

TOWN OF WAYNE
KENNEBEC COUNTY, MAINE

An ordinance to revise and codify ordinances of the Town of Wayne

Be it ordained by the Town Meeting of the Town of Wayne as follows:

§ 1-1. Code adopted; existing ordinances continued.

Pursuant to 30-A M.R.S.A. § 3004, the ordinances related to land use of the Town of Wayne of a general and permanent nature adopted by the Town Meeting of the Town of Wayne, as revised and codified and consisting of Chapters 1 through 60, are hereby approved, adopted, ordained and enacted as the Code of the Town of Wayne, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments.

§ 1-2. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Town Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified by the Town Clerk and such certified copy shall remain on file in the office of the Town Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Town Meeting to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Wayne" shall be understood and intended to include such additions and amendments.

§ 1-3. Notice; publication.

The Clerk of the Town of Wayne shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance, coupled with the filing of the Code in the office of the Town Clerk as provided in § 1-7, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-5. Repealer.

Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Wayne which is not in conflict with the provisions of the Code, including any ordinances of a general and permanent nature not included in the Code, shall remain in full force and effect.

§ 1-6. Ordinances saved from repeal.

The repeal of ordinances provided for in § 1-10 of this ordinance shall not affect the following classes of ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Wayne prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the Town of Wayne or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision of the Town of Wayne.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Wayne.
- E. Any ordinance of the Town of Wayne providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Wayne or any portion thereof.
- F. Any ordinance of the Town of Wayne appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Wayne or other instruments or evidence of the Town's indebtedness.

- G. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property or approval of preliminary or final subdivision plats or site plans.
- J. Any ordinances adopting or amending a zoning map or otherwise rezoning property.
- K. Any ordinances relating to salaries or personnel policies.
- L. Any ordinance or portion of an ordinance establishing a specific fee amount for any license, permit or service obtained from the Town.
- M. Any ordinances adopted subsequent to June 11, 2025.

§ 1-7. Changes in previously adopted ordinances.

- A. In preparing the revision and codification of the ordinances pursuant to 30-A M.R.S.A. § 3004, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town Meeting that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- C. Throughout the Code:
 - (1) References to the Selectboard, Board of Selectmen, and Selectmen are amended to read "Select Board."
 - (2) References to "registered" engineers and foresters are amended to read "licensed professional" engineers, surveyors, and foresters.
- D. Throughout Chapter 60, Zoning, the term "Chairman" is amended to read "Chairperson," and references to "certified" professionals and persons "certified" by the state, including soil scientists and geologists, are amended to read "licensed."

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Town of Wayne to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to a fine of \$100.

§ 1-10. When effective.

This ordinance shall take effect immediately upon final passage and publication as provided by law.