CEMETERY ORDINANCE

for the

HERMON MUNICIPAL CEMETERIES

HERMON, MAINE

Adopted	May 3, 2003
Amended	February 5, 2009
Amended	July 8, 2010
Amended	December 19, 2013
Amended	September 26, 2019
Amended	September 15, 2022

FORWARD

It is the desire of the Town to make the Hermon Municipal Cemeteries quiet, beautiful resting place for the dead where a sense of repose will be obtained by dignified landscape effects on a well-maintained lawn. To secure these effects, the Town has spent and will continue to expend considerable sums of money. Preserving these effects will require the cooperation of every lot owner. Anything which would mar the general beauty and harmony of the cemeteries must be avoided. Peace and good order must prevail, and the sacredness of the place must be maintained at all times. It is to this end that these rules and regulations have been made effective, and the suggestions as contained herein are offered.

SECTION 1: CEMETERY SEXTON

1.1: The Cemetery Sexton shall be appointed by the Town Manager. The Sexton shall serve until removed by the action of the Manager. The Sexton shall be responsible to the Town Manager for the control and management of all municipal cemeteries; for the direction of all assistants under the Sexton's supervision, and for the administration of the Cemetery Ordinance adopted by the Town Council. The Sexton or a designee is expected to attend every internment.

SECTION 2: PURCHASE OF LOTS

2.1: Persons desiring to purchase a lot in the cemeteries are referred to the Cemetery Sexton. The Sexton will have available suitable plots showing size and price of lots and such other information as may be required and will be pleased to render assistance to those desiring to make lot purchases. Upon having made a lot selection, the Sexton will issue a lot order to the Town Clerk, where the lot sale will be made and the deed issued. The Cemetery Sexton may act as the agent of the Town whenever necessary.

2.2: The purchase price of lots and opening fees shall be determined by the Hermon Town Council. These fees shall be set out in Appendix A of this Ordinance and may be adjusted from time to time as the Council sees necessary.

SECTION 3: OWNERSHIP OF LOTS

3.1: The terms "Lot Owner" and "Ownership" shall mean the right to use a lot, purchased from the Town for burial purposes only.

3.2: Upon payment of the purchase price the Town shall issue a Deed under its seal, and the deed will be recorded in the records of the Town as proof of ownership of the lot.

3.3: The title to a cemetery lot invest in the owner the right to use the lot for burial purposes only, for themselves, their heirs, or for any such persons as they may choose to admit, provided such admission is free of charge and without compensation and in accordance with Cemetery Ordinance.

3.4: The lot owner cannot resell or transfer their lots to any person or persons whomsoever, without written notification to the Cemetery Sexton. A cemetery lot that an owner may desire to dispose of may be listed for sale with the Cemetery Sexton. The Town is under no obligation for making a satisfactory sale of such lots.

SECTION 4: CARE OF LOTS ("ANNUAL CARE")

4.1: All cemetery lots in the Town of Hermon are provided with annual care. A lot sold or created prior to the existence of this ordinance shall be afforded all rights to annual care. Any lot sold in accordance with Appendix A of this Ordinance will be afforded annual care as part of the purchase price of the lot. Annual Care shall include mowing of the lot, trimming around monuments and markers, fertilizing when necessary, and pruning trees and shrubs.

4.2: In addition to Annual Care, the Town reserves the right under the direction of the Town Manager and Cemetery Sexton to make minor repair to cemetery monuments and markers and to clean the monuments and markers as they deem appropriate. This does not require the town to take such action, but merely grants them the authority when it is necessary to maintain the overall appearance of the cemeteries in a dignified manner.

4.3: Each lot in the cemetery will, prior to its sale, be suitably marked by the Sexton with an iron or metal marker, placed on each lot corner and set level with the adjacent ground.

4.4: No mounds shall be raised upon any grave above the general level of the lot. Mounds are difficult to maintain, and the town reserves the right at any time to remove unsightly mounds and to level the grave at the general level of the lot.

4.5: Cleaning of the grounds shall happen on or about May 1st of every year, but no earlier, and on or about October 15th of every year, but no earlier. Cleaning shall occur to maintain the appearance of the cemeteries and shall include but is not limited to: removal of flowers (artificial or real), removal of unsightly structures, damaged or broken containers, pottery, etc, and items deemed inappropriate. Persons wishing to assure the care of specific items shall remove them prior to these dates or contact the Cemetery Sexton to make necessary arrangements. Appropriate signing will be installed at all town maintained cemeteries instructing that ornaments be removed two weeks after holidays or special occasions.

