

Order 245-16/17

Passage: 9-0 on 5/15/2017

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
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Effective 7/1/2017

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
Re: VARIOUS FEE INCREASES FOR FISCAL YEAR 2018  
IN CHAPTERS 14, 24, 25 AND 28**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Section 14-530 is hereby amended to read as follows:*

**Sec. 14-530. Development review fees and post approval requirements.**

(a) *Development Review Fees.*

1. Payment of fees and costs: Prior to the issuance of permits of any kind or the release of a signed subdivision plat for recording for any project whose permit fee is governed by this ordinance, all current charges due under this ordinance shall be paid and the developer must otherwise be in compliance with the provisions of the City Code.

...

4. Site Plan Review Expenses.

- |    |                            |                  |
|----|----------------------------|------------------|
| a. | Level I: Minor Residential | \$300 (flat fee) |
| b. | Level I: Site Alteration   | \$200            |
| c. | Level II: Site Plan        | \$400            |
| d. | Level III: Site Plan       |                  |
|    | i. Under 50,000 sf         | \$750            |
|    | ii. 50,000-100,000 sf      | \$1,000          |
|    | iii. 100,000-200,00 sf     | \$2,000          |

- iv. 200,000-300,000 sf \$3,000
- v. Over 300,000 sf \$5,000
- vi. Parking lots over 100 spaces \$1,000
- e. Master Development Plan \$1,000
- f. After the Fact Review \$1,000 plus application fee
- g. Amendment to Site Plans
  - i. Planning Board Review \$500
  - ii. Administrative Review \$250
- h. Other Site Plan Reviews
  - i. Administrative Authorization \$50
  - ii. Special Exception Sign Review \$75
  - iii. Section 14-403 Street Extensions \$400 plus \$25 per lot
- i. Fee for Development Review Services
  - i. Planning fee per hour ~~\$50~~52
  - ii. Legal fee per hour \$75
  - iii. Third-party Review Fees assessed by the Third Party Professional
- j. State Delegated Review Fees
  - i. Site Location of Development \$3,500, except for residential projects which will be \$200 per lot.
  - ii. Traffic Movement Permit \$1,500
  - iii. Stormwater Quality Permit \$250
- k. Performance Guarantee
  - 1. As required in Section 14-530 (b) (4).

1. Inspection Fees, as required in Section 14-530  
(b) (5)

i. Level I: Site Alteration, Level II and Level III: 2% of the performance guarantee or as assessed by Planning or Public Works Engineer at ~~\$50-52~~ an hour with minimum inspection fee of \$300 Level I: Minor Residential Inspection Fee \$100 (flat fee).

m. Street vacation \$2,000

2. That Section 24-72 is hereby amended to read as follows:

**Sec. 24-72. Sanitary sewer user charges.**

(a) *Applicability.* There are levied upon all parcels of land charges for cost of treatment of wastewater and stormwater and for the operation and maintenance of the wastewater system.

(b) *Billing.* Bills for all charges under this article may be sent to the record owner, or to the person requesting water service. Bills shall be sent to each such owner or person every month, except that persons billed quarterly or seasonally by the Portland Water District for water service may be billed quarterly or seasonally for all charges under this article. All payments shall be credited against the oldest outstanding bill sent to such owner or person. Any payments made to the Portland Water District or its agents, which do not indicate to which account they are to be applied, shall be applied as provided by contract between the city and the Portland Water District.

Bills shall contain an amount for sanitary sewer user charges, and if delinquent as provided in section 1-16 of this Code, shall include charges for interest to be computed in the same manner as provided for real estate taxes.

(c) *Computation.* The user charges shall be computed in accordance with the following schedule, as from time to time amended, which shall be sufficient to meet costs of the eligible purposes for which such charges may be used. ~~From January 1, 2016, user charges under this section for both dwelling units and commercial units shall be eight dollars and twenty cents (\$8.20) per hundred cubic feet of volume for connected parcels of land. Beginning January 1, 2017, user charges under this~~

~~section for both dwelling units and commercial units shall be nine dollars and thirty five cents (\$9.35) per hundred cubic feet of volume for connected parcels of land. Beginning July 1, 2017, user charges under this section for both dwelling units and commercial units shall be nine dollars and sixty-five cents (\$9.65) per hundred cubic feet of volume for connected parcels of land.~~ The user charge for developed but unconnected parcels of land shall be one dollar and seventy-one cents (\$1.71) per hundred cubic feet of volume. Each metered billing unit shall have a minimum charge of at least one hundred (100) cubic feet per month.

(d) *Purposes for which charges may be used.* Charges and assessments made under this article shall be used consistently with 33 U.S.C.A. § 1281 et seq., and applicable federal regulations for the following purposes:

- (1) To defray the current expenses of operating and maintaining the wastewater system, including any assessment made by the Portland Water District;
- (2) To pay the interest and repay the principal on any outstanding or future indebtedness of the city for construction of sewers heretofore or hereafter constructed within the city;
- (3) To reimburse the city for the cost of computation, billing and enforcement of such charges.

(e) *Collection.* Charges assessed pursuant to this section shall be enforceable pursuant to section 1-16 of this Code.

(f) *Disconnection for nonpayment of charges.* The Portland Water District shall disconnect sewer users with unpaid sanitary sewer user charges according to the same terms and procedures used to disconnect water users with unpaid water user charges.

3. *That Section 25-27 is hereby amended to read as follows:*

**Sec. 25-27. Fees.**

(a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:

- (1) Objects other than portable signs, including but not limited to tables, chairs, barricades and bollards, eighty-eight dollars (\$88.00) for one (1) fiscal year

or any portion thereof;

- (2) Portable signs, twenty-five dollars (\$25.00) plus twenty cents (\$0.20) per square foot of signage. Square footage is calculated pursuant to section 14-369(b) of the land use ordinance. Permits remain valid until there is a change:
  - a. In the sign dimensions; or
  - b. In the use, lessee or ownership of the business causing a change in the business name, design or dimensions.
- (3) Vehicles, equipment, or construction materials, fifteen dollars (\$15.00) per day or any portion thereof;
- (4) Use of city property (including but not limited to festivals, events, promotions, demonstrations, parades, marches, road races, walkathons, fundraisers, press conferences, rallies, protests, sampling, poll taking, banners and public displays), fee as provided by annual order of the city council;
- (5) Use of streets, ways or public places by street goods vendors as defined in Section 19-16 for purposes of vending, thirty-six dollars (\$36.00) per day or any portion thereof;

...

(c) The following violation fines are hereby established for the failure to obtain a street occupancy permit or follow an approved management plan for vehicle traffic and/or pedestrian detours:

- (1) \$75.00 per day for failure to obtain a revocable street and sidewalk occupancy permit; and
- (2) \$50.00 a day for failure to follow an approved management plan for vehicle traffic and/or pedestrian detours

4. *That Section 28-86 is hereby amended to read as follows:*

**Sec. 28-86. Parking meter rates.**

The rate for parking at a meter in the city shall be one dollar and twenty-five cents (\$1.25) per hour as follows: three (3) minutes for the first nickel five cents (\$0.05), two (2) for three (3) minutes for the second nickel; five (5) minutes for a dime ten cents (\$0.10) for six (6) minutes; and twelve (12) minutes for a quarter twenty-five cents (\$0.25) for fifteen (15) minutes, and one dollar (\$1.00) for one hour.

**BE IT FURTHER ORDERED**, that this amendment shall be effective on July 1, 2017.