

TOWN OF ALNA, MAINE  
TOWN PROPERTY ORDINANCE

Section 1. Purposes

The purposes of this Ordinance are to provide for public safety, health and welfare through regulations on the use of property in which the Town of Alna owns a property interest.

Section 2. Authority and Effective Date

This Ordinance has been prepared in accordance with the provisions of Title 30A, Section 3001 of the Maine Revised Statutes Annotated (MRSA) and the Home Rule Powers as provided for the Article VIII-A of the Maine Constitution. This Ordinance shall be effective upon its adoption by vote at Special Town Meeting on June 26, 1996.

Section 3. Applicability to Town Owned Property

All the Regulations found in Section 10. of this Ordinance shall apply to all real estate in which the Town acquires a property interest subsequent to enactment of this Ordinance, except for Town Maintained Roads and Discontinued or Abandoned Roads, which are regulated as provided in Sections 4 and 5 below. The following properties were owned by the Town of Alna as of the date of enactment of this Ordinance, as described by sheet number and lot number of the Town of Alna, Maine Property Maps: Sheet U-1, Lot 6 (Town Office Lot), Sheet U-2, Lots 6 and 8 (Head Tide Dam Lots), Sheet U-2, Lot 29 (Head Tide Church Lot), Sheet R-1 Lot 74 (Fourteen acre lot taken for non-payment of taxes), Sheet R-2, Lot 20 (Forty-four acre lot taken for non-payment of taxes), Sheet R-4, Lot 26 (Old Center Schoolhouse Lot), Sheet R-4, Lot 72 (Town Dump Lot), Sheet R-5, Lot 3 (Old Meetinghouse Lot), Sheet R-5, Lot 21A (Salt Shed Lot), Sheet R-6, Lot 47 (Small camp lot taken for non-payment of taxes) and Sheet R-6, Lots 57 and 57A (Pinkham Pond Lots).

Section 4. Town Maintained Roads

There shall be no littering in the right of way of roads maintained by the Town of Alna.

Section 5. Discontinued or Abandoned Roads

Where the Town maintains a public easement or recreational easement in a discontinued or abandoned way, there shall be no littering or fires in such ways.

Section 6. Severability

Should any section or provision of this Ordinance be found invalid, such a finding shall not invalidate any other section or provision of this Ordinance.

Section 7. Conflicts 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 8. Amendments

This Ordinance can only be amended by a majority vote of the Town Meeting. Amendments may be initiated by a majority vote of the Planning Board, the Board of Selectmen or on petition of 10% of the number of registered voters of the Town who voted in the last gubernatorial election. The Planning Board shall conduct a public hearing on any proposed amendment.

#### Section 9. Filing and Availability

A copy of this Ordinance and any amendments hereto shall be filed with the Town Clerk. Copies shall be available to any Town resident or property owner at no charge and to others at a reasonable cost.

#### Section 10. Regulations

- a) Town owned property shall be considered as Open Space Land as defined in 36 MRSA § 1102(b). Open Space Land shall provide a public benefit by conserving scenic resources, enhancing public recreational opportunities, promoting game management and preserving wildlife or wildlife habitat.
- b) There shall be no cutting of firewood or harvesting of timber on Town owned property except by permission of, and under such conditions as set by, the Selectmen. Timber harvesting shall use accepted Silva culture practices, as determined by the Selectmen when granting permission.
- c) The hours of use of Town owned property shall be from sunup to sundown except by permission of the Selectmen
- d) There shall be no vehicles or snow machines operated on Pinkham Pond or the Town owned property that abuts Pinkham Pond.
- e) There shall be no unattended children under the age of twelve years of Town owned property.
- f) There shall be no smoking on Town owned property.
- g) There shall be no littering on Town owned property.
- h) There shall be no fires on Town owned property except by permission of the Town Fire Warden.
- i) There shall be no consumption of alcoholic beverages or other drugs on Town owned property.
- j) There shall be no camping on Town owned property except by permission of the Selectmen.

- k) There shall be no parking within eighteen feet of the dry fire hydrant located on the Pinkham Pond property.

#### Section 11. Violations and Enforcement

The Selectmen are authorized to institute legal proceedings to enjoin continuing violations of this Ordinance. A violation of this Ordinance shall be considered a nuisance. The Selectmen or the Constable are also authorized to file a complaint seeking a penalty or fine of up to five hundred dollars for any violations of Sections 4., 5. or 10. of this Ordinance. Any person, firm or corporation violating this Ordinance any also be liable for court costs and reasonable attorney fees incurred by the Town, as provided by Title 30-A, MRSA Section 4452.

#### Section 12. Appeals

Appeals concerning construction or application of this Ordinance shall be governed by the provisions of the Town of Alna Board of Appeals Ordinance.