

CITY OF ROCKLAND, MAINE

Updated 12/29/2020

BOARDS, COMMISSIONS AND COMMITTEES

VACANCIES

PLANNING BOARD	5 MEMBERS (2 Alt)	3-YEAR TERM
Vacant		2023
Vacant– Alternate		2022
Vacant - Alternate		2022
BOARD OF ASSESSMENT REVIEW	5 MEMBERS	3-YEAR TERM
Vacant		2023
Vacant – Alternate		2023
PERSONNEL BOARD	5 MEMBERS (1 Alt)	3-YEAR TERM
Vacant		2022
Vacant – Alternate		2023
BOARD OF REGISTRATION APPEALS	3 MEMBERS (Chm. 4 yr/D&R Mem. 3 yr)	
Vacant (D)		2023
Vacant (D-Alt)		2023
Vacant (R-Alt)		2023
ZONING BOARD OF APPEALS	5 MEMBERS (1 Alt)	3-YEAR TERM
Vacant - Alternate		2020
COMPREHENSIVE PLANNING COMMISSION	7 MEMBERS (2 Alt)	3-YEAR TERM
Vacant		2022
Vacant – Alt		2021
Vacant – Alt		2021
HARBOR MANAGEMENT COMMISSION	7 MEMBERS	3-YEAR TERM
Vacant		2021
Vacant		2022
Vacant		2023
Vacant – Alternate		2022
Vacant – Alternate		2022
HISTORIC PRESERVATION COMMISSION	7 MEMBERS	3-YEAR TERM
Vacant		2023
Vacant		2023
Vacant – Alternate		2021
Vacant – Alternate		2021

COAST GUARD CITY ADVISORY COMMITTEE	7 MEMBERS	3-YEAR TERM
Vacant		2022
Vacant		2022
Vacant		2023
Vacant		2023
Vacant		2023

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE	7 MEMBERS	3-YEAR TERM
Vacant		2021
Vacant		2022
Vacant		2022
Vacant		2023
Vacant		2023
Vacant		2023

ENERGY ADVISORY COMMITTEE	7 MEMBERS	3-YEAR TERM
Vacant		2021
Vacant		2022
Vacant		2023
Vacant		2023

LIBRARY ADVISORY COMMITTEE	5 MEMBERS	3-YEAR TERM
Vacant		2023

PARKS & RECREATION ADVISORY COMMITTEE	7 MEMBERS	3-YEAR TERM
Vacant		2021
Vacant		2023
Vacant		2023

AD HOC COMMITTEES

HARBOR TRAIL COMMITTEE	9 MEMBERS	NO TERM
Vacant		
Vacant		
Vacant		
Vacant		
Vacant		

HOUSING TASKFORCE		NO TERM
Vacant		

SHORT TERM RENTAL TASKFORCE & STUDY GROUP	7 MEMBERS	NO TERM
Vacant		
Vacant – Alt.		

Below are the Charter and Code references relating to the various Boards, Commissions and Committees of the City and a general outline of their duties and functions:

ROCKLAND PORT DISTRICT

Sec. 5. Powers. The district, through its trustees, is hereby authorized and empowered to do all that is necessary to insure adequate freight and passenger transportation facilities, including the purchase, lease or rental of land, wharves and docks necessary or desirable for the establishment of adequate docking and wharf facilities in the city of Rockland.

City Charter Section 407 Boards, Commissions, Committees

(a) Planning Board; Zoning Board of Appeals. The City Council shall create by ordinance a City Planning Board and a Zoning Board of Appeals to be composed of five members each, and to be organized under the guidelines established by state law.

(b) Boards in General. The council may create whatever other boards, commissions, or committees that it deems in the best interest of the City. Such boards, commissions, or committees shall be created by ordinance or resolve and shall serve at the pleasure of the City Council.

(1) Personnel of all boards, commissions and committees shall be appointed by the mayor, with the consent of the Council.

(2) Membership on all boards, commissions and committees shall be for three year terms unless otherwise specified by this charter or by the council.

(3) Members of such boards, commissions and committees may be removed before the expiration of their terms for cause by action of the council after public hearing if requested, before the mayor.

(4) Members of all boards, commission, and committees must reside within the City during their terms of office.

City Code References

PLANNING BOARD

Sec. 19-101 Establishment of Board

A Planning Board is hereby established as authorized by and in accordance with the terms of the Revised Statutes of Maine and by any subsequent amendments thereto.

