



Health & Human Services and Public Safety Committee

Tuesday, February 11, 2020, 5:30 PM
Room 209, City Hall

Councilor Belinda Ray, District 1, Chair
Councilor Tae Chong, District 3
Councilor Pious Ali, At-Large

1. Announcements
2. Review and Approval of Minutes from January 14, 2020
 - a. Draft January 14, 2020 Meeting Minutes
3. Amendment to the Noise Ordinance
Fees for review of sound mitigation plans for entertainment licenses
 - a. Committee Discussion
 - b. Public Hearing
 - c. Vote
4. Sprinklers: Chapter 10
 - a. Proposed Language and Overview of the Process to Date.
5. Committee Workplan
 - a. HHS & PS Workplan 2020
6. Next Meeting: March 10, 2020

NOTE: Since there is an action item on the agenda, there will be a public hearing for the Noise Ordinance Amendment. There will be no opportunity for public comment on the changes to Chapter 10 involving sprinklers; a public hearing and vote on this issue will occur at a later date. Please feel free to send comments to members of the committee on any issue at any time via email. Councilors email addresses are available on the city website: www.portlandmaine.gov

The meeting can be watched online via livestream: www.portlandmaine.gov/livestream

Keep up to date with the new shelter design and planning process at the City's website

www.portlandmaine.gov/shelterplanning



Health & Human Services and Public Safety Committee Minutes

Tuesday, January 14, 2020, 5:30pm, Room 209, City Hall

Committee Attendance:

Belinda Ray, Chair (District 1), Tae Chong (District 3), Pious Ali (At-Large)

City Staff:

Kristen Dow, Director of Health and Human Services; Adam Harr, Executive Assistant; Hayley Mandeville, Research and Evaluation Program Coordinator; Alex Hughes, Family Health Program Manager; Bridget Rauscher, Chronic Disease and Prevention Program Coordinator; Keith Gautreau, Fire Chief.

Meeting called to order at 5:36 PM.

AGENDA ITEM 1 – Announcements

- None

AGENDA ITEM 2 – Approval of Minutes

- Councilor Chong moved to approve the minutes, Councilor Ali seconded and the minutes were approved Unanimously.

AGENDA ITEM 3 – Public Health Director Search Update

- December 6, 2019 was Dr. Bankole's last day. The search is extended until the end of February but it will likely close sooner; applications are being accepted on a rolling basis. HHS wants to make sure they have a strong pool of applicants.
- Councilor Chong asked if there are specific qualifications looked at, such as someone with experience working with international health.
 - Yes, specifically someone with a broad experience and a focus on public health; expertise in one specific area that has a tangible experience that is not limited to the academy.
 - Is immigrant/refugee experience being considered as there is a significant population in Portland's public housing and public health programs such as free and reduced lunch?
 - Yes and that is something looked for in any of our positions in Public health and social services to serve the population of Portland.
 - What is the average length of stay for the Public Health Director position?
 - Julie was in the position for 10 years and after there was Toho and Dr. Bankole. Public health in Maine has had a tumultuous time in Maine recently with statewide turnover. The new administration is focused on

health and public health; we are rebuilding our programs including hiring three tobacco prevention specialists through grant funding.

- Chair Ray asked if there is a pay issue.
 - The pay has been bumped up since it was last posted.
 - Kristen suspects there is confusion based on the title. It is listed as the Public Health Administrator in our organizational structure, just as the director of Social Services is called the Administrator. This second round the position is listed as Public Health Administrator/Director.

AGENDA ITEM 4 – Health of Portland Report

<https://portlandme.civicclerk.com/Web/GenFile.aspx?ad=4340>

- Kristen explained that Dr. Bankole worked very hard on this report during his tenure and turned it over to Hailey.
- There are over 100 indicators in the report.
- What is the report?
 - Typically, health data like this is at a state or county level, this report is a Portland-specific report on the health of those in the City.
 - Primary and secondary indicators
 - Indicators have various timelines.
 - Health factors
- Format of the report
 - Introduction
 - Table of contents
 - Executive summary with some interesting highlights.
 - Left side pages have statics and infographics, right pages have narrative text.
- Identified Need of City-level Data
 - 80% of the US population lives in an urban area.
 - Data needed in the Public Health to write grants
 - Research and Evaluation created and FY19 is the first year it is off the ground.
 - Identified well known health indicators.
 - Contacted over the city and state for collaborators to get the data.
- Spring 2019 wrote the narrative and had peer review over the summer then approval to disseminate.
- Hayley explained the demographic chapter is a high-level overview that looks at the population of Portland that describes who lives in the city.
- Social determinants of health: our zip code affects our health.
 - 26% of children live in households below the federal poverty level.
 - 17% of adults live on income below the Federal Poverty Level.
 - 47% of Portlanders live more than half of a mile away from the nearest grocery store.
 - 15% of Portland's population speaks a language other than English at home (sometimes or always).
- Park access and walkability.
 - Portland scored better than average on walkability and live closer to public parks.
- Access to Care and Health Equity.
 - 69% of adults receive routine wellness check-ups

