

1. Agenda

Documents: [AGENDA 09.10.13.PDF](#)

2. Food Truck Ordinance Amendments

Documents: [090513MEMOFORPSHHCOMMITTEE.PDF](#),
[100511FINALPOLICYRECOMFORFOODTRUCKSASAPPROVEDB.PDF](#),
[DRAFTFOODTRUCKREGULATIONSAMENDMENTS090413.PDF](#),
[FOODTRUCKPUBLICCOMMENTSANDINPUT.PDF](#),
[JOHNPEVERADASFOODTRUCKSMEMO2013.PDF](#),
[PORTLANDJOININGFOODTRUCKREVOLUTIONPPH050813.PDF](#),
[PROPOSEDFOODTRUCKORDINANCEAMENDMENTS082013.PDF](#)

3. Buffer Zone Backup Material

Documents: [BUFFERZONEDRAFTORDINANCE090413.PDF](#),
[CHIEFSLETTERJAN2013.PDF](#), [MAP.PDF](#), [MEMOTOCOMMITTEESEPT2013.PDF](#),
[PPCOMPLAINTS.PDF](#), [PPPROTESTSTATS.PDF](#)

4. Sprinkler Issue

Documents: [MEMOCOMMITTEESEPT2013RESPRINKLERS.PDF](#),
[CHAPTER10NFPAAMENDMENTS.PDF](#)

5. Fire Department Consultant Report

Documents: [MEMOFIRESURVEY091013.PDF](#),
[FIREPRESENTATIONPSHHSCOMMITTEE091013.PDF](#)

6. Employee Solicitation Policy

Documents: [SOLICITATION20130905122815632.PDF](#)

7. Confined Space Update

Documents: [CONFINEDSPACEUPDATE091013.PDF](#)

CITY OF PORTLAND, MAINE
Public Safety/ Health & Human Services Committee

Public Safety, Health and Human Services

DATE: 9/10/2013
TIME: 6:00 PM
LOCATION: Council Chambers/City Hall
389 Congress Street

AGENDA

1. Meeting Called to Order and Minutes from July 30th Meeting Reviewed.
2. Food Truck Ordinance Amendments (Please note: Public comment will be taken on this item)
3. Buffer Zone Ordinance: Continuation of Workshop (Please note: There will be no public comment on this item)
4. Briefing on the City's Employee Solicitation Policy: Workshop (Please note: There will be no public comment on this item)
5. Confined Spaces Program Update: Workshop (Please note: There will be no public comment on this item)
6. Residential Sprinkler Requirement (Please note: Public comment will be taken on this item)
7. Portland Fire Department Consultant Report: Workshop (Please note: There will be no public comment on these items)
 - a. Summary of Steps Already Taken to Implement Report Recommendations
 - b. Survey of Comparable Localities
 - c. Operational Changes Memo
 - d. Changes in Peaks Island Staffing
 - e. Plans Review Improvements
 - f. JetPort Staffing
 - g. Modernizing EMS Dispatch and Response
8. EXECUTIVE SESSION to discuss Fire Department Consultant Report as it relates to labor negotiations, pursuant to Title 1 M.R.S. Section 405 subsection 6 (D)

MEMORANDUM

TO: Public Safety, Health and Human Services Committee

FROM: Jennifer L. Thompson, Associate Corporation Counsel

DATE: September 4, 2013

RE: Food Truck Ordinance and Rules

On July 23, 2013, the City Manager solicited feedback from the former Food Truck Task Force and other interested parties on the existing food truck ordinance and the extent to which amendments to that ordinance might be necessary. After reviewing the feedback that he received and after discussing the matter with Chair Suslovic, I have prepared a number of possible ordinance amendments for the Public Safety, Health & Human Services Committee to consider at its September 10 meeting. What follows is a brief summary of each of those possible amendments, together with a brief overview of the issues that have been raised by the public with respect to their utility and potential controversy.

1. New Permit Category and Proposed Fee For Operating on Private Property

As you know, one concern raised by members of the food truck community and by a recent newspaper article on food trucks operating in Portland relates to food trucks operating on private property and the fact that, currently, those operators are required to pay \$30 for a building permit and \$75 for an occupancy permit for each location occupied. When a food truck operator moves from one location to another, that operator is required to pay the fees again, thereby limiting many operators' ability to relocate when business is proving slow at an initial location.

My understanding is that the reason the fee is applicable is because food trucks operating on private property are considered "accessory structures" and the current occupancy permit is the only existing permit that appears appropriate for food trucks on private property. The fee is intended to cover the cost of City staff confirming that a proposed location on private property is permissible under zoning and that the food truck complies with clustering and other applicable rules.

