

**WARRANT FOR TOWN MEETING
TOWN OF BROWNFIELD
FOR FISCAL YEAR JULY 1, 2022 – JUNE 30, 2023**

To: Wanda Bartlett, a citizen of the Town of Brownfield, County of Oxford, State of Maine.

Greetings: In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Brownfield, in said County, qualified by law to vote in Town affairs, to meet in the Brownfield Town Office in said Town on Tuesday, the 14th day of June 2022 A.D. from 8:00 A.M. until 8:00 P.M. for the election of Town Officials and the vote on any referendum questions. The polls will open as soon as Article 01 has been acted upon. All other articles, beginning with Article 02, will be voted upon at the Brownfield Community Center on Wednesday, the 15th day of June 2022 A.D. at 7:00PM

ARTICLE 01 To elect a Moderator to preside at said meeting who will follow the Rules of Procedure from the Maine Moderators Manual.

ARTICLE 02 To see if the Town will vote to raise and appropriate **\$278,248** for Office payroll and benefits

	2021-2022	2022-2023
Selectmen's Assistant*	33,782	33,783
Tax Collector/Treasurer*	37,256	38,256
Town Clerk*	32,360	33,360
Assessor*	12,570	23,400
Code Enforcement Officer*	25,140	25,140
Animal Control Officer*	3,444	3,444
Planning Board Secretary*	15,000	19,000
Recreation Director*	23,766	23,766
Selectmen*	15,713	15,713
Registrar*	2,290	2,290
FICA	15,707	15,861
Retirement	3,162	3,162
Health Insurance	40,883	41,073
TOTAL PROPOSED	\$261,073	\$278,248

Board of Selectmen Recommendation: 2-0-1

Budget Committee Recommendation: 6-2-0

ARTICLE 03 To see if the Town will vote to raise and appropriate **\$21,530** for a Book Keeper.

	2021-2022	2022-2023
Book Keeper	18,000	20,000
FICA	0	1,530
TOTAL PROPOSED	\$18,000	\$21,530

Board of Selectmen Recommendation: 2-0-1

Budget Committee Recommendation: 6-2-0

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ARTICLE 04

To see if the Town will vote to raise and appropriate **\$83,206** for Fire Department payroll and benefits.

	2021/2022	2022/2023
Fire Chief*	46,610	46,610
Fire Department Members*	16,670	16,670
FICA	4,841	4,841
Retirement	1,394	1,394
Health Insurance	13,628	13,691
TOTAL PROPOSED	\$81,985	83,206

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 7-0-1

ARTICLE 05

To see if the Town will vote to raise and appropriate **\$ 54,824** for Transfer Station payroll and benefits

	2021/2022	2022/2023
TS Employee #1	15,164	22,464
TS Employee #2	15,762	22,464
FICA	2,366	3,896
TS Extra Man Power	0	6,000
TOTAL PROPOSED	\$33,292	54,824

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 6-1-0

ARTICLE 06

To see if the Town will vote to raise and appropriate **\$12,092** for a part-time, seasonal employee for the Transfer Station.

	2021/2022	2022/2023
TS Seasonal Employee	0	11,232
FICA	0	860
TOTAL PROPOSED	\$0	\$12,092

ARTICLE 07

To see if the Town will vote to raise and appropriate **\$230,244** for Public Works payroll and benefits

	2021/2022	2022/2023
PW Director	49,373	52,000
PW Employee #1	37,345	48,880
PW Employee #2	37,345	45,760
OT for PW Employees	9,169	15,000

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PW Extra Manpower	4,334	10,000
FICA	10,524	13,131
Retirement	3,997	4,400
Health Insurance	25,889	41,073
TOTAL PROPOSED	\$177,976	230,244

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 7-0-0

ARTICLE 08

To see if the Town will vote to raise and appropriate a 5% cost of living adjustment for Town employees (*). If approved this would be in addition to the payroll requested in Articles 02 and 04. This amount including FICA and retirement (if applicable) would be **\$14,793**.

ARTICLE 09

To see if the Town will vote to raise and appropriate the sum of **\$149,320** for the fixed costs portion of **Administrative expenses**.

	2021/2022	2022/2023
Insurance	48,250	52,000
Operational Expenses	10,900	13,500
Custodian	3,120	3,120
Plumbing Inspector	100	100
Fire Warden	100	100
Health Officer	700	700
Audit Expense	8,000	8,600
Dues	3,700	8,700
Computer Licensing	11,870	12,525
Computer Maintenance	2,850	2,850
Security System	300	300
Cemetery Lots/Maintenance	6,400	10,945
Harvest Hills Animal Shelter	1,597	1,607
Fryeburg Rescue	27,928	38,818
TOTAL PROPOSED	\$125,815	\$149,320

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 10

To see if the Town will raise and appropriate the sum of **\$79,300** for the non-fixed costs portion of **Administrative expenses**.