- o 36% of women aged 65+ are up to date on preventive services.
 - o 44% of men aged 65+ are up to date on preventive services.
- Maternal and Child Health
 - o 88% of births had prenatal care start in the first trimester.
 - o 3% of new mothers smoked cigarettes during the 3rd trimester (low compared to the state and county).
 - o 36 births suspected of being drug-affected (such as withdrawals.)
 - o 97% of babies are ever breast-fed milk
- Chronic Disease
 - o Tobacco indicators
 - 17% of Portland adults are current smokers.
 - 8% of high school students have used tobacco (excluding e-cigarettes) in the past 30 days.
 - 29% of high school students used e-cigarettes in the past 30 days.
- Infectious Disease: the comparison indicators for the county are from 2017
 - o Sexually Transmitted Infections
 - STI stats for Portland are the most recent, the ones from Cumberland County are from 2017.
 - 492 newly diagnosed cases of chlamydia per 100,00 people;
 - 146 newly diagnosed cases of gonorrhea per 100,00 people;
 - 29 newly diagnosed cases of syphilis per 100,00 people;
 - 339 newly diagnosed cases of chronic hepatitis C per 100,00 people.
- Environmental health
 - o Lead
 - 53% of housing units in Portland were built before the 1950s when lead was widespread.
 - Lead exposure risk index is the housing stock combined with poverty: our score is 9/10 compared to an average of 5.5/10 placing us at a higher risk.
 - 27% of children 0-3 received a blood lead test; 149 children were confirmed to have lead poisoning.
- Injury and exposure to violence.
 - o Portland's violent crime offenses are less than the national average at 279 per 100,000 in Portland versus an average of 514 per 100,000 across the 500 largest US cities.
 - o Fall related emergency visits: 409 per 10,000 people
 - 24 fall related deaths per 100,000 people.
- Mental Health
 - o 5,509 behavioral health related calls to Portland Police.
 - o 13 completed suicides per 100,000 people
 - o 297 mental health emergency department visits per 10,000 people.
 - o % of students contemplating suicide:
 - 14% of high school students.
 - 21% of middle school students.
 - A large jump from the 2017 data. 16% to 21%.
- Substance Use
 - o 22 substance use hospitalizations per 1,000 people.

- o 17 alcohol-induced deaths per 100,000 people.
 - o 34 total opioid related deaths.
 - o 44 total overdose related deaths.
 - o Comparison data from 2017 is in the appendix.
 - o 37% of middle school students perceive it to be sort of easy to get alcohol;
 - o 58% of high school students think alcohol is easy to get.
- Death and Dying.
 - o 167 deaths due to cancer per 100,000 people.
 - o 133 deaths due to heart disease/failure per 100,000 people.
 - o 59 deaths due to injury per 100,000 people.
 - o 46 deaths due to chronic lower respiratory disease per 100,000 people.
 - o 32 deaths due to stroke per 100,000 people.
- Next Steps
 - o Looking to Translate the report into 5 languages.
 - o Will engage communities for feedback.
 - Shape and guide the direction of the Public Health Division
 - o System Integration to Smart City Initiative where data and technology are used to improve the lives of city residents.
 - o Hoping the data will help policy makers address the health indicators systematically.
 - o Using the HoP to map assets and streamline the efforts of the Public Health Division to address the underperforming areas.
 - Help funding.
- Kristen said that the community health improvement plan is essential as we have the ‘what’ and now we need to find the ‘why.’
 - o The community health forum will help with this.
 - o The work is incredible and exciting.

Committee questions and discussion.

- Chair Ray thanked Hayley and the public health staff and commented on how helpful it is to have the infographics to explain what the data means.
- Councilor Ali thanked the staff and asked why we compare our data with large cities instead of cities our size?
 - o The 500 cities are a federal initiative and Portland is the smallest City of that cohort.
 - o It was chosen as it is a reliable source of city-level data.
 - o Most indicators re from Portland, Cumberland County, and Maine.
- Councilors Ali asked if there is an education plan to supplement the community forum on the parts that Portland is not doing well.
 - o The community forums will provide a learning session that would include education.as well as sessions to solicited feedback,
- Councilors Ali asked for clarification on translation.
 - o Arabic, Somali, French Spanish, Portuguese.
- Chair Ray asked for confirmation that we are part of the 500 largest cities 66,000 and up.
 - o We are the smallest at 66,000 people.
 - o The 500 cities must include a city from every state and we are the largest city.