Sec. 19-102 Organization; Term

The Board shall consist of five (5) members who shall be appointed by the Mayor and confirmed by the City Council, none of whom shall hold any other public office or position in the City. The City Manager (or designee) and Mayor (or designee) shall serve as ex-officio non-voting members of the Board. The Board shall elect annually, in January of each year, its Chair and Secretary from among its appointive members, except that after the appointment of a Director of Planning he such Director may be designated to serve as Secretary. Should the position of Chair become vacant during such year, the Board shall elect another of its member to serve as Chair for the remainder of that year. The term of the appointive members shall be three (3) years, except that of the five (5) first appointed, one (1) shall be appointed for a term of one (1) year, two (2) for two (2) years, and two (2) for three (3) years. Such terms shall expire December 31 of each year as designated. As of the effective date of this section, no member shall be elected as chair of the Board more than six (6) consecutive times; and as of the effective date of this section no member shall serve more than five (5) consecutive terms on the Board. Service on the Board prior to the effective date of this section shall not be included in such calculations. The secretary shall be responsible for taking minutes at each meeting of the Board, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Board. There shall also be one (1) alternate member of the Board who shall serve a term of three (3) years. The alternate member shall attend all meetings of the

Board, may participate in any discussions or hearings, but shall only vote on Board matters if a full quorum is not present at such meeting. When a vacancy occurs on the Board, the alternate member may be appointed to fill such vacancy. Eff: 11/09/18

BOARD OF ASSESSMENT REVIEW

Sec. 2-501 Establishment

There shall be a Department of Finance, the head of which shall be the Finance Director, who shall be, or be appointed by, the City Manager. There shall also be a single City Assessor, as provided by Chapter 229 of the Public Laws of 1963, a City Purchasing Agent, and a City Tax Collector and Treasurer, any or all of whom shall be, or be appointed by, the City Manager, with the exception of the City Assessor, who may not be the City Manager. There shall also be a Board of Assessment Review comprised of five (5) members who shall be appointed by the Mayor and confirmed by the City Council for a term of three (3) years, except for the five (5) members first appointed, two (2) shall serve for three (3) years, two (2) shall serve for two (2) years and one (1) shall serve for one (1) year. Such terms shall expire December 31 of each year as designated. The Board shall elect annually, in January of each year, a Chair and Secretary from its membership and shall adopt its own rules of procedure. Should the position of chair become vacant during such year, the Board shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Board more than six (6) consecutive times; and as of the effective date of this section, no member shall serve more than five (5) consecutive terms on the Board. Service on the Board prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Board, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Board. There shall also be an alternate member of the Board who shall serve a term of three (3) years. The alternate member shall attend all meetings of the Board, may participate in any discussions or hearings, but shall only vote on Board matters if a full quorum is not present at such meeting. When a vacancy occurs on the Board, the alternate member may be appointed to fill such vacancy.

Charter Reference: Article IV, § 403.

State Law Reference: 30-A M.R.S. § 2552; 36 M.R.S. § 843.

Eff: 11/09/18

PERSONNEL BOARD

Sec. 2-1201 Establishment

There is hereby created a Department of Personnel, the head of which shall be the Personnel Director who shall be or be appointed by the City Manager, and a Personnel Board, which shall consist of five (5) members who shall be appointed by the Mayor and confirmed by the City Council. Members of the Board shall serve three (3) year terms, except for the five (5) members first appointed, two (2) shall serve for three (3) years, two (2) shall serve for two (2) years and one (1) shall serve for one (1) year. Such terms shall expire December 31 of each year as designated. There shall also be an alternate member of the Board who shall serve a term of three (3) years. The alternate member shall attend all meetings of the Board, may participate in any discussions, but shall only vote on Board matters if a full quorum is not present at such meeting. When a vacancy occurs on the Board, the alternate member may be appointed to fill such vacancy. The Board shall elect one of its members in January of each year as its Chair and Secretary and determine its own rules of procedure. Should the position of Chair become vacant during such year, the Board shall elect another of its member to serve as Chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Board more than six (6) consecutive times; and as of the effective date of this section no member shall serve

more than five (5) consecutive terms on the Board. Service on the Board prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Board, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Board. Eff: 11/09/18

Sec. 2-1204 Duties of the Personnel Board (PB)

The primary duty of the PB is to evaluate applicants for positions of classified employment with the City and certify to the Personnel Director only those whom it deems acceptable candidates.

1. The PB will follow procedures it deems necessary to certify applicants. This may include, but not be limited to, review of applications, testing, interviews and consultation with department heads. A certified applicant is one who in addition to being qualified meets with PB approval after following its procedure. The PB will try to complete its work within 30 days of the closing period for the job solicitation.
2. Applicants may meet the basic qualifications for a job but not be certified for selection.
3. To the extent possible, certified candidates will be ranked in order of PB preference.
4. The PB will communicate with the Personnel Director to suggest effective recruiting and hiring practices. Eff: 9/12/01

BOARD OF REGISTRATION APPEALS

Sec. 6-107 Registrar of Voters; Deputy Registrar of Voters; Registration Appeals Board

There shall be a single Registrar of Voters for the City of Rockland appointed pursuant to the provisions of Title 21-A, Section 101 of the Maine Revised Statutes Annotated. The Registrar may appoint one or more deputy registrars pursuant to the provisions of Title 21-A, Section 102 of the Maine Revised Statutes Annotated. There shall also be a Registration Appeals Board established and appointed pursuant to the provisions of Title 21-A, Section 103.