	2021/2022	2022/2023
Service Charges	3,500	3,500
Ballot Clerks	2,500	2,500
Mileage/Fuel	1,500	2,000

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Contingency	3,000	3,000
Election Expense	2,625	2,700
Tax Map Update	1,500	1,500
Town Report	1,000	1,000
Seminars & Training	1,500	1,500
Legal	25,000	25,000
General Assistance	5,000	5,000
Office Expense	16,800	15,000
Computer replacement	1,000	2,000
Memorial Flags & Markers	1,500	1,500
Abatements	3,000	3,000
Street Lights	8,500	9,600
Veteran's Grave Repair	500	500
TOTAL PROPOSED	\$78,425	\$79,300

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 11

To see if the Town will vote to raise and appropriate the amount of **\$4,400** for the operational expenses of the **Animal Control Office**.

	2021/2022	2022/2023
Supplies	250	1,500
Cell Phone	701	900
Training	1000	500
Mileage	600	1,500
TOTAL PROPOSED	\$2,551	\$4,400

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 12

To see if the Town will vote to raise and appropriate the amount of **\$17,550** for the **Planning Board expenses**.

	2021/2022	2022/2023
Mileage/Fuel	300	300
Seminars	750	750
Land Use Law Books	100	100
Postage	100	100
Advertising	600	600
Legal	15,000	15,000
Mapping	500	500
Software Updates	200	200
Dues	568	0
TOTAL PROPOSED	\$18,118	\$17,550

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Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 7-1-0

ARTICLE 13

To see if the Town will vote to raise and appropriate the amount of **\$1,750** for the **Assessing Department expenses**.

	2021/2022	2022/2023
Legal	750	750
Training	1,000	1,000
TOTAL PROPOSED	\$1,750	\$1,750

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 14

To see if the Town will vote to raise and appropriate the amount of **\$5,500** for the **Code Enforcement Officer Department expenses**.

	2021/2022	2022/2023
Legal	4,000	4,000
Training	1,500	1,500
TOTAL PROPOSED	\$5,500	\$5,500

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 15

To see if the Town will vote to raise and appropriate the amount of **\$24,800** for the upkeep and maintenance at the **Brownfield Community Center**.

	2021/2022	2022/2023
Electric	2,400	4,800
Telephone	1,800	1,800
Heating	6,000	7,200
Security	300	300
Custodian	3,500	3,500
Building Maintenance/ Cleaning	6,000	6,000
Supplies	1,000	1,200
TOTAL PROPOSED	\$21,000	\$24,800

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

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ARTICLE 16

To see if the Town will vote to raise and appropriate the amount \$16,135 for **Recreation Department expenses.**

	2021/2022	2022/2023
Advertising	200	200
Training & Seminars	800	800
Milage	0	360
Phone/DSL	1,500	1,500
Community Activities	1,200	1,200
Sports Equipment / Activities/Uniforms	1,000	3,500
Background check/Med Supplies	500	500
Dues	375	375
Ground Maintenance / Repair / Field Spray	1,000	6,000
Miscellaneous	500	1,200
Skate Park	0	500
TOTAL PROPOSED	\$7,075	\$16,135

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 17

To see if the Town will vote to place all funds collected from the Fitness Center into a rollover account to be used to maintain/upgrade the Fitness Center.

ARTICLE 18

To see if the Town will vote to raise and appropriate the amount of **\$7,900** for **Water Recreation.**

	2021/2022	2022/2023
Beach / Water Equipment	300	300
Docks	200	3,500
Swimming Instructor Salary	1,800	2,400
Swim Aide Stipend	500	1,200
Water Testing	400	500
TOTAL PROPOSED	\$3,200	\$7,900

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 19

To see if the Town will vote to raise and appropriate the amount of **\$294,850** for the overall operation of the **Public Works Department.**

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	2021/2022	2022/2023
Telephone/DSL	1,900	2,000
Electricity	2,100	2,500
Heating Oil	2,800	5,500
Vehicle Fuel – Diesel	25,000	30,000
Vehicle Fuel – Gasoline	6,000	6,500
Maintenance – Garage	3,500	5,000
Maintenance – Office	7,000	7,000
Maintenance – Fire Protection	700	1,000
Maintenance – Vehicles	50,000	55,000
Maintenance – Radios	500	600
Tool Replacement	5,000	5,500
Screened Salt & Sand	65,000	80,000
Gravel	12,000	15,000
Culverts	8,500	8,500
Cold Patch	1,000	1,000
Office supply	500	500
Bridge Repair	500	10,000
Brush Control / Equip. Rental	15,000	20,000
Signs	1,000	1,000
Calcium	5,000	6,000
Parks & Memorials – Mowing	5,445	6,000
Parks & Memorials – Porta Pots	1,800	2,000
Parks & Memorials – Electricity	200	250
Security	500	500
Erosion Control	250	500
Safety Equipment	1,000	1,500
Drug & Alcohol Testing	500	500
Training	1,000	1,000
Uniforms	3,000	5,000
Miscellaneous	1,500	1,500
Road Sealing	7,000	8,500
Guardrails	5,000	5,000
TOTAL PROPOSED	\$240,195	294,850

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 20

To see if the town will vote to raise and appropriate the amount of **\$25,000** for road improvements.

