

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 482

S.P. 150

In Senate, February 11, 1993

**An Act to Provide an Adequate Period for the Adoption of Local Ordinances.**

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Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 30-A MRSA §4314, sub-§2, as enacted by PL 1991, c. 722, §6 and affected by §11, is amended to read:

2. Zoning ordinances. Notwithstanding section 4352, subsection 2, a zoning ordinance not consistent with a comprehensive plan adopted under this subchapter is void 24 months after adoption of the plan or by January 1, 1995, whichever date is later.

Sec. 2. 30-A MRSA §4346, sub-§2, as enacted by PL 1991, c. 780, Pt. E, §2, is amended to read:

2. Implementation assistance grants. The technical and financial assistance program must provide direct financial assistance to municipalities to implement the local growth management program. The maximum municipal cost share for an implementation assistance grant may not exceed 25%. A contract for an implementation assistance grant must include specific timetables governing the municipality's submission of zoning ordinances to the office for review.

A municipality may expend implementation assistance grant money received under this subsection for any purpose directly related to the preparation of policies, programs and land use ordinances implementing a comprehensive plan that has been adopted and that is consistent with this subchapter. Activities eligible for funding by an implementation assistance grant include, but are not limited to:

- A. Assistance in the development of ordinances;
- B. Retention of technical and legal expertise for permitting activities; and
- C. The updating of local growth management programs or components of the program.

The office may make implementation grants to a municipality before its comprehensive plan is adopted to facilitate the timely development and implementation of ordinances if the office finds that it is reasonable to assume that the municipality will adopt a comprehensive plan consistent with the purposes of this subchapter within 6 months.

STATEMENT OF FACT

This bill delays the deadline for a municipality to develop and adopt ordinances for its comprehensive plan by allowing previous zoning ordinances to remain in effect until at least

January 1, 1995. This bill also allows the Office of Community  
2 Development within the Department of Economic and Community  
Development to make implementation grants in anticipation of  
4 municipal adoption of a comprehensive plan.

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