- Councilor Chong likes the data but is not sure what the data means in terms of being low or high, good or bad.
 - Portland is about ten years younger than the rest of the state.
 - Could assign letter grades A, B, C, D, and F to demonstrate good and poor performance.
 - He is not sure what we should focus on.
 - Are the falls bad and need to be addressed?
 - How can these data be used to prioritize?
 - It seems we have access to fresh food and vegetables but adults don't eat them as much as children do; is that due to a program?
 - He knows the director will have his own strategy but would appreciate a rating scale to help direct public health actions of this committee.
- We are younger than the state but not proportionally better than rest of the state.
 - Within the indicators are our older women's health worse off because we are focusing on younger populations.
- Councilor Chong asked are we doing better than other cities whose median age is 36?
 - Staff are looking for cities to compare to.
- Kristen is a big proponent of health in all policy and that a public health aspect is present in any policy; a rating scale would help make the public health element accessible in public policy.
- Councilor Chong asked about creating targeted programs based on this data. He doesn't want to just follow a list from local issues, versus what is presented in data.
- Chair Ray agreed that with some indicators she does not have a sense if the data pulled is a good or bad sign.
 - The report highlights both good and poor statistics
 - The expanse of data is to apply broadly.
 - They did not want to declare good or bad too forcefully for people to provide feedback in the forums.
- Councilor Chong thinks providing a benchmark would help the forum. And Chair Ray followed up the report creates our own benchmark.
- Chair Ray asked about the criteria for colorectal cancer screenings.
 - The grant was targeted to minority health.
- Chair Ray recognized the lead grant we regularly have and she asked if we tested our schools.
 - Schools opted in for testing.
 - Bridget will follow up with the Portland Water District.
- Chair Ray recalled Victoria Morales that children under 2 be tested; Medicare for children to be tested at 1 and 2.
- Chair Ray asked how we are doing with HIV.
 - We do not have the data for Portland because the number is too small to report on.
 - The number was under ten so the data was suppressed by the Maine CDC to maintain the anonymity of patients.
- Chair Ray asked if there are any data points that are not in there that staff wish could be?
 - HIV would be one as we test and administer PrEP at the India Street Clinic.
 - Falls, it would be great to be able to map those.
 - It could be weather, bricks, etc.

- Hayley would like to go more in depths with some of their indicators.
- As we are going through the presentation, Kristen sees every city department being affected.
- Councilor Chong recalled a longer study from the past that stratified food insecurity of race, income etc. He said it seems like income is the biggest health indicator.
 - Could we partner with the United Way or other organizations to help go deeper into the research: John T Gorman Foundation, etc.
 - He would like to see a poverty report indexed to public health.
 - Many of the policy goals are connected to poverty.
- Councilor Chong likes the 10,000-foot view and really would like to see the indicators tied to poverty mitigation.
- Chair Ray asked about Portend children by race and their share of poverty.
 - How many of a sub population lives in poverty?
 - If things were equitable, the percentages would be similar.
- Chair Ray said the number of behavioral health related calls seemed high and asked if they seemed high to staff. Councilor Chong asked if it is because we are a catchment City?
 - This particular indicator is from the Police Department and may not be Portland residents.
 - It is a new category for the Police.
- Chair Ray said Victoria Morales was looking to have a public health note attached to legislation that would say how bills affect public health.
 - Would it be good to have a public health note at the city level?
 - Yes.
 - Everything is public health and seems to her as something that may be worth pursuing.
- Chair Ray asked how often staff see producing this report.
 - A lot of this data is done every three years.
 - 3 years would allow time for improvement plans.
 - All of these could be taken out as one-pagers and updated as needed.
- Chair Ray commended the needle exchange.
 - It is being used as model for other municipalities in the state.
- Councilor Chong asked if we could tackle 5 things, what would it be?
 - Kristen answered that Mental Health is the biggest priority across programs and for all age groups.
 - Alex said Mental Health due to the jump in suicide data among middle schoolers.
 - Specifically, youth work and younger than traditionally worked with.
 - Vaping
 - Numbers are high.
 - We will be looking for this information in the feedback from the community.
 - Obesity and other chronic diseases.
 - Trails and other built environment changes were made out of public health and more built environment should be looked at.
 - Health equity and access to care.
 - Continuing to be mindful of programs that cater to people who don't traditionally access care.

- o Climate Changes effect on public health.
 - Tic borne diseases
 - Health equity in mitigation plans.
- Chair Ray read 'the Case Against Sugar' as sugar consumption informs obesity and asked about looking at sugar.
 - o Councilor Chong followed up that there is not about dental health.
 - o Outreach with people in recovery have shown that sugar addiction may have been initial addictions with people in recovery.

AGENDA ITEM 5 – Committee Work Plan

- Chair Ray explained we are looking at the committee's priorities without having the Council priorities; having these though through will help understand how they work with Council priorities.
 - o Items 1-4 (in bold) are currently in process at the committee.
 - o Items 5-6 (in red) were previously identified as priorities by the 2018 committee but have not yet
 - o been fully addressed.
 - o Items 7-9 (in green) are under consideration by staff. They will likely need to go through the
 - o committee process, unless the committee or the council declines to take them up.
- Lodging Houses are in the ordinance but only recently people are applying but the regulations are not up to date.
- Asylum Seeker Integration was a fourth Council Priority.
- Councilor Chong thinks of #17 as housing, because he considers an elderly person staying in their home as housing. He also considers the other housing related items to rise to the top.
- #13 is transportation.
 - o 8-80 cities is a nonprofit that helps municipalities design cities for people age 8 to age 80.
 - o Public transit needs walkability to get to transit stops.
- Councilor Chong added priorities:
 - o Staff recommendation.
 - Mental Health for all ages as critical from three staff.
 - This will affect many indicators presented to the committee.
 - o Vaping seemed to be important
 - o Obesity
 - o He did not see climate change and health equity
- Councilor Ali wants to see what is policy and what is education.
 - o Based on wanting one meeting per month, how can it fit in the year?
 - o What needs to go through the City Council?
 - o Chair Ray asked Kristen if there is work at the committee level on Mental Health.
 - There have been broad conversations and it will be a priority of the Public health Director when that person starts.