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

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ARTICLE 21 To see if the Town will vote to authorize any unexpended funds from the 2021-2022 Public Works Budget to be rolled over into the Public Works Capital Improvement Account.

ARTICLE 22 To see if the Town will vote to authorize any unexpended funds from the Selectmen’s overlay account be divided into the Capital Improvement accounts.

ARTICLE 23 To see if the Town will vote to raise and appropriate the amount of **\$182,060** for the overall operation of the Transfer Station with any unexpended funds to be rolled over into the Transfer Station Reserve Account.

	2021/2022	2022/2023
Container Rental	2,400	3,500
Tipping Fees	69,000	79,000
Demo/Bulky Waste/ Tire Disposal	2,400	2,500
Trucking	46,000	75,000
Hazardous Waste	1,200	1,500
Electricity	700	1,000
Telephone	400	550
Health & Safety	500	500
Uniforms	2,000	3,000
Heat (Propane)	1,000	1,500
Licensing	600	750
Misc. / Mileage / Seminars	500	600
Security	300	360
Maintenance/Repair	5,500	7,500
Recycling	4,200	4,500
Supplies	200	300
TOTAL PROPOSED	\$136,900	\$182,060

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 24 To see if the Town will vote to raise and appropriate the amount of **\$34,050** for the overall operation of the **Fire Department**.

	2021/2022	2022/2023
Volunteer Firefighters Insurance	500	500
Electricity	1,500	1,500
Heat (oil)	5,000	8,000

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Training	1,500	1,500
Dues	600	600
Telephone/DSL	1,800	2,000
Maintenance – Building	1,500	1,500
Maintenance – Vehicle	4,000	5,000
Equipment	10,000	10,000
Computer/Software	1,000	2,500
Emergency Preparedness	100	100
Hydrants	250	250
Fire Hose	500	500
Hepatitis Vaccine	100	100
TOTAL PROPOSED	\$32,350	\$34,050

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 25 To see if the Town will vote to raise and appropriate the amount of **\$10,000** for the Fire Department Safety Gear with any unexpended funds to be rolled over.

ARTICLE 26 To see if the Town will vote to raise and appropriate the amount of **\$65,000** to purchase 1.5 acre parcel Map U11 Lot 21 Book 666 Page 219, behind the existing fire station for a future Public Safety Building.

ARTICLE 27 To see if the Town will vote to raise and appropriate the amount of **\$125,000** to hire an assessing firm to conduct a market-based adjustment.

ARTICLE 28 To see if the Town will vote to raise and appropriate the amount of **\$1,000** for the in-town organization, **The Brownfield Historical Society**.

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 8-0-0

ARTICLE 29 To see if the Town will vote to raise and appropriate the amount of **\$16,000** for the in-town organization, **The Brownfield Public Library**.

Board of Selectmen Recommendation: 3-0-0

Budget Committee Recommendation: 7-1-0

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ARTICLE 30 To see if the Town will vote to raise and appropriate the amount of **\$6,700** for the in-town organization, **Southern Oxford Country Nutrition, Inc (Food Pantry)**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 31 To see if the Town will vote to raise and appropriate the amount of **\$825** for the out-of-town organization, **American Red Cross**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 7-1-0

ARTICLE 32 To see if the Town will vote to raise and appropriate the amount of **\$2,000** for the out-of-town organization, **Community Concepts**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 33 To see if the Town will vote to raise and appropriate the amount of **\$500** for the out-of-town organization, **MaineHealth – Care At Home**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 34 To see if the Town will vote to raise and appropriate the amount of **\$500** for the out-of-town organization, **Safe Voices**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 35 To see if the Town will vote to raise and appropriate the amount of **\$500** for the out-of-town organization, **Seniors Plus**.

