

**Town of Parkman
Moratorium Ordinance
Regarding Private or Private/Public Highways/Corridors
To Include Paved Highways, Pipelines**

The Town of Parkman, Maine adopts a Moratorium Ordinance as follows:

WHEREAS, a Private (or Private/Public Partnership, a "PPP") Corridor, to include private paved highways and/or pipelines might soon be built through areas of the Town of Parkman; and

WHEREAS, this development is anticipated and has not been adequately provided for in the Town's current Land Use Ordinance; and

WHEREAS, there is a strong likelihood that certain areas of the Town will continue to be subjected to this development pressure due to the amount of undeveloped land, the nonexistence of any regulations or restrictions on location of a Private or Private/Public Corridor, and the relatively low land prices of some of the land at issue; and

WHEREAS, continued development of such a Highway/Corridor pursuant to the continued Land Use Ordinance could pose serious threats to public health, safety and welfare to the residents of Parkman through the over-development of parts of the Town without adequate provisions for issues of safety and land use compatibility; and

WHEREAS, specifically but without limitation, such Highways/Corridors will likely have a profound effect on existing public roads which will impact public safety and welfare through fire safety, traffic safety, ground water protection and levels of noise; and

WHEREAS, after Public Hearing, there is strong support for this Moratorium Ordinance; and

WHEREAS, the Town will need at least 180 days to develop and implement the necessary amendments to zoning and land use ordinances and regulations to accommodate these development pressures; and

WHEREAS, amendments to the Land Use Ordinance require a public hearing by the Planning Board and the Board of Selectmen, and then must be voted upon at a Town Meeting; and

WHEREAS, in the Judgment of the Town, these facts create an emergency within the meaning of 30-A M.R.S.A. §4356(1)(B) and require the following Moratorium Ordinance as immediately necessary for the preservation of the public health, safety, and welfare;

NOW, THEREFORE, the Town of Parkman hereby ordains that a moratorium is hereby imposed, effective immediately and applicable, to the maximum extent permitted by law and subject to the severability clause below, to all proceedings, applications and petitions not pending (within the meaning of 1 M.R.S.A. §302) as of (April 4, 2013) _____, and on any new construction or use, requiring approval under the terms of the Town's zoning and land use ordinances and regulations for the Town until the effective date of the necessary amendments to the zoning and land use ordinances and regulations or until _____.

BE IT FURTHER ORDAINED, that the Planner, Planning Board, Board of Appeals, the Building Inspector, the Code Enforcement Officer, all Town agencies and all Town employees shall neither accept nor approve applications, plans, permits, licenses, and/or fees for any new construction or uses governed by this Moratorium for such Private or Private/Public Highways/Corridors for said period of time; and

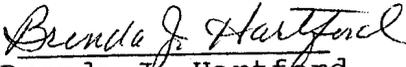
BE IT FURTHER ORDAINED, that those provisions of the Town's Land Use Ordinance and regulations which are inconsistent or conflicting with the provisions of this Moratorium, including, without limitation, the requirements for site plan review by the Planning Board, subdivision and/or special exception review by the Planning Board, and any variance appeals by the Board of Appeals, are hereby repealed to the extent that they are applicable for the duration of the Moratorium Ordinance hereby ordained, but not otherwise;

BE IT FURTHER ORDAINED, that to the extent any provision of this Moratorium Ordinance is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium Ordinance shall remain valid.

EMERGENCY CLAUSE:

In view of the emergency cited in the Preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town, and shall apply, to the maximum extent permitted by the law but subject to the severance clause above, to all proceedings, applications and petitions not pending as of (April 4, 2013) _____, and shall stand repealed, as of _____.

Attest: A true copy of a Moratorium Ordinance entitled "Regarding Private or Private/Public Highways/Corridors to include Paved Highways, Pipelines." for the Town of Parkman as certified to me by the Municipal Officers of Parkman on the 9th day of May, 2013.


Brenda J. Hartford
Town Clerk of Parkman