- Right now, we have a scan and are developing a scope but do not yet have a specific policy. These will be shared as they are identified.
- Chair Ray asked Fire Chief Gautreau
 - Fire code has a good foundation on life safety that has already been adopted.
 - Chapter 6 with inspections and permitting for Portland specific regulation would be done jointly with housing.
- Chair Ray said number 6 and number 7 belong together as staff have been looking at these through the recode efforts.
 - An update is expected.
- Councilor Chong sees s focus on housing and transportation taking the whole year.
- The noise ordinance is read for February to be able to bring the rest of the list.
- Opioid misuse has a workshop coming up.
 - Follow up or updates to the committee can then happen.
- Vaping is more than a flavor ban; menthol was not included.
 - Vaping/e-cigarette juice
 - Cigarette menthol
 - Menthol is used disproportionately by LGBT youth, specifically people of color.
 - Flavor products are not able to be sold in stores.
 - This would be an amendment to the tobacco ordinance.
 - This would comply with CDC on flavor and then go beyond that to include menthol.
 - Councilor Ali asked about not allowing Hookah shops that appear to allowing on premises smoking.
 - The only exception is for a private members-only club.
 - Councilor Chong asked if marijuana is included with the flavor ban.
 - It is not.
 - Char Ray asked if it is time sensitive.
 - It is not but Kristen explained her contacts at the American Cancer Society would be willing to help at any time.
- Committee is open to taking Vaping/Menthol up; Kristen prepares and brings back.
- Sprinklers and noise ordinance at first meeting, then go to housing and transportation in following meetings.
- Wait on facial recognition to see if it gets forwarded to this committee but it may not be based on Council Priorities.
- Councilor Chong speaking to mental health, said his two middle school aged girls have more anxiety than he did.
 - They experience gun drills and are worried about climate change.
 - 6 former school committee members on the city council; there is experience to work on school/education issues.
 - Work with the School Board.
- Chair Ray will reorganize the list based on this meeting and will send to the committee members and will finalize at the February meeting.
- Fire Chief Gautreau asked if the sprinklers have enough back up or if there is anything needed.
 - Anne Torgrossa will pull out just the sprinkler section.
 - Fire will add back up.

AGENDA ITEM 6: Next Steps

- Public hearings and possible vote on both items:
 - o Noise Ordinance Amendment
 - o Sprinklers
- Councilor Chong moved to adjourn, Councilor Ali seconded and the motion passed unanimously.

The meeting adjourned at approximately 7:36 PM.



CITY OF PORTLAND
Permitting and Inspections Department

Memorandum

To: Health & Human Services Committee
From: Jessica B. Hanscombe, Licensing and Housing Safety Manager
Date: February 4, 2020
RE: Review of Sound Mitigation Plan

The City of Portland amended Chapter 4 on July 15, 2019. Part of the ordinance was requiring the applicant to provide the City with a sound mitigation plan. Staff is requesting a fee be set to cover the cost of the review.

Ordinance Amendments:

Staff is recommending a few amendments to the ordinance. Attached is ordinance with the requested changes.

- Sound Mitigation Review- \$150.00

Review

Licensing and Registration worked with staff at Public Assembly Facilities to review the plans submitted since the ordinance went into effect on August 15, 2019. We tracked the staff time it took to review the plan. We also contacted a private company to discuss what the fee would be to review. The cost is \$75.00 an hour with an average of 2 hours per review. The review includes a site visit, assess the submitted plan and propose any changes if necessary.

Thank you,

Jessica B. Hanscombe
Licensing and Housing Safety Manager

Chapter 15 LICENSES AND PERMITS*

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. II	Bottle clubs (must obtain FSE and entertainment if applicable)	\$940.00	June 30
Ch. 3, Art. III	Brewery, Winery and On-Premises Consumption Distillery License (must obtain FSE and/or entertainment if applicable)	\$525.00	Concurrent with state liquor license
Ch. 3, Art. III	Small Brewery, Winery and Distillery Manufacturing License	\$250.00	Effective November 1, 2019; Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. III	Large Brewery, Winery and Distillery Manufacturing License	\$2,000	Effective November 1, 2019; Concurrent with state liquor license
	Amusement devices (other than pinball and adult amusements), per device	\$153.00	Twelve months or concurrent with state liquor license or with any city license
	Pinball machines, per device	\$153.00	Twelve months or concurrent with state liquor license or with any city license
	Adult amusement devices, per location	\$978.00	Twelve months or concurrent with state liquor license or with any city license