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

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ARTICLE 36 To see if the Town will vote to raise and appropriate the amount of **\$500** for the out-of-town organization, **Sexual Assault Prevention/Response Services.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 37 To see if the Town will vote to raise and appropriate the amount of **\$800** for the out-of-town organization, **The Life Flight Foundation.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 38 To see if the Town will vote to raise and appropriate the amount of **\$1,500** for the out-of-town organization, **Tri County Mental Health Services**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 39 To see if the Town will vote to raise and appropriate the amount of **\$500** for the out-of-town organization, **Visiting Nurse Home Care & Hospice.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 40 To see if the Town will vote to raise and appropriate the amount of **\$1,587** for the out-of-town organization, **White Mountain Community Health Center.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 41 To see if the Town will vote to raise and appropriate the amount of **\$250** for the out-of-town organization, **Androscoggin Home Healthcare and Hospice.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

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ARTICLE 42 To see if the Town will vote to raise and appropriate the amount of **\$200** for the out-of-town organization, **Cancer Resource Center of Western Maine.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 7-1-0

ARTICLE 43 To see if the Town will vote to raise and appropriate the amount of **\$750** for the out-of-town organization, **United Way – Oxford County.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 44 To see if the Town will vote to raise and appropriate the amount of **\$2,500** for the out-of-town organization, **White Mountain Adult Day Care.**

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 45 To see if the Town will vote to raise and appropriate the amount of **\$1,000** for the out-of-town organization, **Western Maine Veteran’s Home.** (\$500 to South Paris and \$500 to Scarborough)

Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

ARTICLE 46 To see if the Town will vote to raise and appropriate the amount of **\$16,000** to match a grant to install a generator at the Town Garage with any unexpended funds to be rolled over into the next fiscal year.

ARTICLE 47 To see if the Town will vote to raise and appropriate **\$57,616** to transfer to the Fire Department capital improvement account to make financing payments for the new fire engine.

ARTICLE 48 To see if the Town will vote to raise and appropriate the amount of **\$360,000** towards paving of roads, bridges, etc. It is recommended to apply all Local Road Assistance Funds (LRAF) received to offset this article.

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Board of Selectmen Recommendation: 3-0-0
Budget Committee Recommendation: 8-0-0

- ARTICLE 49** To see if the Town will vote to appropriate up to **\$140,000** for gravel from the general fund to maintain gravel roads.
- ARTICLE 50** To see if the Town will vote to raise and appropriate up to **\$30,000** to be divided into the three (3) **Capital Improvement Accounts**.
- ARTICLE 51** To see if the Town will vote to raise and appropriate the amount of **\$12,000** to create, facilitate and expedite a Zoning Ordinance, with any unexpended funds to be rolled over into the next fiscal year.
- Board of Selectmen Recommendation: 3-0-0**
Budget Committee Recommendation: 7-1-0
- ARTICLE 52** To see if the Town will vote to raise and appropriate **\$180,000** for the purchase of an excavator with a mower/mulcher and a trailer.
- Board of Selectmen Recommendation: 3-0-0**
Budget Committee Recommendation: 2-4-2
- ARTICLE 53** To see if the Town will vote to charge seven percent (7%) interest annually on taxes (and amounts owed to the Town) not paid by November 15, 2022 and May 15, 2023.
- ARTICLE 54** To see if the Town will vote to set the interest rate paid by the Town on abated taxes at three percent (3%) for the fiscal year.
- ARTICLE 55** To see if the Town will vote to hold its Annual Town Meeting on **Tuesday, June 13, 2023** and **Wednesday, June 14, 2023**.
- ARTICLE 56** To see if the Town will vote to increase the levy limit established for the town by State law in the event that the municipal budget approved under the preceding articles results in a tax commitment greater than this property tax levy limit.
- ARTICLE 57** To see if the Town will vote to raise and appropriate **\$2,500** for the Friends of Brownfield Recreation.

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ARTICLE 58 To see if the Town will vote to raise and appropriate **\$2,500** towards **Brownfield Old Home Day with any unexpended funds to be rolled over.**

ARTICLE 59 To see if the Town will vote to authorize the Board of Selectmen to accept and expend any grants and/or donations of money or property providing the donations or grants serve the best interest of the Town.

ARTICLE 60 To see if the Town will vote to authorize the Board of Selectmen on behalf of the Town, to sell and dispose of property acquired by tax process at public sale, except when being sold back to the former owner, or party who has succeeded to the title of the former owner, when a private sale may be utilized. "Public Sale" shall not mean "Public Auction" but shall mean a sale pursuant to such published notice in newspaper of general circulation within the Town as the Selectmen deem appropriate with notification of 30 days prior to the sale. The terms and conditions of any such sale shall be as the Selectmen deem advisable. In all cases, conveyance is to be made my municipal quitclaim deed.

ARTICLE 61 To see if the Town will transfer up to **\$325,000** from the General Fund/Surplus to offset the tax rate.

ARTICLE 62 To see if the Town will vote to amend the **Town of Brownfield Shoreland Zoning Ordinance** as was presented at the Public Hearing on March 8, 2022.