4.6: The Cemetery Sexton or Designee may remove items from the lots during the year in order to maintain the lots in accordance with Section 4.1. Further, any person placing items on a lot does so at their own responsibility. The town is not responsible for damage, loss, vandalism, or the elements (weather).

4.7: Under the authority of the Cemetery Sexton a person may decorate a lot with permanent plant, shrub, or tree. The care of these items is not the responsibility of the town. Further, no addition shall interfere with any adjacent lot, or in any way change the general plan or landscaping of the cemetery.

4.8: The Cemetery Sexton or Designee may remove trees and shrubs from a lot that is hindering the care of the Cemetery or damaging stones, lots, or grounds. The Cemetery Sexton shall meet with the Town Clerk to determine if any family members are available for contact. If not, a note should be made and left in the cemetery file dating and stating a reason for the removal of the tree.

4.9: A family member may also request the removal of items including trees from a lot. This request must also be in writing and signed. This letter will be kept on file in the Town Office. The Town reserves the right to deny the request if the item is deemed to not be hindering the cemetery or damaging a lot. (The Town is not responsible for differing opinions of family members on the removal of items.)

4.10: Vaults. Employees or contractors hired by the Town of Hermon will under no conditions enter a cemetery vault deemed to be a confined space for maintenance or any other purpose. The lot owner assumes responsibility for the vault's maintenance. It is the sole responsibility of the lot owner to make certain the individual entering the confined space has the required qualifications to do so. The Town of Hermon is not liable for any injuries to individuals entering the vaults deemed to be a confined space, nor is the Town of Hermon responsible for any damages to the vault or its contents while the individual is in the vault. (Amended July 8, 2010; Effective August 8, 2010)

SECTION 5: CEMETERY FUNDING

5.1: One hundred percent (100%) of the purchase price of lots, as described in Appendix A, shall be placed in a Cemetery Maintenance Reserve.

5.2 The Cemetery Maintenance Reserve shall also be used towards the purchase price of land for the expansion of Town Cemeteries.

5.3 The town may appropriate funds to the reserve account as part of a specific warrant article for cemetery improvement, maintenance, or expansion at the annual town meeting.

SECTION 6: GENERAL PROVISIONS

6.0: Before any monument company or lot owner installs markers or attempts to alter any lot, contacting the Cemetery Sexton for instruction is required.

6.1: VAULTS: The casket shall be enclosed in a permanent outside container. The following are considered permanent outside containers: Concrete boxes, concrete copper or steel burial vaults, and sectional concrete crypts.

6.2: TRESPASS: No unauthorized person shall be allowed upon the grounds after dark.

6.3: VANDALISM: No person shall injure any tree or shrub, or mare any landmarks, marker, memorial, or structure, or in any way deface the grounds of the cemetery.

6.4: DISCLAIMER: The town shall not be responsible for any theft or damage to anything left on the grave lots or in the cemetery.

6.5: VEHICLES: Any person driving in the cemetery shall be responsible for any damage done by his/her vehicle. Speeds of over 10 mph will not be permitted and no person shall drive a vehicle upon the lawns.

6.6

a. Only one monument per lot may be installed and the size and location of the monument must be approved by the Cemetery Sexton.

b. Markers installed flush to the ground may be installed at each gravesite located on the lot.

c. Only grass cover will be allowed on the lot except where the markers and the monument is located.

d. No Sheppard hooks will be allowed.

e. Only miniature shrubs will be allowed.

f. No plants that grow thorns or any permanent flowering bush.

g. No ground cover will be allowed.

h. All monuments must be pinned.

i. All monuments must be installed in the line of sight

j. All grave sites must be dug by a contractor selected by the Town except for cremation lots, which can be dug by a relative or friend once approved by the Cemetery Sexton.

k. All gravesites will be level to the ground and not humped.

l. The location of all gravesites will be recorded by the Cemetery Sexton and provided to the Town Clerk.

APPENDIX A

1. RESIDENT

   A resident means any person or son or daughter of person that can show proof of residency. Residency shall be proven to the satisfaction of the Sexton or Town Clerk and can include, but is not limited to, birth certificate, voter registration, tax bill, motor vehicle registration, lease agreement, or affidavit of a current resident.

