invalidate any other section or provision of this Ordinance.
4. If any part of this ordinance conflicts with any other applicable federal, state, or local regulation, the more restrictive regulation shall be considered in effect.

G. Enforcement

All site plans submitted to the City for Planning Board review and permitting shall demonstrate that the provisions of this ordinance have been met. EVCS Installed chargers must be operational prior to the issuance of Occupancy Permit, and all conduit and electrical capacity for EVCS-ready installations shall be inspected prior to backfilling and landscaping.



Policy Committee

Meeting Date: March 23, 2026
Meeting Time: 6:00 PM
Agenda Item No: 5.c
Item Description: Proposed Creation of a Master Fee Schedule
Submitted By: Truc Dever, City Manager

Key Terms:

The creation of a master fee schedule is being proposed as a change to the code of ordinances. Currently, fee amounts are distributed throughout the code under the relevant department or code. The creation of a master fee schedule would centralize this information into one location, the proposed APPENDIX B. This would allow for increased public transparency and would streamline the process for Council to update fees going forward.

Executive Summary:

Municipal fees are charges established by the City to recover the cost of providing specific services, permits, licenses, applications, inspections, records requests, and other administrative functions. Fees are intended to offset the direct cost of delivering a particular service and have historically been embedded throughout the City's Code of Ordinances. Placing fee amounts directly in the Code can make routine adjustments cumbersome because any change requires a formal ordinance amendment process. Consolidating all municipal fees into a single Master Fee Schedule, adopted as an appendix to the Code, promotes transparency, consistency, and administrative efficiency. This approach allows the City Council to review and update fees in a comprehensive and timely manner while ensuring the Code itself remains focused on policy and regulatory requirements rather than monetary amounts that may need periodic adjustment. This change to process could have a positive impact on the budget once established, as each code change has a cost associated with updating the language.

Detailed Review:

Funding Source:

N/A

Staff Recommendation:

Staff recommends City Council approves the new Master Fee Schedule, Appendix B.

Next Steps:

Should the Policy Committee approve of the creation of a Master Fee Schedule, the language would be promoted to Council for consideration and would require two readings for implementation. Once a Master Fee Schedule is established in the Code of Ordinances, the Committee could then begin the process of moving current fees out of the code and into the fee schedule.

Attachments:

1. Establishment of a Master Fee Schedule-DRAFT

APPENDIX B – Fee schedule for licenses, permits, applications, and charges for the City of Biddeford

1. Purpose.

All fees and charges required by ordinances or policies of the City Council for licenses, permits, applications, and all fees and charges collected by the City of Biddeford where state law authorizes or requires the city to set the amounts of such fees and charges, shall hereafter be established by the City Council as the Fee Schedule for licenses, permits, applications and charges in the Code of Ordinances as APPENDIX B.

The Council may by ordinance establish any new fees or charges which the council deems necessary or appropriate to defray the cost of operating, delivering services or administering any ordinances or policies. The city clerk shall hereinafter include any such new fees or charges in the Fee Schedule of licenses, permits, applications and charges in APPENDIX B.

All existing ordinances and policies of the city shall be amended by deleting the specific amounts of any fees required in such ordinances or policies and substituting therefore the words: "as specified in the Fee Schedule of licenses, permits, applications and charges as established in APPENDIX B"

In the event any fees or charges in effect on the date of enactment of APPENDIX B are inadvertently omitted from the initial Fee Schedule of licenses, permits, applications and charges established upon enactment, such fees and charges shall remain in effect and the city clerk is directed to include them in the Fee Schedule of licenses, permits, applications and charges in APPENDIX B whenever such omission is discovered.

2. Authority.

The City Council shall review APPENDIX B – Fee Schedule for licenses, permits, applications, and charges annually and may enact revisions to this schedule at any time as deemed necessary.

3. Applicability.

Unless otherwise provided by law, all persons or entities applying for licenses, permits, applications, inspections, or services subject to Appendix B shall pay the applicable fee prior to issuance or processing.

4. Non-Refundability.

Unless otherwise specified by ordinance or policy, fees shall be non-refundable once an application has been processed or services have commenced.

5. Severability.

If any provision of Appendix B is determined invalid by a court of law, such determination shall not affect the remaining provisions, which shall remain in full force and effect.