C. Permit Application

(1) Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in Section 14 **and preconstruction photographs and, no later than 20 days after completion of the development, post construction photographs of the shoreline vegetation and development site.**

ARTICLE 63 To see if the Town will vote to amend the **Town of Brownfield Land Use Ordinance** as was presented at the Public Hearing on April 26, 2022.

~~**4.6 Occupied travel trailer campers and recreational vehicles containing living units are permitted only on a temporary basis for not more than four months in any twelve-month period.**~~

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Proposed Revision

No camper, RV or travel trailer may be placed on any lot in the Town of Brownfield unless it has an approved septic system on the site to handle waste from the unit and must have a potable water supply for each unit except when it is located within a licensed campground or used for the purpose of ~~seasonal~~ storage. The water supply must be tested by a state licensed laboratory for human consumption. The unit shall be placed on a conforming lot as found in the Town of Brownfield's Land Use Ordinance or the Town of Brownfield's Shoreland Zoning Ordinance.

- No composting toilets or pit privies are allowed unless approved by a Maine licensed soil engineer and the Town of Brownfield's local plumbing inspector.
- No camper, RV or travel trailer may be lived in or used for a dwelling unit from November 30th to April 15th of each calendar year. The unit must be vacated, winterized, or removed from the lot no later than one week after November 30th of each calendar year.
- Only the owner of the lot or land may occupy any given camper, RV or travel trailer that is located on the owner's lot. One guest camper may be allowed but only for 30 days in a calendar year.

If the time restrictions cannot be strictly adhered to, then a written approval from the CEO may be granted with a specific length of time given.

- For the purposes of this ordinance or any other applicable ordinance in the Town of Brownfield, a camper, RV or travel trailer shall not be classified as a dwelling unit and must adhere to minimum lot size requirements. Any state and local laws that apply such as building or life safety codes shall be used in the enforcement of this ordinance.

ARTICLE 64

Shall an ordinance entitled **Town of Brownfield Short-Term Rental Ordinance (April 26, 2022)** be enacted?

Section 1. Authority; Purpose

This Ordinance is adopted pursuant to the Town of Brownfield's home rule authority established in Article VIII, Part Second of the Maine Constitution and in 30-A M.R.S. § 3001.

The purpose of this Ordinance is to balance the desire of property owners to rent their properties to short term tenants and the desire of residents to preserve the peaceful quiet enjoyment of their residences and residential

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neighborhoods and to ensure the health, welfare, and safety of occupants of short-term rentals.

Section 2. Definitions

As used in this Ordinance, the terms below shall be defined as indicated. All terms not defined below shall be afforded their customary dictionary definition.

Advertising: any form of communication for marketing that is used to encourage, persuade or manipulate viewers, readers, or listeners into contracting for goods and/or services as may be viewed through various media, including, but not limited to, newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites, text messages, or mobile applications.

Bedroom/Sleeping Area: an individual room providing sleeping areas for guests of a short-term rental. In order to be eligible to provide sleeping areas for short-term rental guests in the Licensed Premises, a bedroom must meet all additional dimensional standards specified in Section 5(B) of this Ordinance.

Dwelling: Any building that contains one or two dwelling units used, intended or designed to be built, used, rented, leased, let or hired out to be occupied or that are occupied for living purposes.

Dwelling unit: a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

License period: the period of one (1) calendar year, beginning on the date that the Planning Board votes to approve a short-term rental license, and all applications, permits and fees have been fulfilled. Unless renewed by the Planning Board, a short-term rental permit expires at the end of the license period.

Licensed premises: a dwelling that has received a short-term rental license from the Planning Board consistent with the provisions of this Ordinance.

Owner: a natural person or revocable trust that is the owner of record of real property as documented by deed or other document evidencing ownership recorded at the Oxford County Registry of Deeds.

Short-term rental: the use, control, management, or operation of a dwelling unit, in whole or in part, for dwelling, sleeping or lodging purposes by short-term rental guests, as defined in this Ordinance, for compensation, directly or indirectly, where the tenancy of such short-term rental guests lasts for fewer than thirty (30) consecutive days. For the avoidance of doubt, the term “short-term rental” includes, but is not necessarily limited to, accommodations offered to guests in conjunction with a wedding or other event, even if such wedding or event is not occurring on the licensed premises, and regardless of whether or not a separate fee is charged for said short-term rental above and beyond any fee charged for use of said wedding

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or event venue. A “short-term rental” does not include a bed and breakfast or other establishment that has received and maintains a license from the State of Maine to operate as a “lodging place,” as defined in 22 M.R.S. § 2429(7-F), as amended, and as more particularly specified in 22 M.R.S. § 2492 and 144 C.M.R. ch. 206.

Short-term rental guest. any person who rents, licenses, occupies, or has the right to occupy a dwelling unit, in whole or in part, for fewer than 30 consecutive days. Such definition is to be interpreted broadly, to prohibit subleases, occupancies, or assignments designed to circumvent the purposes of this Ordinance.