Location in Code	Description	Fee	Expiration Date
Ch. 4, Art. III	Entertainment:		
	Single Entertainment Event – Private Property	\$50	Per event
	Single Entertainment Event – Public Property	\$50	Per event
	Indoor Entertainment	\$500	12 months or concurrent with state liquor license or any city license
	Outdoor Entertainment	\$700	12 months or concurrent with state liquor license or any city license
	Combined Entertainment	\$800	12 months or concurrent with state liquor license or any city license
	Expanded Entertainment Addendum	\$100	Per event
	<u>Sound Mitigation Review Fee</u>	<u>\$150</u>	<u>Per sound mitigation plan</u>
Ch. 4, Art. IV	Gaming:		

Location in Code	Description	Fee	Expiration Date
	Beano	\$104.00	December 31
	Games of chance (application fee pursuant to section 15-6 only)		
Ch. 4, Art. V	Nudity in licensed businesses	\$1,474.00	June 30
Ch. 11, Art. II	Food service establishments (FSE):		
	Temporary FSE:		
	a. Unopened prepackaged food	\$93.00	Three months
	b. Opened or nonprepackaged food	\$93.00	Per event not to exceed two weeks
	Mobile FSE (Chapter 19) a. pushcarts	\$322.00	March 31
	b. Food Trucks	\$546.00	March 31
	Street vendor cooler storage space – maximum of 7 sq. ft.	\$38.00 per 3.5 sq. ft. of space	March 31

Location in Code	Description	Fee	Expiration Date
	FSE-No food preparation on premises	\$181.00	January 31
	FSE-With preparation limited to hot beverages only	\$142.00	January 31
	FSE-With beer and wine take out	\$415.00	January 31
	FSE/Commissary - Food preparation on premises	\$459.00	January 31
	FSE's with liquor:		
	FSE-Class A lounge (Class X)	\$2,774.00	Concurrent with state liquor license
	FSE-Class A restaurant (Class I)	\$1,873.00	Concurrent with state liquor license
	FSE-Hotel (Class IA)		
	FSE-Class A restaurant/lounge (Class XI)	\$2,326.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Qualified catering service (Class I)	\$1,873.00	Concurrent with state liquor license
	Innholder-15 rooms or less	\$1,436.00	Concurrent with state liquor license
	Innholder-16 to 40 rooms	\$1,928.00	Concurrent with state liquor license
	Innholder-more than 40 rooms	\$2,239.00	Concurrent with state liquor license
	FSE-Spirituuous license (Class II)	\$611.00	Concurrent with state liquor license
	FSE-Vinous license (Class III)	\$410.00	Concurrent with state liquor license
	FSE-Malt license (Class IV)	\$824.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Malt and vinous license (Classes III and IV combined)	\$906.00	Concurrent with state liquor license
	FSE-Nonprofit club (Class IV with catering or Class V without catering)	\$737.00	Concurrent with state liquor license
	FSE-Liquor catering	\$33.00	Per event
	FSE-Temporary (bona fide nonprofit organization) with any spirituous, vinous or malt license and special entertainment	\$65.00	Per 2-day period
	FSE-Auditorium	\$584.00	Concurrent with State Liquor License
	FSE-Civic Auditorium	\$1,851.00	Concurrent with State Liquor License
Ch. 12, Art. VII	Operation of rendering facilities	263.00	September 30
Ch. 16	Massage establishment	\$65.00	September 30

Location in Code	Description	Fee	Expiration Date
	Combined massage establishment/massage therapist	\$55.00	
	Massage therapist	\$38.00	
	Conditional massage therapist	\$38.00	
Ch. 19, Art. II	Night Street Vendor (must also obtain FSE and street vendor)	\$218.00	
Ch. 19, Art. III	Transient sellers	\$109.00	December 31
Ch. 21	Farmers' Markets on private property	\$26 per vendor	March 31
Ch. 23, Art. II	Flea market seller	\$22.00	Last day of February
	Flea market Operator	\$55.00 \$246.00	Per day Annual/March 1st
	Secondhand dealer, junk dealer, pawnbroker ¹ (including used cars)	\$153.00	December 31
	Junk collector	\$26.00	December 31
Ch. 28, Art. IV	Wreckers and vehicle towing	\$278.00	June 30
Ch. 28, Art. VII	Valet Parking	\$ 2 7 3 . 0 0 p e r l o c a t i o n	Twelve months

¹ Reflects city practice for junk dealers and pawnbrokers.

Location in Code	Description	Fee	Expiration Date
	Valet Parking Special Event Permit	\$64.00	
Ch. 28, Art. VIII	Licensing of Booting of Motor Vehicles	\$105.00	October 31
Ch. 30, Art. II	Taxicabs and liveries:		
	Taxicab business license	315.00	April 30
	Livery business license	315.00	April 30
	Taxicab driver's license	79.00	April 30
	Taxi Replacement license	11.00	
	Livery driver's license	21.00	April 30
	Livery replacement license	11.00	
Ch. 30, Art. III	Horse-drawn cabs	210.00, plus 21.00 per driver	April 30
Ch. 30, Art. IV	Bicycle cabs	105.00, plus 21.00 per driver	April 30
Ch.30, Art. V	Tour companies	315.00, plus 32.00 per vehicle/operator operator	April 30

(b) Fees for licenses to be established by the city pursuant to state law shall be as follows:

