

Town Field's Land Use Ordinance

Section 1 Purpose. The purpose of this ordinance is to preserve the two town lots known as the Gilmore and Newell Lots, as clear space crop based agricultural fields, with transient low impact motorized and non- motorized recreational use and to preserve the view shed offered by these lots. This ordinance, only where applicable and noted, will pertain to the lot known as "Sled Shed Lot", owned by the Town of Kingfield on the east side of Route 27 in said Kingfield. The fact that a particular use or activity is permitted under this ordinance does not relieve a public or private party from obtaining any necessary approvals and permits from the Kingfield Code Enforcement Officer and Planning Board or other governmental authority, before commencing or conducting a use or activity regulated by another land use law or ordinance.

Section 2 Authority. This ordinance is adopted pursuant to the enabling of Article VIII, Part 2, Section 1 of the Maine Constitution and the provisions of Title 30-A M.R.S.A. § 3001 et seq.

1. Uses permitted on the Newell/Gilmore Lots are as follows:
 - a) Subsurface wastewater disposal systems.
 - b) Crop based agriculture.
 - c) Community gardens.
 - d) Marked riverside trails solely for the purpose of non-snow season pedestrian use and non-mechanized vehicles such as bicycles. Applicable also to "Sled Shed Lot".
 - e) Marked trails on westerly side of lots solely for the seasonal transient use of ATV's which use may be subject to specific speed limits and limited hours of use as determined by the Board of Selectmen. Applicable also to "Sled Shed Lot." Trails to be maintained by users or representative club.
 - f) Marked trails designated for the transient use of snowmobiles which use may be subject to quiet zone restrictions during limited hours of use as determined by the Board of Selectmen or their designee. Trails to be maintained by users or representative club.
 - g) Motorized winter trail grooming on trails designated for snowmobile, Nordic skiing, or sledding use.
 - h) Sliding on Gilmore Hill, with appurtenant snowmobile use for the sole purpose of uphill transport.

2. The following uses are expressly prohibited on the Newell and Gilmore Lots and, where applicable and noted, "Sled Shed Lot":
 - a) ATV and snowmobile use on terrain other than marked trails, except where noted in Section 1. Applicable also to "Sled Shed Lot."
 - b) Vehicles in excess of 750 pounds except for uses associated with agricultural use, wastewater treatment and winter trail groomers.
 - c) Overnight parking and use of any motorized vehicles except for those used for agricultural purposes or wastewater treatment purposes.
 - d) Unlawful engine noise by snowmobiles and all-terrain vehicles.
 - e) Permanent structures, including without limitation; buildings, paved roads, parking lots, benches and tables.

*Accepted
Town Meeting
June 18th, 2011
Laura R. Tassett
Town Clerk*

- f) Any use not described in 1 (a) – (h).
3. Marked trail locations referred to in this ordinance are outlined on the attached map which is to be considered part of the ordinance.

Section 3 Administration, Amendment, and Enforcement.

This Ordinance shall be administered and enforced by the Code Enforcement Officer appointed or reappointed by the Board of Selectmen. It may be changed only by vote of the townspeople at a regular town meeting.

First time and minor violations of this ordinance not involving any property damage, injury, or cost to the Town will be enforced by means of a warning issued by an enforcement officer. Subsequent violations, or those that result in any property damage, injury to others, or any costs to the town may result in more formal enforcement proceedings. The municipal officers, upon notice from the Code Enforcement Officer, shall institute or cause to be instituted any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, which may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Municipality. Remedies available to the Town include those described in 30-A M.R.S.A. § 4452 including a fine of not less than \$100 nor more than \$2,500 per offense with each day on which such violation continues constituting a separate offense.

Enforcement Date: This Ordinance shall become effective upon a majority vote of the Town's legislative body at a duly called town meeting.