2. LOT PRICES

   <u>All Cemeteries:</u>

Resident: 4' X 12' Lot	$400.00
4' X 4' Lot	$200.00
Non-resident: 4' X 12' Lot	$600.00
4' X 4' Lot	$300.00

3. INTERNMENT PRICES

	<u>Weekdays</u>	<u>Weekends</u>
Adult Grave, greater than 3 feet:	**$650.00**	**$700.00**
Cremation Grave or graves less than 3 feet:	**$200.00**	**$250.00**

4. ADDITIONAL FEES

   Funeral Homes will pay $50.00 per hour for services required by the town after 3:00 pm. There will be a $50.00 fee for the Sexton for burials on Sundays and Holidays.

From: Kristen Cushman
To: Jessefa Murphy
Subject: Re: Ordinance committee
Date: Monday, November 17, 2025 10:36:48 AM
Attachments: image001.png
concourse.pdf

Jesse,

CHAPTER 92: CONCOURSE GATHERING
92.19 Notice to town officials and other officials

Attached is the original ordinance passed by the council.

If there is anything else let me know.

Kristen Cushman
Town Clerk
Motor Vehicle Agent
Tax Collector
CUSHMANK@HERMONMAINE.GOV

Town of Hermon
333 Billings Road
Hermon, ME 04401
207-848-1010
207-848-3316 Fax

Please be advised that email communications sent to or received from Town employees are subject to the Freedom of Access Act and may become part of public record or shared with the media.

From: Jessefa Murphy <murphyj@hermonmaine.gov>
Sent: Monday, November 17, 2025 9:15 AM
To: Kristen Cushman <cushmank@hermonmaine.gov>
Subject: RE: Ordinance committee

Good morning,

Which town ordinance is this under to reference? Also, could I get a copy of the current ordinance for the committee to review?

Thank you

Jessefa Murphy
Code Enforcement Officer INS#2320
P: (207)848-1042
F: (207)848-3316
333 Billings Road
Hermon, ME 04401
www.hermonmaine.gov

From: Kristen Cushman <cushmank@hermonmaine.gov>
Sent: Thursday, September 25, 2025 9:12 AM
To: Jessefa Murphy <murphyj@hermonmaine.gov>
Subject: Ordinance committee

Jesse,

Please review the information below with ordinance committee as there is no need to forward a notice to the following list for concourse gathering permits. Please delete from the ordinance.

§ 92.19 NOTICE TO TOWN OFFICIALS AND OTHER OFFICIALS. Immediately upon issuance of a concourse gathering permit, the municipal officers shall send a copy thereof to the following: (A) The Town Manager; (B) The Town Attorney; (C) The Fire Chief; (D) The State Police Chief; and (E) The municipal officers of: (1) Town of Levant; (2) Town of Glenburn; (3) City of Bangor; (4) Town of Hampden; 16 Hermon - General Regulations (5) Town of Newburgh; and (6) Town of Carmel. (Ord. passed - -

Thank you and if you need anything else, please let me know.

Kristen Cushman
Town Clerk
Deputy Tax Collector
Motor Vehicle Agent

CUSHMANK@HERMONMAINE.GOV

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CONCOURSE GATHERING ORDINANCE

OF THE

TOWN OF HERMON, MAINE

PREAMBLE

WHEREAS, The Inhabitants of the Town of Hermon, Maine are concerned about the effect of large numbers of people which attend outdoor gatherings such as pageants, exhibitions, amusement shows, theatrical performances, and music festivals
and,

WHEREAS, Such outdoor gatherings in other parts of the United States of America have been of a spontaneous nature and did not provide for adequate provisions to continue normal Municipal services nor to provide adequate safe and healthful conditions the masses of people attending, and

NOW, Therefore, the Town of Hermon hereby ordains these CONCOURSE GATHERING REGULATIONS in official Meeting Convened.

EFFECTIVE DATE: 10/13/78
AMENDMENTS EFFECTIVE: 03/01/91
AMENDED September 6, 2000; Effective October 6, 2000

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ARTICLE 1 TITLE

1.1 This ordinance shall be known and may be cited as "Concourse Gathering Ordinance of the Town of Hermon, Maine", and will be referred to herein as "this ordinance".

ARTICLE 2 PURPOSE

2.1 The purposes of this ordinance are to further the maintenance of safe and healthful conditions for the masses of people which attend public outdoor gatherings and to assure the comfort, convenience, safety, health, and welfare of the citizens of the Town of Hermon, Maine and surrounding communities.

ARTICLE 3 DEFINITIONS

3.1 In general, words and terms used in this ordinance shall have their customary dictionary meanings. For the purpose of this ordinance, certain words and are defined as follows:

CONCOURSE: An outdoor space where crowds of people gather.

CONCOURSE GATHERING: A gathering of 500 or more persons in an outdoor space or a temporary structure.

