

TOWN OF KENNEBUNK

BOARD OF SELECTMEN - ORDINANCE REVIEW SUBCOMMITTEE

TUESDAY, OCTOBER 8, 2019 – 5:30-6:30 P.M.

KENNEBUNK TOWN HALL – ROOM 300

MINUTES/NOTES

1. CALL TO ORDER

On October 8, 2019, at 5:30 p.m., in Room 300 of the Town Hall, the following were in attendance at this Ordinance Review Subcommittee meeting:

Ordinance Subcommittee Members: Selectmen Christopher Cluff, Shiloh Schulte, Wayne Berry

Town Staff: Town Manager Michael Pardue and Fire Chief Jeff Rowe

2. REVIEW THE FOLLOWING ORDINANCE TO INCLUDE INPUT FROM PUBLIC SAFETY PERSONNEL:

- **3-21 Use of Consumer Fireworks**
[*Please refer to supporting material \(PDF\)*](#)

Chief Rowe spoke about some issues that had arisen due to the discharge of fireworks during the July 4th time period. He spoke of one particular situation where a resident had experienced significant and dangerous debris (cement like shrapnel) falling in their yard from a neighbor's permitted fireworks display. Chief Rowe presented a bag of the referenced debris for the subcommittee members to view.

The person, John Auger of 3 Devonshire Lane, who's yard the debris had fallen into was present. Mr. Auger spoke to the seriousness of the cement like shrapnel and how he felt fortunate the shrapnel had not hit him or his family members as he "is convinced" serious injury would have been incurred.

Following considerable discussion regarding the number of fireworks permits issued during the July 4th period, and the noise and fire hazard the discharge of fireworks can create, Chief Rowe and the subcommittee gave thoughtful consideration to some strategic amendments to the existing ordinance.

Chief Rowe recommended the subcommittee consider amending Section 3 c of the current ordinance to read, "No person shall display, fire or cause to be exploded any type of consumer fireworks within (75') of any building".....replacing the current 20' restriction.

Chief Rowe and the subcommittee, in concert with Mr. Auger's recommendation, also agreed the current ordinance should be amended to require all fireworks permit applications be accompanied by "an aerial view map" of the proposed "fireworks discharge area." The intent of this amendment is to afford the permit grantor an accurate depiction of the proposed discharge area, along with all associated structures in said area.

The subcommittee voted 3 in favor, 0 opposed with Cluff making the motion which was seconded by Schulte to bring their suggested ordinance amendments to the full Board of Selectmen for further consideration.

3. SET A FEE/FINE FOR VIOLATION OF THE FOLLOWING ORDINANCE, WHICH WAS APPROVED AT THE ANNUAL TOWN MEETING ON JUNE 11, 2019:

- **4-10 Ordinance Prohibiting the Release and Display of Balloons**
[Please refer to supporting material \(PDF\)](#)

The subcommittee then addressed the need for adopting a fine for violation of the recently enacted ordinance governing the Release and Display of Balloons. Following discussion, the subcommittee agreed to recommend a fine of \$25 for the first violation of said ordinance, a \$50 fine for the second offense and a fine of \$100 for a third offense.

The subcommittee voted 3 in favor, 0 opposed with Cluff making the motion which was seconded by Schulte to bring forward their recommended fine schedule to the full Board of Selectmen.

4. ADJOURN

The meeting adjourned at 6:27 p.m.

Subcommittee members moved to room 301 to begin the Board of Selectmen's Regular meeting at 6:30 p.m.

Minutes/Notes by Michael Pardue, Town Manager