In response to these concerns, Jeff Levine and his department have proposed a new permit category and application process for food trucks operating on private property. Applications for the permit would be largely "self certifying" in that the applicant will certify its compliance with all applicable rules and assume responsibility for ensuring continued compliance. So, for example, if an applicant includes a certified statement and map identifying neighboring restaurants, verifying that the location is a sufficient distance away from those restaurants, and that the food truck operation otherwise complies with City Ordinances, Staff could rely on those representations. As a result of the reduction in staff time, the new permit fee would be reduced and would simply cover modest administrative costs. Under the enclosed proposal, the new permit fee would be \$30 for each site.

The proposed amendment is to Section 6-17, which includes the fee schedules for building permits and is as follows:

Sec. 6-17. Fee Schedule.

. . .

(b) Fees for specific items (additional to cost of work fees above):

- (1) Air conditioning and \$30.00 + \$10.00 per
ventilation systems \$1,000.00 cost
- (2) Change of use permit \$30.00 + \$10.00 per
\$1,000.00 cost

(3) Food Truck Operating
on Private Property \$30.00

(~~43~~) Demolitions:

Structures \$30.00 + \$10.00 per
\$1,000.00 cost

(~~54~~) Heating systems-all types. . \$30.00 + \$10.00 per
\$1,000.00 cost

(~~65~~) Oil and gas burner. \$30.00 + \$10.00 per
replacement \$1,000.00 cost

(~~76~~) Stop work order removal . . \$100.00

(~~87~~) Certificate of Occupancy. . \$75.00 for each
Inspection

(~~98~~) Home occupation \$150.00 plus cost of work

(~~109~~) Re-inspections \$75.00 for each

. . .

None of the feedback received from the former members of the Food Truck Task Force or other interested parties objected to this proposed change. Rather, it appears to be widely supported.

2. Allowing Clustering of Food Trucks

In addition, there appears to be widespread support for allowing food trucks to “cluster” or operate within close proximity to one another, provided that the existing separation requirement (200’) for bricks and mortar (or “fixed-based food establishments”) remains in effect. The proposed language to the ordinance in order to allow clustering of food trucks is as follows:

Sec. 19-21. Prohibited operations.

(a) No street vendor shall operate on any street, way or public place without a license.

(b) No street goods vendor shall operate on any street, way or public place except during a festival or event declared pursuant to Section 19-22.

(c) No vendor other than a licensed street vendor or a street artist as defined in this Article shall operate on any street, way or public place.

(d) No street vendor shall operate:

(1) Within any area designated by the city council for a sidewalk sale, street festival, or other special event, except as authorized by a street and sidewalk occupancy permit issued pursuant to section 25-26 and as provided by section 19-22;

(2) On any city-owned property without a lease, contract, or other agreement with the city;

(3) On the grounds of any public school unless a school authorized function;

~~(4) Within sixty-five (65) feet of any other licensed street vendor if operating on the peninsula, except for festivals approved pursuant to Section 19-22;~~

(4) Within sixty-five (65) feet of any fixed-base retail establishment if operating on the peninsula, except during festivals approved pursuant to Section 19-22 and except as provided in subsection (e) below;

(5) Within two-hundred (200) feet of any ~~other licensed street vendor or~~ fixed-base retail establishment if operating off the peninsula, except during festivals approved pursuant to Section 19-22 and except as provided in subsection (e) below;

(6) For pushcarts, on any sidewalk less than eight (8) feet in width or in any other location so as to impede the free passage of vehicles or pedestrians, obstruct the entrance to or exit from private property, jeopardize the public safety, or otherwise inconvenience the public.

(e) Notwithstanding paragraph^s (d) (~~54 & 5~~) above, a licensed street vendor may operate one mobile food service establishment within sixty-five (65) feet, if on the peninsula or two-hundred (200) feet if off the peninsula, of a fixed-based retail establishment offering the same or substantially similar goods or services, upon the following conditions:

- (1) The owner of the fixed-base retail establishment and the owner of the mobile food service establishment are the same and each entity is licensed under the same ownership; or
- (2) The owner of the mobile food service establishment has permission from the owner of the fixed-based retail establishment.

All other laws and regulations applicable to such licensed street vendor shall apply.

If the ordinance is changed to allow clustering, the Rules and Regulations promulgated by the City Manager will need to be amended to mirror that change.

3. Increasing Size Restrictions on Food Trucks

Another complaint that has been voiced since the ordinance was first enacted relates to the size restrictions placed on food trucks. Under the current Rules and Regulations adopted by the City Manager, trucks wishing to operate on City streets may not exceed 20 feet in length. According to John Peverada, this size limitation was adopted because metered parking spaces are 20 feet long. If trucks are any longer, they effectively take up more than one spot, thereby further limiting the number of available parking spaces in the City. This size restriction, however, has been problematic for food truck operators because most food trucks are 24 feet long and some are as long as 26 feet.