CONCOURSE GATHERING PERMIT: A permit as required by this ordinance.

MUNICIPALITY: A City, Town, or other district having local self government. The specific meaning of the word "municipality" used herein would be the Town of Hermon, Maine.

PARKING SPACE: A minimum area of two hundred (200) square feet, exclusive of drives, aisles, or entrances, fully accessible for the storage or parking of vehicles.

PERSON: Any person, firm, partnership, association, corporation, company, or organization of any kind.

ARTICLE 4 PERMIT REQUIREMENT

4.1 No person shall engage in, participate in, aid, form, or start any concourse gathering unless a concourse gathering permit shall have been obtained from the municipal officers.

4.2 This ordinance shall not apply to any governmental agency acting within the scope of its functions.

ARTICLE 5 PERMIT APPLICATION

5.1 A person seeking issuance of a concourse gathering permit shall file an application with the municipal officers.

5.2 An application for a concourse gathering permit shall be filed with the municipal officers not less than forty-five (45) days before the date on which it is proposed to commence the event. **(Amended 9/6/00)**

5.3 If the concourse gathering is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such concourse gathering permit shall file with the municipal officers a communication in writing from the person proposing to hold the concourse gathering event authorizing the applicant to apply for the permit on his behalf.

5.4 The application for a concourse gathering permit shall set forth the following information:

1. The name, address, and telephone number of the person applying to conduct such event requiring a concourse gathering permit.

2. If the concourse gathering event is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and the names, addresses, and telephone numbers of the authorized and responsible officials of such organization.

3. The name, address, and telephone number of the person who will be the chairman of the event and who will be responsible for its conduct.

4. The name, address, and telephone number of the person or persons providing the site or sites for the concourse gathering event to be held.

5. A written statement from the property owner or owners providing the site or sites for the concourse gathering event stating that he authorizes the of his land for such event.

6. The commencing date of the concourse gathering and the termination date of the concourse gathering and the commencing time and termination time on each date of the gathering.

7. The location or locations of the concourse gathering event.

8. The number of persons who, the number and kind of animals which, and the number and types of vehicles which are expected to attend and/or take part in concourse gathering event.

9. A Plan View Drawing of the site or specifically showing the location and size of the site, location and extent of water supply facilities, location and extent of sanitary facilities, location and extent of fire protection facilities, location and extent of first aid facilities, location and extent of dining facilities, location and extent of off street parking facilities, and other pertinent data.

10. A corporate surety bond from a company authorized to do business in the State of Maine insuring that after the event is over and the mass of people have vacated the site or

sites the grounds shall be left in a clean and neat fashion, and damages to public and/or private property arising out of or in connection with the event will be paid promptly. Such bond shall be in the amount of five thousand dollars ($5,000.00) for each one thousand (1,000) persons or fractional part thereof, expected to be in attendance.

5.5 The Municipal officers may request any additional information which is deemed reasonably necessary for a fair determination to issue a concourse gathering permit.

5.6 There shall be paid at the time of filing the application for a concourse gathering permit a fee of fifty dollars ($50.00).

5.7 The municipal officers may waive any section of this article if they deem such action necessary.

ARTICLE 6 STANDARDS OF ISSUANCE

6.1 The Code Enforcement Officer may issue a permit after approval by the municipal officers for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, they find that:

1. The conduct of such gathering of people will not interfere with the normal movement of traffic.

2. The concentration of persons, animals, and vehicles at the concourse gathering site will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas.

3. The conduct of such gathering of people will not create a fire hazard such as to grassland or woodland.

Control over the concourse gathering will be such that the entire group of people understand that this ordinance does not grant any property rights, it does not authorize any person to trespass, it does not authorize any person to infringe upon or injure the property of another, it does not excuse any person of the necessity of complying with other laws and regulations.

6.2 WATER SUPPLY

6.2.1 The water supply shall be adequate, of a safe, sanitary quality, and from a source approved by the Town of Hermon Plumbing Inspector.

6.2.2 All water supplies shall be subject to inspection at all times by the Town of Hermon Plumbing Inspector. Water from such sources shall not be used or supplied to the public unless samples therefrom have been tested and approved by the State of Maine Department of Health and welfare within the proceeding six (6) months. A copy of the water analysis shall be available on the premises.

6.2.3 Supplies of safe, sanitary, potable water shall be located throughout the concourse gathering area at reasonable intervals or sequence. The volume of water available at these locations shall be such that it will serve each person a minimum of one and one half gallons per day. There shall be an adequate number of spigots, drinking cups, and dispensers provided at these water supply locations.

