

TOWN OF JONESPORT
Washington County, Maine
COMMERCIAL ROCKET LAUNCH ORDINANCE

Section 1. Title. This Ordinance shall be known and cited as the “Commercial Rocket Launch Ordinance” of the Town of Jonesport.

Section 2. Authority. The Ordinance is adopted pursuant to the Town’s Home Rule Authority, provided to it by the Maine Constitution and 30-A M.R.S. § 3001.

Section 3. Applicability. This Ordinance applies to the entire Town of Jonesport, including without limitation its islands and any waterways located within the designated boundaries of the Town.

Section 4. Purpose and Intent. The purpose of this Ordinance is to regulate commercial rocket launches performed by any person, company or other enterprise within the confines of the Town of Jonesport. The intent is to protect property, and the health, safety, welfare, and livelihood of the people of Jonesport by furthering and maintaining safe and healthful environmental conditions, protecting commercial fishing and related marine industries, conserving the natural beauty of the area, and protecting wildlife and endangered species and their habitat.

Section 5. Standards.

- A. Commercial Rocket Launches are not permitted to be conducted within the boundaries of the Town of Jonesport. This prohibition also applies to the retrieval of launch vehicles or payloads within the boundaries of the Town of Jonesport.
- B. Spaceports, launch sites, command and control facilities, or exclusion areas on land or coastal waters for launch and recovery are not permitted to be established in Jonesport.
- C. No permits will be accepted nor any permits granted for any purpose to circumvent this Ordinance.

Section 6. Exemptions.

- A. This Ordinance shall not be construed in any way to discourage or prohibit rocket launches that are not Commercial Rocket Launches. This exemption includes non-commercial rockets launched for education purposes by local schools, or for personal or hobbyist rocket launches provided that the rocket launched is not greater than a Class 1 Model Rocket in accordance with 14 CFR 101.22 (a).
- B. This Ordinance shall not be construed to limit or to discourage other components or business activities of the aerospace industry (e.g., engineering, manufacturing, assembly, etc.) that apply to do business in Jonesport and are in compliance with the Town’s relevant ordinances.

Section 7. Relationship with Other Ordinances. Whenever a provision of this Ordinance is inconsistent with another provision of any other ordinance, regulation, or statute, the more restrictive provision shall control.

Section 8. Severability. Should any section or provision of this Ordinance be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

Section 9. Enforcement.

The Code Enforcement Officer is authorized and shall have the authority to enforce all provisions of this Ordinance, including obtaining fines, injunctive relief, and reasonable attorney fees and costs pursuant to 30-A M.R.S. § 4452.

Section 10. Definitions used in this Ordinance:

Commercial Rocket Launches: A rocket of Class 2 or higher, as defined in 14 CFR Parts 401, 411, 413, 415 and 417 as appropriate, which is used to launch satellites or other payloads into space, either sub-orbital or into orbit, for testing, research or commercial purposes, whether done for profit or non-profit.

Aerospace Industry: Any commercial facilities, including spaceports, launch sites, command centers, workforce housing, offices, exclusion and retrieval areas located on land or in, on, or under coastal waters that involve or support the development, launch, reentry, or retrieval of flight vehicles or payloads in air or space, and are subject to the licensing and permitting power of the Federal Aviation Administration.

Person: A natural person, partnership, association, company, corporation, limited liability company or organization or a manager, agent, owner, director, servant, officer or employee thereof. "Person" does not include any governmental organization.

Enterprise: A company or business organization engaged in the buying, selling or transfer of goods or services, whether for profit or non-profit.

Section 11. Amendments.

- A. An amendment to this Ordinance may be initiated by the Municipal Officers, provided a majority of them have so voted; or, by written petition with enough signatures equal to at least ten percent (10%) of votes cast in the municipality at the last gubernatorial elections.

- B. The Municipal Officers shall hold a public hearing on the proposed amendment. Notification of the hearing shall be posted and advertised in a newspaper of general circulation in the municipality at least seven (7) days prior to the hearing.

- C. An amendment of this Ordinance shall be adopted by a majority vote of a Town Meeting.

Section 12. Effective Date. This Ordinance will be enacted on <Month/Day/Year> following the approval by the Voters of the Town of Jonesport and shall take effect immediately thereafter.

Harry Fish, Jr., Selectman

William K. Milliken, Selectman

Logan N. Alley, Selectman

BOARD OF SELECTMEN
TOWN OF JONESPORT, MAINE

ADOPTED BY THE TOWN OF JONESPORT AT A TOWN MEETING HELD ON: <Month/Day/Year>

Attested by Town Clerk: _____