The food truck community appears largely in favor of allowing longer trucks. We did, however, receive one written objection to such a change (from former Task Force Member, Doug Fuss). John Peverada has also expressed a resistance to allowing longer trucks out of concern that it will promote violation of parking rules at metered spaces. Notwithstanding any size limitations placed on food trucks specifically, however, the existing ordinance provisions relating to metered parking spaces expressly prohibit any vehicle from occupying more than one metered parking space. See Portland City Code at 28-84(d). Therefore, if the size restrictions were to be eased, longer trucks would be permitted to operate in the City but they would be prohibited from operating in metered parking spaces simply by virtue of the existing restriction on occupying more than one of those spaces.

Because the dimensional restriction appears in the Rules and Procedures adopted by the City Manager, an ordinance amendment would not be necessary to change the allowable length of food trucks in the City. Rather, if there is support for such a change, the City Manager would simply amend the Rules as suggested in the attached.

4. Easing Parking Restrictions

Another concern that has been raised by the food truck community relates to the parking rules specifically. Currently, the Food Truck Rules and Regulations [but not the ordinance] provide:

In locations on public property where food trucks are permitted to operate, food trucks shall comply with all parking rules.

Rules & Regulations at ¶ 8.

According to food truck operators, the existing parking rules are unduly restrictive because most City parking spaces have a two-hour parking limit. Operators explain that 2 hours is not enough time to set up the food truck for service of food, provide that service, and then break the operation down in order to move it. There has been some question about whether special parking permits could be issued or a parking exemption enacted for food trucks operating on City streets.

John Peverada has explained that the parking restrictions were discussed at length by the Task Force prior to the enactment of the ordinance and Rules. The reasons for requiring food trucks to comply with parking rules included: a desire to “protect” on-street parking spaces for patrons of bricks and mortar restaurants and other businesses. Input from food truck operators has consistently included a request to ease parking restrictions for food trucks. Former Task Force member, Doug Fuss, has expressed opposition to easing restrictions, except that he would support allowing food trucks to “feed the meter” once – to allow parking for four hours, rather than two.

In the event that there is an interest in easing the parking rules as they relate to food trucks, some possibilities – though these were expressly rejected by the task force – include: (1) allowing food trucks to purchase a permit which would allow them to park in a designated parking spot all day; and (2) allowing food trucks to feed meters for a discrete period of time (which would likely be less expensive than an all-day permit).

If changes in the parking rules were to be made to allow "feeding meters," that change might be accomplished by changing the Rules and Regulations promulgated by the City Manager's office to permit feeding meters and with the following ordinance change:

Sec. 28-84. Violations.

It shall be unlawful for any person to:

. . .

(c) Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to remain in a parking space beyond the period of legal parking time established for such parking space as provided in the traffic schedule, or, except as provided in Section 19-26, to deposit in the adjacent singlespace parking meter or a multi-space meter any payment for the purpose of parking beyond the maximum legal parking time designated by the parking meter or multispace meter ("prolonged parking" or "feeding the meter");

...

Sec. 19-26. Parking

Notwithstanding the general prohibition contained in Section 28-84, licensed street vendors operating lawfully in a metered parking space located on City-owned property may deposit in the adjacent single-space parking meter or a multi-space meter payment for the purpose of parking beyond the maximum legal parking time designated by the parking meter or multi-space meter ("prolonged parking" or "feeding the meter"), provided that no street vendor may prolong the maximum legal parking time designated by the parking meter or multi-space meter by more than two times (2x) the maximum parking time in any twenty-four (24) hour period.

5. Additional Comments/Issues

In addition to the above, food truck operators have expressed a desire for the City to designate a City-owned parking lot or other City-owned land where food trucks would be permitted to operate for extended periods of time, whether pursuant to lease agreements or some other arrangement. At this time, staff has not identified any potential area or lot.

| Attachments:

Proposed food truck ordinance amendments 8.20.13

Draft Food Truck Regulations Amendments 9.4.13

Food Truck Public Comments and Input

John Peverada's Food Trucks Memo 2013_1

10-5-11 Final Policy Recommendations for Food Trucks as Approved b.pdf

Portland Joining the Food Truck Revolution PPH 5.8.13

Policy recommendations for Food Trucks and Trailers

Adopted by Creative Portland - October 5, 2011

Food Truck definition: a vehicle or trailer capable of mobility and licensed for the road used for the purpose of preparing and dispensing food and drinks.