State Law Reference: 21-A M.R.S. § 101-103

§103. Registration appeals board

In a city or town that has a population of 5,000 or more, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's voter registration application, that person may appeal in writing to the registration appeals board. [2005, c. 453, §9 (AMD).]

1. Population of 5,000 or over. The registration appeals board consists of 3 members who must be appointed as follows: The municipal committee of each of the major political parties shall nominate one member, who must be enrolled in the party of the municipal committee that nominates the member, and the municipal officers shall appoint the persons nominated by the municipal committees and the 3rd member must be nominated by the clerk of the municipality and appointed by the municipal officers. The clerk of the municipality may give the municipal committees of the political parties a list of qualifications necessary for a person to fulfill the duties of the registration appeals board, and the municipal committees shall take those qualifications into consideration when nominating members to the board. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the municipal committee nominating them and of the county or state committees of the political party that nominates them and may be members of a state or county delegation to a political convention. When a municipal committee nominates a member to the registration appeals board, it shall also nominate an alternate board member, who serves if the member

nominated by the municipal committee is or becomes unable to serve. The municipal clerk may not serve as a member or alternate member of the registration appeals board.

ZONING BOARD OF APPEALS

Sec. 19-201 Board Established; Membership

A Zoning Board of Appeals is hereby created, consisting of five (5) members to be appointed by the Mayor and confirmed by City Council for a term of three (3) years. Such terms shall expire December 31 of each year as designated. This Board shall annually elect, in January of each year, its own Chair and Secretary from among its members and determine its own rules of procedure. Should the position of Chair become vacant during such year, the Board shall elect another of its member to serve as Chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Board more than six (6) consecutive times; and as of the effective date of this section no member shall serve more than five (5) consecutive terms on the Board. Service on the Board prior to the effective date of this section shall not be included in such calculations. The secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. In addition, there shall also be one (1) alternate member of the Board who shall serve a term of three (3) years. The alternate member shall attend all meetings of the Board, may participate in any discussions or hearings, but shall only vote on Board matters if a full quorum is not present at such meeting. When a vacancy occurs on the Board, the alternate member may be appointed to fill such vacancy.

A Municipal Officer may not be a member or alternate of the Zoning Board of Appeals. Such Board, by vote of not less than a majority of its full membership after a public hearing in each case, is hereby authorized to interpret the details of the application of ordinances and regulations enacted under such sections in accordance with general rules set forth in such ordinances or regulations including the power to determine appeals from the erroneous refusal of building permits and to permit exceptions to, or variations from, regulations in the classes of cases or situations and in accordance with the principles, conditions, and procedure specified therein and so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent of plans and regulations made under such sections. Eff: 11/09/18

State Law Reference: 30-A M.R.S. §§ 2691, 4353.

Sec. 19-202 Powers and Duties; Conduct of Appeals

The Zoning Board of Appeals shall have the following powers and duties exercised by vote of not less than a majority of its full membership, after public notice and hearing:

A. To hear and decide appeals arising from a determination or interpretation of a zoning regulation, or the issuance or failure to issue a building or occupancy permit by the Code Enforcement Officer or his authorized agent.

1. Standing. Any person having a potential direct and personal injury, and any owner or lessee of abutting property or of parcels located entirely or partially within 300 feet of property that is the subject of any decision, action, or inaction of the Code Enforcement Officer, may appeal such decision, action, or failure to act to the Zoning Board of Appeals, and may appeal a decision of such Board to the Superior Court, as provided by law or rule of civil procedure.

2. Appeal Procedure. Except when a person having standing to appeal demonstrates good cause, an appeal must be filed with the Code Enforcement Office within thirty (30) days of the decision that is the subject of the appeal. The person taking the appeal shall file with the Code Enforcement Office a notice of appeal on a form provided for that purpose by the Code Enforcement Office, and, pay to the

City the administrative appeal fee as prescribed in the Code of Ordinances or by Order of the City Council, which fee is calculated to cover the various costs to the City including, but not limited to, publishing notice of hearing, notifying abutting land owners, and reviewing the appeal. The Code Enforcement Officer shall forthwith transmit to the Board a copy of the notice of appeal and of all papers constituting the record of the action that is the subject of the appeal. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal; may require that the appellant(s) submit a narrative summary of the appeal and of the grounds therefor; and at least one (1) week prior to the hearing, shall give public notice of such hearing by publication in at least one (1) issue of a newspaper published in the City. The appellant and applicant may appear in person, or by attorney or other agent.

3. Standard of Review / Burden of Proof. When acting in an appellate capacity, the Zoning Board of Appeals may reverse the decision of the Code Enforcement Officer only upon a finding that the decision was contrary to specific provisions of the Rockland Code of Ordinances, or contrary to the facts presented to the Code Enforcement Officer at or prior to his decision. The Board may remand the matter to the Code Enforcement Officer for further consideration, specifying the information to be obtained and/or considered upon remand, or may sustain the decision of the Code Enforcement Officer or grant the appeal and vacate or modify the decision that is the subject of the appeal. The person filing the appeal shall have the burden of proof as to all matters in the appeal.