Description	Fee	Expiration Date
Amusements, including images; pageantry; sleight of hand tricks; puppet shows; feats of balancing; wire dancing; personal agility; or dexterity	\$22.00	Per day
Billiards or pool, per table	\$33.00	Twelve months or concurrent with state liquor license or with any city license
Bowling alley, per establishment	\$92.00	April 30
Circus	\$181.00	Per day
Circus (bona fide nonprofit organization)	\$27.00	Per day
Going-out-of-business sale	\$104.00	--
Menageries	\$22.00	Per day
Motion picture theatres (other than open-air drive-in) operating more than six (6) months:		
Seating capacity 999 or less, per screen	\$295.00	June 30

Description	Fee	Expiration Date
Seating capacity 1,000 or more, per screen	\$486.00	June 30
Temporary--One (1) week or less	\$33.00	One week
Temporary--More than one (1) week but less than two (2) months	\$49.00	Two months
Temporary--More than two (2) months but less than six (6) months	\$77.00	Six months
Roller skating rink	\$164.00	June 30

(Code 1968, §§ 302.6, 414.1, 414.5, 712.2, 714.6, 714.7, 901.12; Ord. No. 391-72, 7-5-72; Ord. No. 201-74, 4-17-74; Ord. No. 645a-75, 11-17-75; Ord. No. 231-80, 12-22-80; Ord. No. 553-81, § 1, 3-2-81; Ord. No. 554-81, 3-2-81; Ord. No. 576-81, § 2, 3-16-81; Ord. No. 694-81, 5-18-81; Ord. No. 82-81, § 1, 7-6-81; Ord. No. 392-82, 2-1-82; Ord. No. 564-82, 5-17-82; Ord. No. 565-82, 5-17-82; Ord. No. 566-82, 5-17-82; Ord. No. 510-84, § 1, 4-2-84; Ord. No. 591, 5-21-84; Ord. No. 658-84, 5-30-84; Ord. No. 431-85, § 3, 2-20-85; Ord. No. 554-85, 5-14-85; Ord. No. 212-85, §§ 1, 2, 10-21-85; Ord. No. 116-86, § 1, 3-3-86; Ord. No. 551-86, 5-12-86; Ord. No. 189-87, § 2, 12-7-87; Ord. No. 386-88, 5-16-88; Ord. No. 425-89, 5-15-89; Ord. No. 29-89, 6-19-89; Ord. No. 258-90, 2-21-90; Ord. No. 351-90, 5-21-90; Ord. No. 264-91, 3-4-91; Ord. No. 358-91, 5-20-91; Ord. No. 183-91, 12-2-91; Ord. No. 175-92, 3-16-92; Ord. No. 245-93, 3-22-93; Ord. No. 83-93, § 1, 9-8-93; Ord. No. 94-93, 9-20-93; Ord. No. 221-94, § 2, 2-23-94; Ord. No. 314-94, 5-16-94; Ord. No. 229-95, 4-3-95; Ord. No. 34-95, 7-5-95; Ord. No. 264-96, § 1, 5-20-96; Ord. No. 128-98, 10-19-98; Ord. No. 282-99, §2, 5-17-99; Ord. No. 228-00, §1, 5-15-00; Ord. No. 276-01, 5-21-01; Ord. No. 277-01, 5-21-01; Ord. No. 119-01/02, § 6, 12-3-01; Ord. No. 258-01/02, 5-20-02; Ord. No. 260-01/02, 5-20-02; Ord. No. 246-02/03, 5-19-03; Ord. No. 248-02/03, 5-19-03; Ord. No. 180-03/04, 4-7-04; Ord. No. 217-03/04, 5-17-04; Ord. No. 68-04/05, 10-4-04; Ord. No. 247-04/05, 5-16-05; Ord. No. 245-05/06, 5-15-06; Ord. No. 227-06/07, 5-21-07; Ord. No. 196-07/08, 4-28-08; Ord. No. 246, 07-08, 5-19-08; Ord. No. 224-09/10, 5-17-10; Ord. No. 229-12/13, 5-20-13; Ord. No. 159-12/13, 4-22-13; Ord. 52-14/15, 9-15-2014;)Ord. 246-14/15, 6-24-2015; Ord. 109-15/16, 11-16-2015; Ord. 181-15/16, 3-21-2016; Ord. 180-15/16, 3-21-2016; Ord. 18-17/18, 8-21-2017; Ord. No. 111-17/18, 11-20-2017; Ord. No. 218-17/18, 5-21-2018; Ord. No. 244, 5-20-2019; Ord. No. 285-19/20, 7-15-2019; Ord. No. 25-19/20, 8-12-2019)

Rules & Procedure for Public Testimony

Council committees use the City Council rules for public testimony. You can find the complete rules in the *Rules of Procedure for the City Council, Rule 31. Procedure for Addressing Council*. This document is available on the City Website:

<http://www.portlandmaine.gov/DocumentCenter/View/1184>

Below is a summary of the main points:

- If you wish to speak, please raise your hand or line up.
- When you are recognized by the Chair, you will have up to three (3) minutes to offer your comments. Please begin by stating your name and where you live.
- While someone is speaking, others in attendance will not interrupt.
- There should be no expressions approval or disapproval (applause, snapping, boos, hissing).
- Remarks shall be confined to the merits of the pending item.
- The Chair may limit or cut off any commentary that is not germane or that is scurrilous, abusive, or not in accord with good order and decorum.
- Any person who shall continue to violate these rules, after warning by the Chair, may be ejected for the remainder of the meeting then in progress.