6.3 OFF STREET PARKING FACILITIES

6.3.1 Adequate off street parking facilities shall be provided and shall be subject to approval of the Town of Hermon's Road Commissioner.

6.3.2 Off street parking facilities shall be provided at a minimum rate of one parking space for each four-(4) persons reasonably expected to attend.

6.3.3 All entrances to the off street parking facility from a public street shall be approved by the Town of Hermon's Road Commissioner or the State of Maine's Department of Transportation or both. Any expense involved with the provision of these entrances shall be borne by the permittee.

6.3.4 Traffic Officers shall be provided at each off street parking entrance during periods of substantial use. It shall be the obligation of the permittee to provide said traffic officers and bear any and all expenses involved.

6.4 SANITATION FACILITIES

6.4.1 Solid waste containers constructed of metal, wood, or plastic shall be located throughout the concourse gathering area at a reasonable interval for the disposal of material such as paper, cans, bottles, and garbage. These containers shall be emptied of all their contents at least every twenty-four hours. The material from these containers shall be disposed of by removal from the gathering site and taken to a municipal dump.

6.4.2 Separate male and female toilet facilities shall be provided at the rate of one toilet facility for each forty persons. One third of the male facilities may consist of urinals. Hand washing provisions shall be available at each toilet facility and shall consist of stored water in containers equipped with spring operated spigots, soap dispensers, and paper towels. Adequate provision for the disposal of hand washing wastewater shall be made such as by dry wells or soakage pits.

6.4.3 All sanitary facilities shall be subject to inspection at all times by the Town of Hermon Plumbing Inspector.

6.5 MEDICAL FACILITIES

6.5.1 A first aid facility shall be provided. This facility shall consist of a structurally stable enclosure and stocked with medical supplies sufficient to administer necessary medical attention to the number of people attending the concourse gathering. The first aid facility shall be staffed with a minimum of two licensed ambulance attendants.

6.5.2 A minimum of two vehicles, in a safe and good running condition, shall be available at all times (with a driver for each vehicle) to be used as ambulances.

6.5.3 The first aid facility shall be subject to inspection at all times by the State of Maine Health and Welfare Department.

6.6 POLICE PROTECTION

6.6.1 Police protection shall be set by Council for each individual application based upon the perceived need.

6.7 FIRE PREVENTION FACILITIES

6.7.1 Fire prevention facilities shall be provided throughout the concourse gathering area. Equipment such as fire extinguishers, spades, brooms, sand, and water shall be provided.

6.7.2 The fire prevention facilities shall be approved by the Town of Hermon Fire Chief and shall be subject to inspection at all times by the Town of Hermon Fire Chief.

6.8 SETBACKS

6.8.1 All activities, including parking, shall be set back at least 200 feet from property lines. The Council may increase/decrease this distance if it feels that the increase/decrease is warranted to protect the health, safety and welfare of the community and its residents.

ARTICLE 7 NOTICE OF REJECTION

7.1 The Municipal Officers shall act upon the application for a concourse gathering permit within thirty (30) calendar days after the filing thereof. The Municipal Officers shall send a letter to the abutters of the property on which the gathering is proposed, notifying them of the date of the Council Meeting at which the event shall be discussed and that a copy of the application is on file with the Town. If the Municipal Officers disapproved the application, they shall mail to the applicant within fifteen (15) days after the date upon which the application was filed, a notice of their action, stating the reasons for their denial of the permit.

ARTICLE 8 APPEAL PROCEDURE

8.1 Any person aggrieved by the denial of the Municipal Officers to issue a concourse gathering permit shall have the right to appeal the denial of the concourse gathering permit to the Town of Hermon Board of Appeals.

The appeal shall be taken within seven days after notice. Board of Appeals shall act upon the appeal at their next regularly scheduled meeting.

ARTICLE 9 NOTICE TO TOWN OFFICIALS AND OTHER OFFICIALS

.1 Immediately upon issuance of a concourse gathering permit, the Municipal Officers shall send a copy thereof to the following:

1. The Town Manager;

2. The Town Attorney;

3. The Fire Chief;

4. The State Police Chief; and

5. The Municipal Officers of:
   a. Town of Levant;
   b. Town of Glenburn;
   c. City of Bangor;
   d. Town of Hampden;
   e. Town of Newburgh; and
   f. Town of Carmel

ARTICLE 10 CONTENTS OF PERMIT

10.1 Each concourse gathering permit shall state the following information:

1. Starting Date;
2. Ending Date;
3. Location; and
4. Such other information as the Municipal Officers shall find necessary for the enforcement of this ordinance.

