

MORATORIUM

REGARDING THE DEVELOPMENT AND OPERATION OF COMMERCIAL SOLAR PANEL FACILITIES

WITHIN THE TOWN OF JONESPORT, WASHINGTON COUNTY, MAINE

The TOWN OF JONESPORT, MAINE ("the Town") adopts a Moratorium as follows:

WHEREAS, the Town of Jonesport presently does not have an ordinance addressing the development and operation of commercial solar panel facilities, nor does the Town's comprehensive plan address the same; and

WHEREAS, commercial solar panel facility development could become a common trend a/k/a solar farm; and

WHEREAS, the Town will need at least 180 days in which to gather information on the impact of commercial solar panel facilities on the environment and public health and welfare; and

WHEREAS, any ordinance pertaining to commercial solar panel facilities/farm and their operations requires a public hearing and a vote of the Town;

WHEREAS, any ordinance will not hinder or obstruct the use of solar panels on personal property or mounted on or near commercial buildings;

NOW THEREFORE, the Town of Jonesport hereby ordains that a Moratorium is hereby imposed, effective immediately and applicable, to the maximum extent permitted by law and subject to the severability clause below, to all proceedings, applications and petitions not pending (within the meaning of Title I M.R.S. Section 302) as of _____, and on any new construction use or operations of commercial solar panel facilities requiring approval under the terms of the Town's ordinances and regulations until the effective date of an Ordinance to be developed or until _____, unless sooner repealed or extended pursuant to 30-A M.R.S. Section 4356.

BE IT FURTHER ORDAINED, that the Planning Board, Board of Appeals, the Code Enforcement Officer, all Town agencies and all Town employees shall neither accept nor approve applications, plans, permits, licenses, and/or fees for any construction, development, operation or uses of commercial solar panel facilities within the Town of Jonesport as governed by this Moratorium for said period of time; and

BE IT FURTHER ORDAINED, that those provisions of the Town's ordinances and regulations which are inconsistent or conflicting with the provisions of this Moratorium, including without limitation, the requirements for the site plan review by the Planning Board, subdivision and/or special exception review by the Planning Board, or variance appeals by the Board of Appeals, are hereby repealed to the extent that they are applicable for the duration of the Moratorium hereby ordained by not otherwise; and

BE IT FURTHER ORDAINED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction the balance of the Moratorium shall remain valid.

THIS MORATORIUM shall take effect immediately upon passage by the Town, shall apply, to the maximum extent permitted by the law but subject to the severance clause above, to all proceedings, applications and petitions not pending as of _____ and shall stand repealed as of _____ unless extended by the Board of Selectmen for additional 180 day periods pursuant to Title 30-A M.R.S. Section 4356 (2)(3).

Dwight E. Alley, Selectman

Harry Fish, Jr., Selectman

William K. Milliken, Selectman

BOARD OF SELECTMEN
TOWN OF JONESPORT, MAINE

A true copy of a Moratorium entitled "Moratorium regarding the Development and Operation of Commercial Solar Panel Facilities within the Town of Jonesport, Washington County, Maine" as certified to me by the municipal officers of Jonesport on the _____.

Tonia J. Merchant, Town Clerk
TOWN OF JONESPORT, MAINE