CITY OF PORTLAND
Fire Department
Robert M. Thompson, Division Chief

TO: Members of the Health & Human Services Committee

FROM: Division Chief Robert M. Thompson
Portland Fire Department

DATE: February 5, 2020

RE: Sprinkler System Informational Material

Members of the Health & Human Services Committee

The National Fire Protection Association Life Safety Code (NFPA 101) specifies when an automatic sprinkler system, full or partial, is required in a building based on a variety of factors. Any sprinkler system installed in the State of Maine requires a permit from the State Fire Marshal's Office, and they do not permit partial sprinkler systems anywhere in the State of Maine. The State Fire Marshal's Office reviews all sprinkler system installations in the state, and if an automatic sprinkler system is required, the entire building shall be sprinkled. This means that if a sprinkler is required in an addition or renovation to an existing building, the State Fire Marshal's Office requires the entire building to be sprinkled.

When the changes to Chapter 10 of the City Code to adopt the 2018 version of NFPA 101 were being considered, language was included in those changes to make the City's requirements with respect to sprinkling consistent with those of the State Fire Marshal's Office. However, there were questions from members of the City Council related to automatic sprinkler system requirements in the City of Portland. As a result, Chapter 10 was adopted without a change to sprinkler requirements until further discussions with the Health and Human Services Committee. A copy of the amendment that removed the initially proposed language is attached for your reference.

Respectfully Submitted,

Robert M. Thompson
Division Fire Chief
Portland Fire Department
(207) 874-8402

AMENDMENT TO ORDER 59-19/20
PREPARED BY CORPORATION COUNSEL FOR COUNCILOR BELINDA RAY
RE: DELETING SECTION 10-3(A)(2) FULL SPRINKLER SYSTEM REQUIREMENT

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Chapter 10 is hereby amended to read as follows:*

Chapter 10 FIRE PREVENTION AND PROTECTION*

ARTICLE I. LIFE SAFETY CODE

...

Sec. 10-3. Amendments.

The NFPA 101: Life Safety Code adopted by section 10-1 is added to, amended, modified and deleted in the following respects:

(a) The following provisions shall be added to the Life Safety Code as un-numbered sections, and shall modify or replace any provisions of the Life Safety Code to the contrary:

- (1) In addition to the circumstances under which a fire watch may otherwise be required or allowed by the Life Safety Code, in the case of structures posing significant life safety risks that might result in the displacement of person(s), a fire watch, with specifications and criteria to be set by the authority having jurisdiction, may be required if said watch is approved by the authority having jurisdiction, in consultation with the City Manager and Corporation Counsel.

~~(2) Where the Life Safety Code requires that a sprinkler system be installed, but permits a partial sprinkler system, a full sprinkler system shall be required such that the building is protected throughout as required by the applicable standard.~~

- (32) Notwithstanding any provisions to the contrary, Carbon Monoxide (CO) alarms and/or detection shall be subject to the following requirements:

- a. The following shall be protected throughout with CO alarms and/or detectors:

- i. Existing residential occupancies; and
 - ii. All new occupancies, other than industrial occupancies and storage occupancies.
- b. CO alarms and/or detection shall be installed in accordance with NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2015 edition, except that:
 - i. All new construction must have CO alarms and/or detectors hardwired;
 - ii. All new CO alarm and/or detector installations, with the exception of new installations in one- or two-family dwellings, must be hardwired; and
 - iii. The authority having jurisdiction may approve new, alternative CO alarm and/or detector technology as it becomes available, so long as it provides the same amount of protection as required by this Article.

| (43) New decks or balconies with access from a common space shall be subject to the following requirements:

- a. They shall be reviewed as a new assembly occupancy; and
- b. An alarm notification device shall be installed at the balcony or deck level for occupant notification. The device shall operate upon activation of the fire suppression and/or detection system(s) inside the building.

| (54) Notwithstanding any provisions to the contrary, smoke alarms and/or detection shall be subject to the following additional requirements:

- a. All smoke alarms and/or detection in new construction or major renovations shall be hardwired with battery backup, shall be interconnected, and shall use photoelectric technology.

- b. All smoke alarms and/or detection in new installations, except in existing one- and two-family dwellings shall be hardwired with battery backup and shall use photoelectric technology.
- c. All smoke alarms and/or detection in new installations in existing one- and two-family dwellings shall either meet the requirements for new installations above, or shall be 10-year sealed lithium battery alarms using photoelectric technology.
- d. The authority having jurisdiction may approve new, alternative smoke alarm and/or detection technology as it becomes available, so long as it provides the same amount of protection as required by this Article.

(65) Wherever the requirements governing stairs in the Life Safety Code conflict with the Maine Uniform Building and Energy Code adopted pursuant to 10 M.R.S. § 1103 (MUBEC), the provisions in MUBEC shall control.