ARTICLE 11 DUTIES OF PERMITTEE

11.1 A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

11.2 The concourse gathering chairman or other person heading such activity shall post the permit in a conspicuous place on the site of the concourse gathering.

ARTICLE 12 REVOCATION OF PERMIT

12.1 The Municipal Officers shall have the authority to revoke a concourse gathering permit issued hereunder upon application of the standards for issuance herein set forth.

ARTICLE 13 RELEASE OF CORPORATE SURETY BOND

13.1 Before a permittee may be released from any obligation required by his corporate surety bond, the Municipal Officers will require from the Town Manager, and whatever other agencies may be involved, certification that the concourse site or sites have been satisfactorily cleaned up and that all damages to public and private property have been settled.

ARTICLE 14 PENALTIES

14.1 Any person, firm, or corporation convicted of violating any of the provisions of this ordinance shall be fined an amount not less than fifty dollars ($50.00) nor an amount exceeding one thousand dollars ($1,000.00) per day for each separate violation.

ARTICLE 15 SEPARABILITY

15.1 The invalidity of any provision of this ordinance shall not invalidate any other part.

ARTICLE 16 EFFECTIVE DATE

16.1 This ordinance shall take effect and be in force thirty (30) days after passage by the Town Council.

16.2 The effective date of this Ordinance is October 13, 1978.

CONCOURSE GATHERING ORDINANCE
PREAMBLE

WHEREAS, The Inhabitants of The Town of Hermon, Maine are concerned about the effect of large numbers of people which attend outdoor gatherings such as pageants, exhibitions, amusement shows, theatrical performances, and music festivals and,

WHEREAS, such outdoor gatherings in other parts of the United States have been of a spontaneous nature and did not provide for adequate provisions to continue normal municipal services nor to provide adequate safe and healthful conditions to the masses of people attending, and

NOW, therefore, The Town of Hermon hereby ordains these amendments to the concourse gathering ordinance in meeting convened.

SIGNED this 30th day of January, 1991 by the Municipal Officers:

Peggy A. Elmer, Chairperson
Guy A. Brown
John R. Page, Sr.
Anne S. Freeman
Walter J. Munn, Jr.
Ralph T. Carr

EFFECTIVE DATE: 03/01/91

AMENDMENTS TO THE CONCOURSE GATHERING ORDINANCE FOR 01/30/91:

1. ARTICLE 3 DEFINITIONS - CONCOURSE GATHERING

CURRENT: A gathering of 1,000 or more persons in an outdoor space or a temporary structure.

PROPOSED: A gathering or 500 or more persons in an outdoor space or a temporary structure.

2. ARTICLE 5 PERMIT APPLICATION, 5.2:

CURRENT: An application for a concourse gathering permit shall be filed with the Municipal Officers not less than thirty (30) days nor more than sixty (60) days before the date on which it is proposed to commence the event.

PROPOSED: An application for a concourse gathering permit shall be filed with the Municipal Officers not less than forty-five (45) days nor more than sixty (60) days before the date on which it is proposed to commence the event.

3. ARTICLE 5 PERMIT APPLICATION, 5.4 (6):

CURRENT: The commencing date of the concourse gathering and the termination date of the concourse gathering.

PROPOSED: ADD: And the commencing time and termination time on each date of the gathering.

4. ARTICLE 5 PERMIT APPLICATION, 5.6:

CURRENT: There shall be paid at the time of filing the application for a concourse gathering permit a fee of twenty-five dollars ($25.00).

PROPOSED: There shall be paid at the time of filing the application for a concourse gathering permit a fee of fifty dollars ($50.00).

5. 6.6 POLICE PROTECTION, 6.6.1:

CURRENT: Police protection shall be set by Council for each individual application.

PROPOSED: ADD: Based upon the perceived need.

6. 6.8 SETBACKS 6.8.1:

CURRENT: none

PROPOSED: ADD:

6.8 Setbacks

6.8.1 All activities, including parking, shall be set back at least 200 feet from property lines. The Council may increase/decrease this distance if it feels that the increase/decrease is warranted to protect the health, safety and welfare of the community and its residents.

7. ARTICLE 7 NOTICE OF REJECTION, 7.1:

CURRENT: The Municipal Officers shall act upon the application for a concourse gathering permit within fifteen (15) calendar days after the filing thereof. If the Municipal Officers disapproved the application, they shall mail to the applicant within fifteen (15) days after the date upon which the application was filed, a notice of their action, stating the reasons for their denial of the permit.