B. Variances. A variance from a dimensional requirement or limitation imposed in Chapter 19, Section 19-304 may be granted by the Board only where strict application of the Article, or a provision thereof, to the petitioner and his property would cause undue hardship. A variance may not be granted to permit a use otherwise prohibited by Section 19-304. The phrase "undue hardship" as used in this subsection shall mean:

- (1) That the land in question cannot yield a reasonable return unless a variance is granted;
- (2) That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
- (3) That the granting of a variance will not alter the essential character of the locality; and
- (4) That the hardship is not the result of action taken by the applicant or a prior owner.

The work or change involving the variance shall be commenced within six (6) months of the granting of the variance and shall be substantially completed within one (1) year of the date on which the variance is granted unless the Board grants an extension of either period. The variance shall provide by its terms that rights thereunder will cease unless work is thus commenced and substantially completed. No variance shall be granted for a use not allowed within the zone in which the property is located.

C. Administration. To make the following determinations and grant the following permits:

Determine precise zone boundary lines to the extent authorized by Section 19-301(4).

Eff: 01/13/10

COMPREHENSIVE PLANNING COMMISSION

Sec. 19-403 Organization; Term

The Comprehensive Planning Commission shall consist of seven (7) members who shall be appointed by the Mayor and confirmed by the City Council. The Mayor (or designee) and the City Manager (or designee) shall serve as ex-officio non-voting members of the Commission. The Commission shall annually, in January of each year, elect its Chair and secretary from among its members. Should the position of Chair become vacant during such year, the Commission shall elect another of its member to serve as Chair for the remainder of that year. The term of the members shall be three (3) years, except that of the seven (7) first appointed, two (2) shall be appointed for a term of one (1) year, two (2) for two (2) years, and three (3) for three (3) years. Such terms shall expire December 31 of each year as

designated. As of the effective date of this section, no member shall be elected as chair of the Commission more than six (6) consecutive times; and as of the effective date of this section no member shall serve more than five (5) consecutive terms on the Commission. Service on the Commission prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Commission, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Commission. There shall also be two (2) alternate members of the Commission who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Commission, may participate in any discussions or hearings, but shall only vote on Commission matters if a full quorum is not present at such meeting. When a vacancy occurs on the Commission, an alternate member may be appointed to fill such vacancy. Eff: 11/09/18

Sec. 19-404 Duties of Comprehensive Planning Commission

The Comprehensive Planning Commission shall prepare a comprehensive master plan for adoption by the City Council pursuant to Title 30-A, §§ 4324-4327 of the Maine Revised Statutes.

After the City Council had adopted a master plan as provided in this Section, no regulation, official map, or zoning or other plan shall be enacted, established, or amended, under the provisions of Sections 19-104 to 19-106 inclusive, and no plat, street, or way shall be approved, under such provisions, until the Comprehensive Planning Commission shall have reported its recommendations in regard thereto, and no public building, structure (except as authorized under the provisions of the Revised Statutes of Maine), utility or roadway, or street, way, park, or other public land shall be authorized, established, or modified in location or extent until the Comprehensive Planning Commission shall have reported its recommendations in regard to the location and extent thereof. This report shall be made only after the Commission has made a careful investigation and is convinced that the plans or regulations recommended by it will fit in with the comprehensive master plan for the development of the City. If the Commission fails to report within thirty (30) days after submission to it of a proposed action, it shall be deemed to have approved such action.

After the appointment of a City Engineer, no plat shall be approved under the provisions of Section 19-105 until the Engineer has had opportunity to report thereon in regard to grades, feasibility of drainage and sewerage, and character of road surfacing.

HARBOR MANAGEMENT COMMISSION

Sec. 2-703 Harbor Management Commission

1. Purpose. The City of Rockland wishes to protect its marine-historic resources and sensitive natural resource areas found along its harbor and in nearshore coastal waters; to provide growth in public opportunities for water-based recreational activities; to maintain and enhance navigational facilities for the benefit of all harbor users; and to allocate land and water resources in an economically and environmentally sound manner. To this end, the City believes that the most equitable way of balancing competing uses in the harbor and adjacent coastal waters is to develop, adopt and implement a harbor management plan. To properly manage such a plan, and to plan for the future of Rockland Harbor, the City of Rockland hereby creates a Harbor Management Commission, pursuant to Title 38 of the Maine Revised Statutes Annotated.

2. Commission Composition. There shall be a Harbor Management Commission consisting of seven (7) members, appointed by the Mayor and confirmed by the City Council, from a list of persons recommended, because of their interest in harbor activities, by existing local committees, city staff, or local residents. Said Commission is intended to be representative of, but not limited to members or representatives of the following groups: The Rockland Planning Board, marina operators, recreational boating community, commercial shipping industry, commercial fishing industry, the commercial lobster industry, the

downtown/waterfront retail business community, and the Rockland-Thomaston Area Chamber of Commerce. In addition, there shall be two (2) alternate members appointed who shall serve in the absence of regular members and who may be appointed to fill any vacancies on the Commission. The Harbor Master shall serve as an ex-officio non-voting member of the Commission.