(b) Inspections. The authority having jurisdiction, upon proper identification, shall have the right to enter at any and all reasonable times for the purpose of inspecting in order to determine compliance with the provision of this Life Safety Code into or upon any premises subject to this article. It shall be a violation of this article for any person either to interfere with or to prevent such inspection.

(c) Section 3.3.37.8 shall be amended to read as follows:

Historic Building: A building designated a Landmark or Contributing Building within a local or National Register historic district, pursuant to Chapter 14, Article IX of the Code.

(d) Section 7.2.2.5.5 shall be amended to add the following language:

Exit stair path marking shall also be installed for all new high-rise buildings in accordance with 7.2.2.5.5.1 through 7.2.2.5.5.11.

(e) Section 9.7.1.1 shall be amended to add the following

language:

The authority having jurisdiction shall have power to modify the water supply requirements of this section for individual installations where meeting such requirements are impractical, financial reasons not being a consideration, and provided such requirements shall not be less stringent than the minimum water supply requirements for sprinkler systems in the State of Maine.

(e) Subsections 12.3.5.3(3) and (4) shall be deleted.

(f) Subsections 13.3.5.3(1) and (2) shall be deleted.

...

Health & Human Services and Public Safety Committee

Councilor Belinda Ray, District 1, Chair

Councilor Tae Chong, District 3

Councilor Pious Ali, At-Large

HHS & PS 2020 Workplan – A Living Document

Items in red/italics: staff suggestions for when particular topics will be ready for discussion/updates

MEETING DATE	PRIMARY FOCUS	ITEMS TO SCHEDULE/ONGOING ISSUES (Goal Addressed, if applicable)
Jan 14	Health of Portland Report, Committee Work Plan for 2020	Homeless Services Center: Staff will update committee and seek guidance as necessary during planning, design, and construction phases (#1) Small Shelter Zoning: In limbo since 2017 after Planning Board declined to act w/o licensing regs in place (#1) Walkable Communities/8-80 Cities: Walkable communities/cities designed for all ages enhance both transit capacity and public health (#3) Mental Health: HHS staff identified mental health as a priority area based on data from the Health of Portland Report. Committee will take up policy issues around mental health as they arise. Mental health issues can be an underlying cause of homelessness. (#1) Wellness Check Program for Seniors: Staff is working on emergency management plans around this. Committee will review as necessary. (#1) Public Health Note: Add a public health note to all items coming before the council to ensure we are considering public health impact of council actions Vaping Regulation: Staff would like “menthol” added (locally) to flavor ban enacted by CDC Addiction & Opioid Misuse (ongoing): Follow-up after <i>Communities Addressing Addiction & Opioid Misuse</i> workshop as necessary
Feb 4	Marijuana Regs w/ EDC	
Feb 11	Noise Ordinance Amendment re: fees (public hearing, vote); Sprinkler Requirements for ADUs (overview)	
Feb 25	Marijuana Regs w/ EDC (public hearing, vote)	
Mar TBD*	Sprinkler requirements for ADUs (public hearing, debate, vote); HSC Update; TBD	
Mar/Apr TBD	Joint with Housing: Sober/ Recovery/ Lodging House Regs	
Apr 14	Topic TBD (<i>Fire Department overview/updates; Walkable Communities overview by City Depts</i>)	
May 12	Topic TBD (<i>Police Department body camera update & next steps; addiction and opioid misuse updates & reports from Police, Fire & HHS</i>)	
June 9	Topic TBD (<i>Portland Opportunity Crew update</i>)	
July 14	Topic TBD (<i>India Street Public Health Center update</i>)	
Sep 8	Topic TBD (<i>Barron Center update</i>)	
Oct 13	Topic TBD (<i>Mental health services overview</i>)	
Nov. 10	Topic TBD (<i>Long Term Stayers Initiative</i>)	

Council Goals – December 13, 2020

1. Increase access to rental and home ownership that is safe, affordable, and accessible
2. Continue effort to reduce homelessness, assist people experiencing homelessness through city, regional and state efforts
3. Increase public transit infrastructure and capacity in the city
4. Seek to address the high property tax burden in Portland by passing an affordable combined school/city budget and by pursuing other revenue sources

Items on which the committee often gets updates during the year:

- Portland Opportunity Crew: # served, efficacy of program, potential for expansion
- Long Term Stayers Initiative
- India Street Public Health Updates: # served by various programs, ongoing initiatives and projects
- Barron Center: census, programming, etc.

Other issues suggested as potential topics for workplan (currently and historically) but not identified as committee priorities for this year:

1. Facial Recognition Technology Ban (Council workshop scheduled for June 15th 2020 will determine whether this item is referred to committee and with what level of priority)
2. Regulations for Backyard Fire Pits (suggested by a few constituents and former Councilor Brennerman in past years)
3. Retail Fur Ban in stores within the City (suggested in 2018/19 by constituents involved in animal rights and protections who brought forward the puppy mill ban passed in 2016 and the exotic animal ban passed in 2017)
4. Rock Row concert noise issues, the City's letter to Waterstone, Waterstone's response – suggested by former Mayor Strimling in 2019