ROPOSED: The Municipal Officers shall act upon the application for a concourse gathering permit within thirty (30) calendar days after the filing thereof. ADD: The Municipal Officers shall send a letter to the abutters of the property on which the gathering is proposed, notifying them of the date of the Council Meeting at which the event shall be discussed and that a copy of the application is on file with the Town.

PREAMBLE

WHEREAS, The Inhabitants of the Town of Hermon, Maine are concerned about the effect of large numbers of people which attend outdoor gatherings such as pageants, exhibitions, amusement shows, theatrical performances, and music festivals and,

WHEREAS, Such outdoor gatherings in other parts of the United States of America have been of a spontaneous nature and did not provide for adequate provisions to continue normal Municipal services nor to provide adequate safe and healthful conditions to the masses of people attending,

NOW, Therefore, the Town of Hermon adopts this amendment to the Concourse Gathering Ordinance of the Town of Hermon, Maine in official meeting Convened:

5.2 An application for a concourse gathering permit shall be filed with the municipal officers not less than forty-five (45) days ~~nor more than sixty (60) days~~ before the date on which it is proposed to commence the event.

SIGNED THIS 6th day of September 2000, BY THE MUNICIPAL OFFICERS:

Anthony D. Smen

Donald E. Shepley

Anne S. Freeman

Janet Bart

Stanley E. Chapman

Andre E. Cushing, II

Louis F. LaChance

Adopted September 6, 2000
Effective October 6, 2000

From:	Kristen Cushman
To:	Jessefa Murphy
Subject:	Re: Ordinance committee
Date:	Monday, November 17, 2025 10:44:18 AM
Attachments:	image001.png excise exemption.pdf

Jesse,

Attached is the ordinance.

Town of Hermon Code of Ordinances in Chapter 70: General Provisions 70.02 Vehicle excise tax exemption to repeal and replace with following Maine State Statutes under M.R.S.A. 36 and M.R.S.A 29-A

- 36 M.R.S.A. § 1483(16) (Maine Revised Statutes, Title 36, Section 1483, Subsection 16) provides that motor vehicles owned (including jointly with a spouse) by a person on active duty serving in the United States Armed Forces who is permanently stationed at a military or naval post, station or base in the State or deployed for military service for a period of more than 180 days are exempt from the excise tax. Maine State Legislature+2Maine State Legislature+2

- Additionally, 36 M.R.S.A. § 1483-A allowed municipalities by ordinance to exempt vehicles owned by residents on active duty outside Maine or deployed for more than 180 days.

§ 523. Certain veterans (Title 29-A)

- Subsection 1: Allows amputee or blind veterans (who have received an automobile from the U.S. Government under 38 U.S.C. §§ 3901 et seq., or who receive compensation for service-connected disability) to register a vehicle without payment of the regular registration fee. Maine State Legislature+1

- Subsection 2: For 100% disabled veterans (service-connected disability), the Secretary of State shall issue registration certificate and special “Disabled Veteran” plates with no annual registration fee for vehicles up to a certain gross weight, when application is accompanied by relevant certification – *and evidence of payment of excise tax under Title 36 §1482 or evidence of exemption under Title 36 §1483, sub-§12*. Maine State Legislature+1

- Subsections 3 and 3-A: Provide for “special veterans registration plates” and veteran plates for motorcycles under certain service criteria. Justia+1

Implication: Title 29-A §523 provides registration fee waivers or plate-benefits for veterans, but explicitly ties to excise tax payment or exemption under Title 36 (for some benefits) in certain provisions.

If anything else is needed, let me know.

Thanks

Kristen Cushman
Town Clerk
Motor Vehicle Agent
Tax Collector
CUSHMANK@HERMONMAINE.GOV

Town of Hermon
333 Billings Road
Hermon, ME 04401
207-848-1010
207-848-3316 Fax

Please be advised that email communications sent to or received from Town employees are subject to the Freedom of Access Act and may become part of public record or shared with the media.

From: Jessefa Murphy <murphyj@hermonmaine.gov>
Sent: Monday, November 17, 2025 9:14 AM
To: Kristen Cushman <cushmank@hermonmaine.gov>
Subject: RE: Ordinance committee

Good morning,

Which town ordinance is this under to reference? Also, could I get a copy of the current ordinance for the committee to review?