The Commission shall maintain close cooperation with the Planning Board, Parks Commission, Recreation Advisory Committee, Economic Development Advisory Committee and other agencies in matters of policy and planning of harbor and waterfront activities and development.

No regular member of the Harbor Management Commission shall receive compensation for service.

3. Commission Member Terms. The term of all members shall run for three (3) years, except for the first seven (7) first appointed, of which two (2) members shall be appointed for one (1) year, two (2) for two (2) years, and three (3) for three (3) years. The alternate members shall be appointed for terms of two (2) years, except for the first two (2) first appointed, of which one (1) shall be appointed for one (1) year, and one (1) for two (2) years. Such terms shall expire December 31 of each year as designated. There shall also be two (2) alternate members of the Commission who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Commission, may participate in any discussions or hearings, but shall only vote on Commission matters if a full quorum is not present at such meeting. When a vacancy occurs on the Commission, an alternate member may be appointed to fill such vacancy.

The Commission shall elect annually, in January of each year, a chair and secretary from its membership and shall adopt its own rules of procedure. Should the position of chair become vacant during such year, the Commission shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Commission more than six (6) consecutive times; and as of the effective date of this section no member shall serve more than five (5) consecutive terms on the Commission. The secretary shall be responsible for taking minutes at each meeting of the Commission, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Commission. The Commission may also form subcommittees to address specific duties of the Commission. Eff: 11/09/18

4. Jurisdiction of the Harbor Management Commission. The Harbor Management Commission shall have jurisdiction within the area located in or contiguous to the waters of Rockland Harbor as defined by the shoreline between the boundaries of Rockland with Rockport to the north and Owl's Head to the south. The boundary lines are projections of the land boundaries into the Harbor. Specific municipal properties under this jurisdiction include Snow Marine Park, Sandy Beach, Harbor Park, the Public Landing, Fisherman's Pier, Buoy Park, the Rockland Municipal Fish Pier, Marie Reed Park, Mildred Merrill Park, and/or any municipally owned property abutting Rockland Harbor. Eff: 04/13/05

5. Power, Duties and Responsibilities. The purpose of the Harbor Management Commission shall be to prepare a harbor management plan in accordance with Title 38 of the Maine Revised Statutes Annotated. Upon adoption of the plan, the Commission shall provide for the annual review of the harbor management plan and shall submit recommendations to the City Council for additions and/or modifications to the plan that may be deemed appropriate, subject to the process set forth in the Maine Revised Statutes Title 38 or other subsequent harbor management legislation enacted by the State of Maine. In addition, the Commission may exercise any of the following powers, duties and responsibilities:

a. to recommend ordinances for adoption by the City Council which implement the Harbor Management Plan and which specify fees and fines for violation of those ordinances, in accordance with the Maine Revised Statutes Title 38;

b. to assist the Harbor Master in the assignment of moorings, the management of mooring and anchorage areas.

c. To review and submit to the City Manager a proposed operating budget for the Harbor and Waterfront Department using funds from sources which may include, but are not limited to, local appropriations, mooring fees, violation fines, boat excise tax revenue or a harbor management fund established by the City

Council by ordinance.

d. To hear and to adjudicate administrative appeals of the grant or denial of a permit by the Harbor Master or Fish Pier Director;

e. To hear proposals and concerns of members of the following customer base:

- Commercial fishermen using the Municipal Fish Pier;
- Riparian land owners on Rockland Harbor regarding harbor use in the vicinity of their property; and
- Other marine related.

f. To assist in the coordination of all public and private agencies, commissions and other organizations which have interest or jurisdiction within the harbor area.

g. To approve use of municipal properties and award fee waivers as appropriate for the use of these properties by such groups or individuals whose presence is appropriate based on specific purposes in line with the harbor area and whose presence is natural and historic to the harbor. The Commission shall recommend appropriate municipal locations to the City Council for events deemed inappropriate to the municipal areas under the Commission's jurisdiction.

h. To review and make recommendations on proposed land and water use activities contiguous to the waterfront and within the waters delineated in Section 4 of this Ordinance that are received for review by other municipal agencies in accordance with the procedure described in Section 6 of this Ordinance.

i. To review for consistency with the harbor management plan any public notice of an application for a local, state or federal permit for an activity taking place within the Commission's jurisdiction as described in Section 4 of this Ordinance, and to respond in a timely fashion with recommendations to the regulating agencies.

j. To conduct or cause to be conducted, studies of the conditions and operations in and adjacent to Rockland Harbor and to present to the City Council proposals for the harbor's efficient operations; and

k. To request, when appropriate, a general permit from the United State Army Corps of Engineers and/or delegation of state enforcement authority pursuant to the Maine Revised Statutes Title 38.

6. The Commission shall establish a Fish Pier Management Committee that shall review and advise the Commission as to matters within the Commission's jurisdiction that affect Fish Pier operations, other than administrative appeals. The Fish Pier Management Committee shall consist of two or more Commission members and, whenever possible, representatives of users of the Fish Pier. The Fish Pier Management Committee shall serve an exclusively advisory role to the Commission.

