

STATE LICENSE/PERMIT/REGISTRATION APPROVAL INFORMATION

The following information is from Chapter 6 of the Bucksport Town Code, effective as of February 11, 2017. This information is applicable to state license/permit/registration applications. Please refer to Chapter 6 for complete information about the administration and enforcement of business licensing in the Town of Bucksport.

1.10 Public Notice

- 1.10.1 The Town Clerk shall post notice of the time and date of the Town Council review of an application at the Bucksport Town Office and on the town's official website no less than 7 days prior to the date of the review.
- 1.10.2 Except as otherwise required in this section, notice of any public hearing concerning an application must be published in a daily newspaper having general circulation in the municipality at least 3 consecutive days before the date of hearing, or in a weekly newspaper having general circulation in the town of Bucksport at least 7 days before the date of the hearing.
- 1.10.3 Notice of a public hearing for approval of a Bottle Club must be published in a daily newspaper having general circulation in the municipality for at least 3 consecutive days before the date of the hearing, or in a weekly newspaper having general circulation in the municipality for 2 consecutive weeks before the hearing date.
- 1.10.4 Notice of a public hearing for approval of an Off-Track Betting Facility must be published in a daily newspaper of general circulation in the municipality for at least 6 consecutive days before the date of the hearing, or in a weekly newspaper of general circulation in the municipality on 2 consecutive weeks before the date of the hearing.
- 1.10.5 **The cost of advertising a public hearing shall be borne by the applicant and paid to the town prior to publication of the hearing notice.**

1.8 Administrative Procedures: Municipal Review of State Licenses, Permits & Registrations

- 1.8.1 The Town Clerk shall receive and process state license, permit and registration applications requiring municipal approval.
- 1.8.2 Upon receipt of an application, the Town Clerk shall determine if the following requirements have been met:
 - 1. The application has been completed and signed by the applicant.
 - 2. The required fee for municipal review has been submitted.
 - 3. All required land use permits have been issued, if applicable.
 - 4. Written permission from the property owner if other than the applicant has been submitted for first time applications.
- 1.8.3 The Town Clerk shall notify the applicant of any applicable requirement in Section 1.8.2 that has not been met. In the event all applicable requirements are not met, the Town Clerk shall note the deficiencies in the record for subsequent review.
- 1.8.4 The Town Clerk shall request a CFP Review to be conducted in accordance with the requirements of Section 1.9 for all applications.
- 1.8.5 **A public hearing shall be conducted by the Town Council for all first-time state licenses, permits and registrations subject to Town Council approval. The applicant or authorized agent must be present at a public hearing for their application.**
- 1.8.6 The Town Council may require a public hearing for a renewal application if deemed necessary to support the purposes of this chapter.
- 1.8.7 The Town Council or Town Clerk, as applicable, shall consider the CFP Review recommendations, any deficiencies noted in the record, any public comments, and the applicable requirements identified in Section 2, and approve or deny an application.

- 1.8.8 If an application for a state license, permit or registration is denied, the applicant shall be provided with a written decision within 10 days of the decision. The applicant shall also be provided with information about the right to appeal the decision in accordance with Section 7.
- 1.8.8.1 All fees submitted by an applicant shall be retained by the town.
- 1.8.9 No activity that has been licensed, permitted or registered by the state with municipal approval may continue after the license, permit or registration has expired, except as may otherwise be provided for by state law.

1.9 Administrative Procedures: CFP Reviews

- 1.9.1 A Code, Fire and Police (CFP) Review shall be conducted in accordance with the procedures identified in this section. The review shall be conducted by the Code Enforcement Office, Fire Department and Police Department for applications for first time municipal licenses and permits, municipal license and permit renewals, and applications for municipal approval of state licenses, permits and registrations. A CFP Review shall conclude with a recommendation to approve or deny a license, permit or registration.
- 1.9.2 A recommendation from the Code Enforcement Office shall be based on a review of local land use and zoning regulations, building standards, property maintenance regulations, and plumbing and subsurface wastewater disposal regulations enforced by the town.
- 1.9.3 A recommendation from the Fire Department shall be based on a review of life safety and fire prevention regulations enforced by the town.
- 1.9.4 A recommendation from the Police Department shall be based on a review of local public safety regulations and state laws enforced by the town.
- 1.9.5 A CFP Review shall include an inspection of the premises to the extent deemed necessary by the reviewing authorities.
- 1.9.6 A recommendation for approval shall be made upon finding that the applicant is in compliance with all applicable provisions of this chapter.
- 1.9.7 A recommendation for conditional approval may be made to address any compliance issue identified during a CFP Review.
- 1.9.8 A recommendation for denial must be based on any of the following conditions, as applicable:
1. The applicant has been convicted of any Class A, B, or C crime.
 2. The premises or its use is noncompliant with any municipal zoning or other land use ordinance not directly related to liquor control, or any applicable provision of Section 2 of this chapter.
 3. There are conditions of record such as waste disposal violations, health or safety violations, or repeated traffic or parking violations on or in the vicinity of the premises and caused by persons patronizing or employed by the premises.
 4. There are conditions of record caused by persons patronizing or employed by the premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the premises to use their property in a reasonable manner.
 5. There are repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law in the vicinity of the premises and caused by persons patronizing or employed by the premises.
 6. There is a violation of any applicable provision of Title 28-A M.R.S.A.
 7. Server training in a program certified by the State of Maine has not been completed by individuals who serve alcoholic beverages.
 8. There is a violation of any applicable provision of the Bucksport Town Code.

Chapter 6 may be viewed at the Bucksport Town Office during regular business hours. Copies may be obtained for a fee. Chapter 6 may also be viewed on the town's website, bucksportmaine.gov.

Please direct your questions to Jacob Gran, Town Clerk (jgran@bucksportmaine.gov)