Section 3. Permitted Short-Term Rentals; All Others Prohibited.

No short-term rental may be advertised for rent, held out as being available for rent, or otherwise rented to a short-term rental guest, unless said short-term rental is:

- A.** contained within the Town of Brownfield, Maine. Under no circumstances may a short-term rental be located within an object or structure that does not comply with current Maine building codes and including but not limited to a vehicle, recreational vehicle, camper van, trailer, or tent;
- B.** rented as a hosted short-term rental as that term is defined in Section 2 of this Ordinance;
- C.** rented only after receiving a short-term rental license from the Planning Board; and
- D.** rented in a manner consistent and compliant with all provisions of said license and all performance standards contained in Section 5 of this Ordinance.

Section 4. Short-Term Rental License Required.

No short-term rental may be advertised for rent, held out as being available for rent, or otherwise rented to a short-term rental guest, without first obtaining a short term rental license from the Planning Board, and all other requirements of this ordinance which then may only be granted in a manner consistent with this Section.

A. Application Required. Applications for short-term rental licenses shall be submitted to the Planning Board Secretary on a form provided by the Town. All attachments that are required for this application must be presented in an organized manner that is accurately labeled and indexed. At a minimum, this form shall require the applicant to provide the following information:

- i. Owner contact information.** Legibly list the owner’s name, mailing address, email address, and day and evening telephone numbers. If the owner is a revocable trust, the names and other relevant contact information of all trust beneficiaries must be provided. When this contact information changes, the owner must notify the Planning Board and the CEO within 14

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days. Failure to do so is a violation of this ordinance. This information will be available to all owners of abutting and adjacent properties.

ii. Emergency contact information. The owner must also provide the name, mailing address, email address, and day and evening telephone numbers of two individuals, who shall be available to respond to and act upon any emergencies that may occur at the short-term rental during the tenancy of any short-term rental guest. For the avoidance of doubt, the designation of an emergency contact does not obviate any primary residence or other requirement of this Ordinance. When this contact information changes, the owner must notify the Planning Board and the CEO within 14 days. Failure to do so is a violation of this ordinance. This information will be available to all owners of abutting and adjacent properties.

iii. Location information. The street address and map/lot number of the proposed short-term rental must be provided. If the proposed short-term rental is not located on the same parcel of property as the owner's primary residence then the street address and map/lot number of this parcel of property must also be provided. If the property is not located on a public road, the form shall include directions to the property from the nearest public road.

iv. Availability. The permit application form shall include when, during the calendar year, the short-term rental will be available for rent.

v. Proof of Insurance. The Owner must provide a certificate of insurance that expressly acknowledges that the licensed premises may be used as a short-term rental and evidencing both property insurance and general liability insurance appropriate to cover the rental use in the aggregate of not less than \$1 million, or proof that the owner will conduct rental transactions through a hosting platform that provides equal or greater coverage.

vi. All additional information needed to demonstrate compliance with the performance standards listed in Section 5 of this Ordinance.

vii. A non-refundable application fee in the amounts listed below which represents the costs to the Town of administering this Ordinance. However, if re-inspections are required, there will be an additional fee of \$100.00 for each re-inspection if the first inspection fails. The fees are as follows:

- Tier One – consisting of 1 through 3 guests = \$150.00
- Tier Two – consisting of 4-6 guests = \$225.00
- Tier Three – consisting of 7 or more guests = \$300.00

ix. A Certificate of Occupancy from the Town is required.

B. Completeness Review. Following receipt of a short-term rental application, the Planning Board shall place consideration of the application on the next Planning Board meeting agenda. At that meeting, the Planning Board shall determine whether the applicant has submitted all information

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required by Section 4(A) of this Ordinance. If the Board determines that the applicant has provided all required information, the Planning Board shall schedule a public hearing consistent with Section 4(C) of this Ordinance. If, however, the Planning Board determines that the applicant has failed to provide all required information, the Planning Board shall provide the applicant with fourteen (14) calendar days to submit all such information to the Planning Board. The Planning Board may extend this deadline upon a finding of good cause documented by the applicant. Failure of an applicant to provide the required information within this timeframe, as may be extended by the Planning, so shall constitute an automatic withdrawal of the application.

C. Planning Board Deliberations. Following the completion of the public hearing, the Planning Board shall deliberate and consider whether or not the short-term rental application submitted by the applicant is compliant with all provisions of this Ordinance, and all additional requirements imposed by ordinance or state or federal law. In reaching this conclusion, the Planning Board may only consider evidence, both written and oral, submitted by the applicant or members of the public during the public hearing. The Planning Board shall prepare detailed findings of fact and conclusions of law. A written notice of decision, which shall constitute a short-term rental license, shall be prepared and disseminated to the applicant within fourteen (14) days of the date of Planning Board's vote.