7. Referral of Proposal Submitted to Other Municipal Agencies. Pursuant to the Maine Revised Statutes Title 38, the Commission shall review and make recommendations, consistent with the adopted harbor management plan, on any proposal affecting the real property on, in, or contiguous to the harbor and submitted to the Planning Board, Zoning Board of Appeals, Code Enforcement Office, Parks and Recreation Department, and City Council. The Harbor Management Commission shall be notified in writing of any such proposal at least twenty (20) days prior to the commencement of the hearing thereon or where no hearing is held, at least twenty (20) days prior to the taking of any final action on the proposal. The respective municipal agency shall send a copy of the application/proposal to the Commission upon request.

The primary reviewing agency authorized to act on the proposal shall consider the recommendations of the Commission. Failure of the Commission to submit a recommendation on or before the date of the hearing or action on such proposal shall be deemed an approval.

8. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance are hereby declared to be severable.

9. City Council Retention of Responsibilities, Duties, and Appellate Availability.

a. In creating the Harbor Management Commission, the City Council in no way abdicates those duties specific to the City Council as delineated in the City Charter and Code.

- b. All actions taken by the Harbor Management Commission may be appealed to the City Council.

PARKS & RECREATION ADVISORY COMMITTEE

Sec. 2-1601 Establishment and Purpose

There is hereby established a Parks and Recreation Department, the head of which shall be the City Manager. The purpose of this Department is to seek to enhance the health, welfare, and quality of life for its residents and visitors by providing public parks and recreational facilities throughout the City. Such public parks and recreational facilities provide a natural, beautiful setting for leisure, recreation, and special events, and help to conserve the scenery and natural and historic objects for the enjoyment of the current and future generations. The City's stewardship of its considerable public parks and recreational assets is made possible with the help and guidance of dedicated staff and volunteers, public and private partnerships and funding, and wise investments of limited resources with an eye toward preservation and future needs.

Sec. 2-1602 Parks and Recreation Advisory Committee

There is hereby established a Parks and Recreation Advisory Committee, consisting of seven (7) members, to be appointed by the Mayor and confirmed by the City Council, for three (3) year terms, except that of the seven (7) members first appointed, three (3) shall be appointed for a term of three (3) years, two (2) appointed for a term of two (2) years and two (2) for one (1) year. Such terms shall expire December 31 of each year as designated. There shall also be two (2) alternate members of the Committee who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Committee, may participate in any discussions or hearings, but shall only vote on Committee matters if a full quorum is not present at such meeting. When a vacancy occurs on the Committee, an alternate member may be appointed to fill such vacancy. The Committee shall elect a Chair, a Secretary, and a Tree Warden from its membership in January of each year, and adopt its own rules of procedure. As of the effective date of this section, no member shall be elected as chair of the Committee more than six (6) consecutive times; and as of the effective date of this section no member shall serve more than five (5) consecutive terms on the Committee. Service on the Committee prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. The Mayor (or designee) and City Manager (or designee) shall serve as ex-officio, non-voting members of the Committee. Eff: 11/09/18

Sec. 2-1603 Duties of Parks and Recreation Advisory Committee

The Parks and Recreation Advisory Committee shall advise the City Council and the City Manager in matters of policy and planning for parks, gardens, forests, public shade trees and recreational facilities; advise the City Manager regarding the care, maintenance, and improvements of parks, gardens, forests, public shade trees, and recreational facilities; and maintain close cooperation with the Planning Board, Comprehensive Planning Commission, the Harbor Management Commission, the Oyster River Bog Association, the Public Services Department, and Harbor & Waterfront Department on issue relative to the care, maintenance, and improvements of parks, gardens, forests, public shade trees, and recreational facilities. Eff: 11/09/18

COAST GUARD CITY ADVISORY COMMITTEE

Sec. 2-705 Coast Guard City Advisory Committee

There shall be a Coast Guard City Advisory Committee comprised of seven (7) members appointed by the Mayor and confirmed by the City Council for three (3) year terms, except that of the seven (7) members first appointed, three (3) members shall be appointed for three (3) year terms, two (2) member shall be appointed for two (2) year terms, and two (2) members shall be appointed for a one (1) year term; thereafter, all appointments shall be for a term of three (3) years which shall expire December 31 of each year as designated. There shall also be two (2) alternate members of the Committee who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Committee, may participate in any discussions or hearings, but shall only vote on Committee matters if a full quorum is not present at such meeting. When a vacancy occurs on the Committee, an alternate member may be appointed to fill such vacancy. The Mayor, or designee, and City Manager, or designee, shall serve as ex officio non-voting members of the Committee. The duties of the Committee shall be to act as a liaison between the City and the United States Coast Guard to advise the City Council on all matters pertaining to the continuing good relations between the City and the Coast Guard, to offer support to Coast Guard personnel and their families serving in the Rockland area, and to advise the City Council on any action necessary to maintain the City's designation as a Coast Guard City. The Committee shall elect annually, in January of each year, a chair and secretary from its membership and shall adopt its own rules of procedure. Should the position of Chair become vacant during such year, the Committee shall elect another of its member to serve as Chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Committee more than six (6) consecutive times; and as of the date of this section no member shall serve more than five (5) consecutive terms on the Committee. Service on the Committee prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. Eff: 11/14/08; Amended 10/14/09; Amended 11/09/18

