

ARTICLE I. GENERAL PROVISIONS

SECTION 1. TITLE

This Ordinance shall be known and cited as the Land Use and Development Ordinance of the Town of Dresden, Maine.

SECTION 2. AUTHORITY

This Ordinance is adopted pursuant to the enabling provisions of Article VIII-A of the Maine Constitution, the provisions of Title 30-A, MRSA Section 3001 (Home Rule), the State's Growth Management Law, Title 30-A, MRSA Section 4311 et. seq., and the Mandatory Shoreland Zoning Act, Title 38, MRSA Section 435 et. seq.

SECTION 3. PURPOSE

The purpose of this Ordinance is to ensure that land use changes or developments, which may have major or significant impacts on the Town, or parts thereof, will be consistent with the health, safety, and welfare of the townspeople. Consistent with the goals expressed in the Town Comprehensive Plan and the Opinion Poll therein, it is the purpose of this Ordinance to help protect and preserve the rural character of the Town and particularly the agricultural, environmental, scenic and historical aspects and values of the Town.

This Ordinance consolidates all requirements and standards of the following existing Town Ordinances and incorporates relevant new State requirements.

- A. Land Use Ordinance;
- B. Subdivision Ordinance;
- C. Major Land-Use Impact Ordinance;
- D. Mobile Home Park Ordinance;
- E. Building Code;
- F. Sign Ordinance;
- G. Shoreland Zoning Ordinance
- H. Town Road Standards Ordinance; and

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon its enactment by the Town.

SECTION 5. APPLICABILITY

The provisions of this Ordinance shall apply to all land, all land uses and all structures within the boundaries of the Town of Dresden.

SECTION 6. RELATIONSHIP WITH OTHER ORDINANCES

Whenever a provision of this Ordinance conflicts with, or is inconsistent with, another provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

SECTION 7. VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

SECTION 8. AMENDMENTS

A. Initiation and Procedure

1. A proposal for an amendment to this Ordinance may be initiated by:
 - a. The Planning Board, by favorable majority vote of the Board;
 - b. The Selectmen, through a request to the Planning Board;
 - c. An individual, through a request to the Planning Board and subsequent favorable majority vote of the Board; or
 - d. A written petition signed by Dresden voters equal to at least ten percent (10%) of the votes cast in Dresden in the last gubernatorial election. The petition shall be submitted to the Selectmen and referred to the Planning Board for discussion and a public hearing, if deemed appropriate, prior to placing the proposal on a warrant for a Town Meeting vote.
2. When a change in Land Use District boundaries is proposed, the application shall state the nature, extent, and location of the proposed boundary change, and shall be accompanied by a scale with dimensions drawing showing the areas to be changed.

B. Enactment

1. A proposed amendment to this Ordinance must be approved by a majority vote of the Town Meeting, for the amendment to be enacted.
2. Copies of amendments affecting shoreland districts and areas, certified by the attested signature of the Chairperson of the Planning Board, shall be submitted to the Department of Environmental Protection within fourteen (14) days of enactment by the Town Meeting and shall not be effective unless approved by the Department of Environmental Protection (DEP). If the DEP fails to act on any amendment within forty-five (45) days of its receipt of the amendment, the amendment is automatically approved. Any application for a permit submitted to the Town within forty-five (45) days shall be governed by the terms of the terms of the amendment, if such amendment is approved by the DEP.