D. License Period; Renewal. A short-term rental license is valid for a period of one (1) calendar year from the date of the Planning Board vote approving the short-term rental application. Licensees must submit new short-term rental applications, consistent with the terms of this Ordinance, each year. Renewal short-term rental licenses must be obtained from the Planning Board prior to the expiration of the license period, in order to avoid enforcement action being taken against the owner. Applications for renewal must be submitted thirty (30) calendar days prior to the expiration date, along with the renewal fees as established by Section 4(A)(vii) of this Ordinance. However, if re-inspections are required because the first inspection failed, there will be an additional fee of \$100.00 for each re-inspection.

E. Licenses Non-Transferable. Short-term rental licenses received under this Ordinance are not transferable to a new owner of the licensed premises. Any change in the ownership of the licensed premises shall require the issuance of a new short-term rental permit by the Planning Board before use of the licensed premises as a short-term rental may continue.

Section 5. Performance Standards; Conditions of Approval

The Planning Board shall not grant a short-term rental permit, unless it has found that the applicant has proven that their short-term rental license application complies with the performance standards contained in this section. If a short-term rental permit is granted, these performance

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standards shall become conditions of approval of the permit. Any failure of the Owner to remain compliant with these performance standards during the license term shall be grounds for the issuance of a notice of violation and/or a notice of revocation pursuant to Section 6 of this Ordinance.

A. Noise. No noise may be generated from a short-term rental that is in excess of 60 dB as measured from any property line of the licensed premises.

B. Occupancy Limits; Bedroom Dimensional Requirements. The maximum tenant capacity of a short-term rental is as follows: one (1) tenant for each bedroom of at least seventy (70) square feet in area, and 50 additional square feet for each additional tenant in any sleeping area. In order to be eligible to be counted towards these occupancy limits, a bedroom must, in addition to meeting the area requirements listed above: (i) have a ceiling of at least seven (7) feet in height for no less than 50% of the square footage of the bedroom and under no circumstances may have a ceiling height lower than five (5) feet at any point. Bedrooms must also meet all applicable requirements contained within the Town's and the State's fire and life safety codes including those for egress.

C. No Disorderly Building. The licensed premises shall not be determined to be a "disorderly building" as that term is defined in the Town of Brownfield Ordinance to Control Disorderly Buildings. Should a licensed premises be deemed to be a "disorderly building" consistent with that Ordinance, the Code Enforcement Officer shall immediately issue a notice of revocation to the owner, consistent with Section 6(B) of this Ordinance.

D. Code Compliance. The licensed premises must, without limitation, comply with all applicable state and local building, plumbing, property maintenance, life safety, and subsurface wastewater codes and rules, including but not limited to the following building safety requirements:

(i): *Smoke Alarms:* A smoke alarm is required in each bedroom. A smoke alarm is also required outside of each bedroom and in the immediate vicinity. A smoke alarm is also required to be on each story of the residence, including basements and habitable attics. The alarms shall be interconnected as much as reasonably possible.

(ii): *Carbon Monoxide Alarms:* If the house has an attached garage or a fuel fired appliance, a carbon monoxide alarm shall be installed outside each bedroom and in the immediate vicinity.

(iii): *Portable Fire Extinguishers:* At least one (1) portable fire extinguisher shall be mounted in a prominent location.

(iv): *Fuel Gas Detectors:* Fuel gas detectors must be installed in a manner consistent with 25 M.R.S. § 2469, as may be amended.

Prior to the initial issuance or renewal of any short-term rental license pursuant to this Ordinance (including any renewal thereof), the licensed premises must be inspected by the Town's Code Enforcement Officer and

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Fire Chief, or their designees, and deemed to be in compliance with all applicable codes and all applicable portions of this Ordinance.

E. Building Evacuation Plan. A building evacuation plan shall be prominently posted at every entrance, exit, sleeping area and public meeting room in the short-term rental property during the license period. This plan will include wording directing the tenants to call 911 for any emergency and all pertinent information for all emergency contacts.

F. No Revocation. A short-term rental owner whose short-term rental permit was revoked in accordance with Section 6 of this Ordinance is ineligible to receive a short-term rental permit for a period of one (1) calendar year from the date of said revocation.

G. No Serving Of Food. No food shall be prepared for, or served to short-term rental guests by an owner in a manner that would require an eating establishment licensed under State law.

H. No Large Gatherings. No parties, conferences, family reunions, weddings, fundraisers, or similar gatherings that involve more than the maximum allowable number of short-term rental guests under this Ordinance may occur at a licensed short-term rental.