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

Sec. 2-403 Economic Development Advisory Committee

1. Committee Established. There is hereby established an Economic Development Advisory Committee, comprised of seven (7) members appointed by the Mayor and confirmed by the City Council for three (3) year terms, except that of the seven (7) members first appointed, two (2) shall be appointed for a term of one (1) year, two (2) for two (2) years, and three (3) for three (3) years. Such terms shall expire December 31 of each year as designated. The Committee shall elect annually, in January of each year, a chair and a secretary from among its membership, and determine its own rules of procedure. Should the position of Chair become vacant during such year, the Committee shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Committee more than six (6) consecutive times; and as of the effective date of this section, no member shall serve more than five (5) consecutive terms on the Committee. Service on the Committee prior to the effective date of this section shall not be included in such calculations. The secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. There shall also be two (2) alternate members of the Committee who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Committee, may participate in any discussions or hearings, but shall only vote on Committee matters if a full quorum is not present at such meeting. When a vacancy occurs on the Committee, an alternate member may be appointed to fill such vacancy. In addition to the seven (7) members above, the Mayor (or designee), City Manager (or designee), Economic Development Director, the Community Development Director, and representatives from the

Penobscot Bay Regional Chamber of Commerce and Rockland Main Street, Inc. shall serve as ex officio, non-voting members of the Committee.

2. Duties. The Economic Development Advisory Committee shall advise the Economic Development Director and the City Council on all matters pertaining to economic development in the City of Rockland. The Committee shall maintain close cooperation with the Planning Board, Comprehensive Planning Commission, the Chamber of Commerce, Rockland Main Street, Inc., and other organizations concerned with or affecting economic development in the area. The Committee shall perform such other functions as may be necessary or requested of it by the Economic Development Director or the City Council, for the purpose of facilitating the area's economic vitality and growth. The Committee shall also serve as the Advisory Committee for Community Development Block Grant (CDBG) initiatives and applications.

ENERGY ADVISORY COMMITTEE

Sec. 19-501 Establishment of Committee

An Energy Advisory Committee is hereby established to advise the City Council on matters pertaining to energy sources, energy consumption, energy efficiency, and related environmental issues in the City of Rockland.

Sec. 19-502 Organization; Term

The Energy Advisory Committee shall consist of seven (7) members who shall be appointed by the Mayor and confirmed by the City Council. The Mayor and the City Manager shall serve as ex-officio non-voting members of the Committee. The Committee shall annually, in January of each year, elect its Chair and Secretary from among its members. The term of the members shall be three (3) years, except that of the seven (7) first appointed, two (2) shall be appointed for a term of one (1) year, two (2) for two (2) years, and three (3) for three (3) years. There shall also be two (2) alternate members of the Committee who shall serve a term of three (3) years. The alternate members shall attend all meetings of the Committee, may participate in any discussions or hearings, but shall only vote on Committee matters if a full quorum is not present at such meeting. When a vacancy occurs on the Committee, an alternate member may be appointed to fill such vacancy. As of the effective date of this section, no member shall be elected as Chair of the Committee more than six (6) consecutive times; and as of the effective date of this section, no member shall serve more than five (5) consecutive terms on the Committee. Service on the Committee prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for appropriate distribution once such minutes are accepted by the Committee. Eff: 11/09/18

Sec. 19-503 Duties of the Energy Advisory Committee

The Energy Advisory Committee is charged with developing and recommending to the City Council for review and possible implementation a Municipal Energy Policy that would serve as a guide for City government. The goals of this City Energy Policy shall include: (1) identifying cost effective options for reducing energy use within city government; (2) insuring that long term energy use and related energy cost are factored into city policy, planning and purchasing decisions; (3) identifying places within City Government where the use of alternative energy technologies should be explored; and (4) identify places where City actions may directly impact energy use in the community.

The Committee shall follow any energy related policy adopted by the City Council, report back to the Council on those policies' effectiveness and recommend changes where needed. Working from energy use and energy cost data provided to the Committee in August of each year by the Finance Director, the

Energy Advisory Committee shall report to the Council in December of each year on City energy use in the prior fiscal year.

In addition, the Committee is charged with identifying and researching potential projects as well as evaluating possible projects suggested by Council, City Staff or members of the community and then making recommendations to Council on ways City government can encourage and support energy efficiency, environmental conservation and sustainable energy development in all segments of the Rockland community. In fulfilling this task, the Committee's responsibilities may include, but are not limited to, providing community education on any successful energy initiatives within City government that could also benefit the business community if replicated there. Likewise, the committee shall work with City staff to ensure educational materials on any energy conservation opportunities for residential or business properties through programs like the Efficiency Maine Trust are readily available to members of the community who might benefit.

