

SECTION 1 – GENERAL PROVISIONS

A. TITLE

The Ordinance shall be known and cited as the Land Use Ordinance of the Town of Sebago, Maine, and will be referred to as “this Ordinance”.

B. AUTHORITY

This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution, and the provisions of Title 30-A, Sections 3001, and 4352 of the Maine Revised Statutes Annotated.

C. PURPOSE

The purposes of this Ordinance are:

1. To implement the provisions of the Town Comprehensive Plan.
2. To encourage growth in the identified growth areas of the community and to limit growth in the rural areas.
3. To promote the health, safety, and general welfare of the residents of the community.
4. To encourage the most appropriate use of land throughout the community.
5. To promote traffic safety.
6. To provide safety from fire and other elements.
7. To provide an allotment of land area in new developments sufficient for adequate enjoyment and community life.
8. To conserve natural resources.

D. APPLICABILITY

The provisions of the Ordinance shall govern all land and all structures within the boundaries of the Town of Sebago, exclusive of the land and water area subject to the Town’s Shoreland Zoning Ordinance.

If a proposed use is not covered by this or any other Town Ordinance, State and Federal Law may be applied.

E. CONFLICT WITH OTHER ORDINANCES

Whenever a provision of this Ordinance conflicts with or is inconsistent with any other provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

F. SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.

G. EFFECTIVE DATE

The effective date of this Ordinance shall be the date of the adoption by the legislative body on

June 7, 2014. The effective date of the 2023 Ordinance entitled “Amendments to the Land Use Ordinance of the Town of Sebago to Prohibit Quarrying in the Village and Rural Residential Districts” shall be the date of adoption by the legislative body, provided that the retroactive applicable date of those amendments shall be November 2, 2021.¹ The effective date of any amendments to this Ordinance shall be the date of adoption of the amendments by the legislative body.

H. ANNUAL ADMINISTRATION REVIEW

The Code Enforcement Officer, Town Planner, Planning Board and Board of Appeals each shall report annually to the Town Manager and Select Board on their respective experience with the administration of this Ordinance during the previous year. Their reports to the Manager and Select Board shall include any recommended amendments they may have that would:

1. Enhance their ability to more effectively meet their respective administrative responsibilities under this Ordinance.
2. Enhance the implementation of the purposes of the Ordinance contained in subsection C, items 1-8 above.

I. AMENDMENTS

1. This Ordinance may be amended by majority vote of the legislative body.
2. The Select Board has the authority to review/adjust any and all fees as needed.

¹ The amendments to the Land Use Ordinance of the Town of Sebago enacted by Sections 1 through 8 of this ordinance apply retroactively to November 2, 2021. Notwithstanding the provisions of Title 1, Section 302 of the Maine Revised Statutes, the amendments enacted by this ordinance shall apply to all applications for permits or approvals, and other proceedings, pending before any employee, officer, board, or other regulatory authority, of the Town of Sebago, on or after November 2, 2021, the retroactive date of applicability of this ordinance.