I. Adequate Sanitary Waste Disposal. The applicant shall submit information demonstrating that adequate sanitary waste disposal is available in compliance with State of Maine Subsurface Wastewater Regulations.

Section 6. Notices of Violation; Revocation of Permit

A. Notice of Violation. After a license has been issued and upon determining that an owner is in violation of any provision of this Ordinance, the Code Enforcement Officer shall notify said owner of said violation in writing, and shall provide the owner with fourteen (14) calendar days to correct the violation. If the owner encounters extenuating circumstances that prevent the correction of any violations, the owner may confer with the authorities having jurisdiction to determine whether they will grant an extension of time to correct those violations. The authorities having jurisdiction have the sole authority to grant an extension. However, that if the licensed premises is deemed to be a disorderly building by the Select Board, consistent with the Town of Brownfield Ordinance to Control Disorderly Buildings then the Code Enforcement Officer shall immediately issue a notice of revocation to the owner consistent with Section 6(B) of this Ordinance.

B. Notice of Revocation. If, following the passage of fourteen (14) calendar days from the date of issuance of a notice of violation, or at the conclusion of a extension of time that had been granted by the authorities having jurisdiction, the Code Enforcement Officer re-inspects the short-term rental and deems the same to not be in compliance with this Ordinance, or if at any point in time the Code Enforcement Officer determines that grounds

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to issue a second notice of violation to the same owner are appropriate, the Code Enforcement Officer shall issue a notice of revocation to the owner. Upon receipt, further operation of the short-term rental at the licensed premises is expressly prohibited. Further licensure of the licensed premises as a short-term rental is also prohibited for a period of one (1) calendar year from the date of the notice of revocation.

Section 7. Appeals

Any appeal of a decision of the Planning Board to grant or deny a short-term rental permit application, or the issuance of any Notice of Violation or Revocation by the Code Enforcement Officer, shall be to the Town of Brownfield Board of Appeals within **30 days** of the date of the vote/issuance.

The Board of Appeals shall conduct a *de novo* hearing in which it will hear evidence on the application and make its own findings of fact and conclusions of law on the issue of whether the short-term rental application, or existing short-term rental is in compliance with the terms of this Ordinance. Any appeal of a decision of the Board of Appeals shall be to Superior Court, in accordance with 30-A M.R.S. § 2691(2)(G) and Rule 80B of the Maine Rules of Civil Procedure.

Section 8. Enforcement and Penalties

The advertisement, rental, or other operation of a short-term rental without a permit issued by the Town of Brownfield Planning Board, or the operation of a short-term rental in violation of any of the terms of this Ordinance, shall be a violation of this Ordinance. However, a current owner who is renting their dwelling as an STR will be allowed an advertising/rental grace period of 90 days while their permit application is being processed provided the owner submits their STR license application within 60 days from the date the STR Ordinance is adopted by majority vote at a duly called Town Meeting.

Violations of this Ordinance shall be subject to a minimum fine of \$100.00 per day and a maximum fine of \$2,500.00 per day, pursuant to 30-A M.R.S. § 4452. Each day that a violation remains constitutes a separate violation.

Payment of all fines is the obligation of the property owner. The Select Board, or its authorized agent, is authorized to initiate legal proceedings in Maine District Court to enjoin the advertisement, rental, or operation of short-term rental, as applicable. If the Town is the prevailing party in such proceedings, the Town shall be entitled to recover its costs of enforcement, including its attorney's fees.

Section 9. Construction; Severability

The provisions of this Ordinance shall be liberally construed and applied to promote its underlying purposes, as contained in Section 1 of this Ordinance. The provisions of this Ordinance are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

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Section 10. Other Laws

In the event of a conflict between the provisions of this Ordinance and the provisions of said Act or any other applicable state or local law or regulation, the more restrictive provision shall control

Section 11. Effective Date

The effective date of this Ordinance, and the licensing requirements thereunder, shall be the date of adoption by majority vote at a duly called Town Meeting.

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As a point of reference, last year, **267** votes were cast on June 9th, Election of Officers, and **98** votes were cast on June 10th, Open Town Meeting.

The Town of Brownfield, Maine:

Signed by: _____
William Flynn
Chair, Board of Selectmen

Signed by: _____
Ricky Emery
Selectmen

Signed by: _____
Richard Norcross
Selectmen

A true copy, Attest:

Signed by: _____
Michelle L. Day
Town Clerk

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RETURN ON THE WARRANT

Brownfield, Maine May 4, 2022 A.D.

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said town, qualified as herein expressed, to meet at said time and place, and for the purposes therein named, by posting an attested copy of said warrant at the Town Office and at the Post Office bulletin board in said town, being public and conspicuous places in said town, on the 4th day of May 2022 A.D., being at least seven days before the meeting.

Wanda Bartlett
Citizen of Brownfield, Maine