The Energy Committee shall also serve as the advisory committee for any energy, or energy-related environmental grants the City may apply for and/or receive.

LIBRARY ADVISORY COMMITTEE

Sec. 2-1003 Library Advisory Committee

There shall be a Rockland Public Library Advisory Committee appointed by the Mayor and confirmed by the City Council consisting of five (5) members. The term of office shall be three (3) years, except that at time of original appointment of the Committee, two (2) members shall be appointed for two (2) year term, two (2) members for one (1) year term and one (1) for one (1) year; thereafter, all appointments shall be for a term of three (3) years. Such terms shall expire December 31 of each year as designated. There shall also be one (1) alternate member of the Committee who shall serve a term of three (3) years. The alternate member shall attend all meetings of the Committee, may participate in any discussions or hearings, but shall only vote on Committee matters if a full quorum is not present at such meeting. When a vacancy occurs on the Committee, the alternate member may be appointed to fill such vacancy. The Committee shall elect annually, in January of each year, a chair and secretary from its membership and shall adopt its own rules of procedure. Should the position of chair become vacant during such year, the Committee shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected as chair of the Committee more than six (6) consecutive times; and as of the effective date of this section, no member shall serve more than five (5) consecutive terms on the Committee. Service on the Committee prior to the effective date of this section shall not be included in such calculations. The Secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. The Mayor (or designee), City Manager (or designee) and Library Director shall serve as ~~an~~ ex-officio non-voting members of the Committee. The duties of the Advisory Committee shall be to: Eff: 11/09/18

1. Library Policy. Advise the City Council on all matters of library policy. Eff: 5/12/93
2. Citizen Participation. Co-operate with the Library Director in a program to the end that our citizens may participate more fully in the benefits offered by the Library;
3. Adult Education. Co-operate with the Library Director in a program of adult education centering around the Library;
4. Donations. Co-operate with the Library Director to obtain maximum possible public assistance to the end that money and books may be donated to the Library by citizens.

PARKING ADVISORY COMMITTEE

Sec. 17-423 Parking Advisory Committee

There shall be a Parking Advisory Committee comprised of seven (7) members appointed by the Mayor and confirmed by the City Council for three (3) year terms, except that of the seven (7) members first appointed, three (3) members shall be appointed for three (3) years, two members shall be appointed for two (2) years and two (2) member shall be appointed for one (1) year. Such terms shall expire December 31 of each year as designed. The Committee shall elect annually, in January of each year, a chair and a secretary from among its membership, and determine its own rules of procedure. Should the position of Chair become vacant during such year, the Committee shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected chair of the Committee more than six (6) consecutive times; and no member shall serve more than five (5) consecutive terms on the Committee. The secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. The duties of the Committee shall include, but not be limited to, inventory of all public parking; perform parking needs assessments; create plans to meet parking needs; advise the City Council on parking matters; and such other duties as may be required by the City Council. In addition to the seven (7) members above, Mayor (or designee), City Manager (or designee), the City Engineer and Police Chief (or designee), shall be ex-officio non-voting members of the Committee. No member of the City Council may serve as an appointed, voting members of the Committee.

The Committee has also agreed to take the lead on drafting a Complete Streets Policy for the City Council to consider.

HISTORIC PRESERVATION COMMISSION

Sec. 20-205 Duties

The Historic Preservation Commission shall:

1. Publish a Historic Preservation Design Manual, described in Sec. 20-401, to guide the Historic Preservation Commission and property owners when reviewing proposed alterations, additions, or demolition of Local Landmarks or for buildings within Local Historic Districts, and proposed new construction within a Local Historic District. Articles IV and V of this ordinance shall not become effective until the Historic Preservation Design Manual is available to the public.

2. Hold regularly scheduled meetings, in a public and ADA accessible space, once a month, or as necessary, to:

a. Recommend to the City Council that a property or properties be designated as a Local Landmark or a Local Historic District;

b. Consider scheduled applications for Review of proposed alterations, additions, demolition, or moving of a Local Landmark or of a building within a Local Historic District, or proposed new construction within a Local Historic District, and make recommendations pertaining to the proposed work;

c. Plan ways to inform the public and City officials about historic preservation, Rockland's historic resources, and financial assistance available for the rehabilitation of historic buildings;

d. Apply for grants to publish materials pertaining to Historic Preservation, to conduct surveys of historic buildings, structures, sites, and districts within the City of Rockland;

3. Nominate buildings, structures, sites, or districts within the City of Rockland to the National Register of Historic Places, or review such nominations;

4. Conduct surveys of historic buildings, structures, districts and sites within the City of Rockland, using the Maine Historic Preservation Commission's Historic Building Survey Form, and maintain copies of those surveys at the City Clerk's Office and the Rockland Historical Society.
5. Sponsor educational programs pertaining to historic preservation.