Thank you

Jessefa Murphy
Code Enforcement Officer INS#2320
P: (207)848-1042
F: (207)848-3316

333 Billings Road
Hermon, ME 04401
www.hermonmaine.gov

From: Kristen Cushman <cushmank@hermonmaine.gov>
Sent: Thursday, September 25, 2025 9:12 AM
To: Jessefa Murphy <murphyj@hermonmaine.gov>
Subject: Ordinance committee

Jesse,

Please review the information below with ordinance committee as the law has changed and the ordinance is no longer in compliance.

My recommendation is to change the ordinance to state we follow state law.

§ 70.02 VEHICLE EXCISE TAX EXEMPTION. (A) Authority. This section is enacted pursuant to 36 M.R.S.A. § 1483-A which expressly authorizes such legislation. 0 3 U 4 Hermon - Traffic Code (B) Excise tax exemption; qualifications. Vehicles owned by a resident of the town who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside this state or deployed for military service for a period of more than 180 days and who desires to register that resident's vehicle(s) in this state are hereby exempted from the annual excise tax imposed pursuant to 36 M.R.S.A. §1482. (1) To apply for this exemption, the resident must present to the municipal excise tax collector certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days. (2) For purposes of this section, UNITED STATES ARMED FORCES includes the National Guard and the Reserves of the United States Armed Forces. (3) For purposes of this section, DEPLOYED FOR MILITARY SERVICE has the same meaning as in 26 M.R.S.A. § 814(1)(A). (4) For purposes of this section, VEHICLE has the same meaning as in 36 M.R.S.A. § 1481 (5) and does not include any snowmobiles as defined in 12 M.R.S.A. 13001. (C) Effective date; duration. This section shall take effect immediately upon enactment and shall be ales by by the Town Council, or shall become void in the event that 36 M.R.S.A. § 1483-A is repealed. (Ord. passed - -)

Thank you and if you need anything else, please let me know.

Kristen Cushman
Town Clerk
Tax Tax Collector
Motor Vehicle Agent
CUSHMANK@HERMONMAINE.GOV

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MUNICIPALITY OF HERMON, MAINE

ORDINANCE EXEMPTING ELIGIBLE ACTIVE DUTY MILITARY PERSONNEL FROM VEHICLE EXCISE TAX

SECTION 1. Authority. This ordinance is enacted pursuant to 36 M.R.S.A. §1483-A which expressly authorizes such ordinances.

SECTION 2. Excise tax exemption; qualifications. Vehicles owned by a resident of Hermon who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside this State or deployed for military service for a period of more than 180 days and who desires to register that resident's vehicle(s) in this State are hereby exempted from the annual excise tax imposed pursuant to 36 M.R.S.A. §1482.

a. To apply for this exemption, the resident must present to the municipal excise tax collector certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days.

b. For purposes of this section, "United States Armed Forces" includes the National Guard and the Reserves of the United States Armed Forces.

c. For purposes of this section, "deployed for military service" has the same meaning as in 26 M.R.S.A. §814(1)(A).

d. For purposes of this section, "vehicle" has the same meaning as in 36 M.R.S.A. §1481(5) and does not include any snowmobiles as defined in 12 M.R.S.A. §13001.

SECTION 3. Effective date; duration. This ordinance shall take effect immediately upon enactment and shall be subject to annual ratification by the Hermon Town Council, or shall become void in the event that 36 M.R.S.A. §1483-A is repealed.

TOWN OF HERMON, ORDINANCE EXEMPTING ELIGIBLE ACTIVE DUTY MILITARY PERSONNEL FROM VEHICLE EXCISE TAX

WHEREAS, the Municipal Officers of the Town of Hermon wish to exempt qualified active duty military personnel from vehicle excise tax; and,

WHEREAS, the Municipal Officers of the Town of Hermon wish to decrease the financial burden on military persons and their families during a time of deployment; and,

WHEREAS, this ordinance shall be enacted pursuant to 36 M.R.S.A. §1483-A until such a time that it is repealed,

THEREFORE, the Municipal Officers of the "Town of Hermon hereby adopt this Town of Hermon, Ordinance Exempting Eligible Active Duty Military Personnel From Vehicle Excise Tax."

EFFECTIVE DATE: July 1st, 2012

SIGNED this May 17th, 2012 by the Hermon Town Council:

Tim McCluskey
Tim McCluskey

Sharon Nickerson
Sharon Nickerson

Doug Sinclair
Douglas Sinclair

Donna A Pulver
Donna Pulver

Anthony Reynolds
Anthony Reynolds

Anne Freeman
Anne Freeman

Absent
William Scott

COPY

Attest Original: Barbara Dyer