



Town of Topsham, Maine
100 Main Street
Topsham, Maine 04086
www.topshammaine.com
Codes Enforcement Office
PH (207) 725-1723/ FX (207)725-1737

What Is The Process For Making Amendments To The Zoning Ordinance?

The options available to anyone wishing to make amendments to zone boundaries or ordinance regulations are outlined below. If you have any questions regarding the procedures please contact the Planning Office at (207) 725-1724

Article XII. Amendments

§ 225-78. Authority.

The legislative body of the Town of Topsham may from time to time amend the boundaries of the zones established on the Official Zoning Map or the regulations set forth in this chapter.

§ 225-79. Procedure.

[Amended 10-3-1994 STM, Art. 10; 5-20-1998 STM, Art. 36; 5-20-2004 STM, Art. 6; 5-21-2008 ATM, Art. 11]

A. Proposed amendment by municipal officers, Planning Board or upon petition. If either the municipal officers or the Planning Board desires to propose any changes to this chapter, or if a citizen petition as set forth herein is brought, the following procedure shall be followed:

- (1)** If the proposal is initiated by the municipal officers, they shall formally request the Planning Board to hold a public hearing as set forth below and to carry out the other procedural requirements of this section.
- (2)** If the proposal is initiated by the Planning Board, it shall be by majority vote of the Board.
- (3)** If a petition requesting amendment of this chapter, signed by at least 5% of the registered voters of the Town, is filed with the Planning Board, the Board shall promptly request the Registrar to verify the signatures, and, if the Board verifies that the signatures are valid, the Planning Board shall then carry out the other procedural requirements of this section.
- (4)** As soon as the amendment procedure is initiated by any of the above methods, the Board shall give public notice of a public hearing on the proposed changes. The notice shall contain the time, date and place of hearing and sufficient detail about the proposed changes as to give adequate notice of their content. If the proposed changes are extensive, a brief summary of the changes, together with an indication that a full text is available at the Town Clerk's office, shall be adequate notice.

(5) The public hearing shall be held by the Planning Board. The public notice requirements are as specified:

(a) The Planning Board shall:

[1] Give written notice, with sufficient information to identify the property, including a copy of a map indicating the property be rezoned, the zone change requested and the applicant to all property owners of record (as evidenced by the Town tax files) within 200 feet to the subject property. This notice shall be sent by regular United States Mail, first class, postage prepaid, at least 14 days prior to the scheduled hearing. Failure of any actual property owner to receive such notice, for any reason, shall not invalidate the amendment proceedings.

[2] Publish a copy of such notice in a newspaper of general circulation in the Town, at least twice in such paper, with the first publication at least 14 days prior to the scheduled date of the hearing and the date of the second publication must be at least seven days before the hearing. The notice must be written in plain English, understandable by the average citizen.

[3] Post notice of such hearing in the Town offices at least 14 days before the date of the hearing.

(b) All notices, whether posted, published or mailed must contain a copy of the map indicating the property to be rezoned.