1. Food Trucks must be at least 65 feet from a bricks and mortar restaurant unless restaurant agrees in writing to permit it.
2. Food Trucks can be no wider than 10 feet nor longer than 40 feet. (UPS trucks are 9.8 feet wide. Parking spaces are 20 feet long.)
3. Food Trucks can park in any legal non-commercial parking space, following all rules including turnover parking rules. Food Trucks cannot occupy commercial loading/unloading spaces.
4. Food trucks allowed in City Parks or schools but in parking areas only
5. Food trucks may not operate where restaurants are prohibited by zoning (except allowed in city parks or schools in parking areas).
6. Food Trucks can park in private parking lots with permission from their owners.
7. Food Trucks can park in Public Parking surface lots, but not in Parking Garages.
8. Food Trucks can not be parked overnight on city streets or city parking lots, but may be permanently sited on private land properly zoned.
9. Food Trucks are allowed to cluster.
10. Food Trucks must have receptacles for trash and recyclables.
11. Food Truck generators must follow National Park noise guidelines of 74db at 10 feet, 67 db at 23 feet, and 60 db at 50 feet.
12. Food Truck exterior lighting cannot exceed 5000 lumens (? - 75 watt bulb produces 1100 lumens)
13. Tiered permit cost-
 - Inspection cost (one time cost) - \$100
 - private parking lot, power from the pole or a building - \$750 yearly
 - mobile food truck with generator used in public ways - \$1500 yearly
 - single day license - \$50 daily
14. Seating not allowed
15. Food Trucks can operate the same hours that restaurants can (Bill's Pizza's closing hour)
16. Limit number of permits/licenses? No.
17. Standard Health, Safety, and Insurance rules should apply

DRAFT

City of Portland Food Truck Rules and Regulations

These Rules and Regulations are promulgated pursuant to Section 19-23 of the City Code:

1. An application must be submitted on a form provided by the City Clerk's office with colored pictures of at least two different angles of the unit you are applying to license and a description that includes the length and width, when in its widest configuration.
2. Operation from 6:00 a.m. to 10:00 p.m. food trucks may operate on private property in all zones where food trucks are permitted with the permission of the property owner and in the following locations:
 - a. On the following city streets on the Peninsula:
 - West Commercial Street from Park Street to Danforth Street;
 - Bayside along Marginal Way from Forest Avenue to East End Beach Trail, along Washington Avenue from I295 to Cumberland Avenue, along Cumberland Avenue from Washington to Forest Avenue and along Forest Avenue from Cumberland to Marginal Way;
 - On the north side of Park Avenue between High Street and I295, except when there is a game or event at Hadlock Field in which case food trucks are limited to Park Avenue along Deering Oaks Park until two (2) hours before a game or event and starting again two (2) hours after the game or event;
 - Spring Street between Temple and Center Street;
 - Commercial Street from Franklin Arterial to India Street and then along Thames Street;
 - Eastern Promenade from Washington Avenue to Cutter Street;
 - St. John Street from A Street to Valley Street and along Valley Street back to A Street and along A Street between Valley and St. John Street.
 - b. On city streets or in city-owned parking lots off the Peninsula:
 - In the B-3, B-4, B-5, B-6, B-7 and Industrial Zones.
 - c. City Parks:
 - On city streets or in city-owned parking lots in city parks, if granted a license through the competitive bid process or RFP process described in Chapter 2, Sections 2-301 through 2-314 of the Portland City Code.
3. Night Vending: Food Trucks may operate in all non-residential zones where food trucks are permitted between the hours of 10:00 p.m. and 6:00 a.m. both on and off peninsula subject to the Separation Requirements in paragraph six-seven (67) of these rules.

DRAFT

Additionally, the food truck shall obtain the appropriate Night Vendor's License from the City Clerk.

The Portland Police Department has the right to close down or request a food truck to relocate after 10 p.m. where in the opinion of the Department, the food truck vending is causing or contributing to an imminent public safety hazard.

4. Food trucks are not allowed on ~~school grounds~~ the grounds of any school unless as part of a school authorized function.

5. ~~Food trucks are not allowed in~~ cemeteries.

6. ~~or in residential (R) zones~~ Except as provided in Paragraph 2(a) above, food trucks are not allowed in residential (R) zones.

7. Separation Requirement:

- a. On Peninsula: Except when operating in connection with a festival or special event approved pursuant to Section 19-22 of the City Code, food trucks must locate at least sixty-five (65) feet from:

- i. ~~Food trucks must locate at least sixty-five (65) feet from a~~ Any fixed-base food service establishment with an operating kitchen measured from the front door; ~~and/or~~
- ii. ~~Another street vendor or food truck; or~~
- iii. Any hotel, bed and breakfast, motel, hostel, or inn measured from the nearest edge of the property.

- b. Off Peninsula: Except when operating in connection with a festival or special event approved pursuant to Section 19-22 of the City Code, food trucks must locate at least two-hundred (200) feet from:

- i. ~~Food trucks must locate at least two hundred (200) feet from a~~ Any fixed-based food service establishment with an operating kitchen measured from the front door; ~~and/or~~
- ii. ~~Another street vendor or food truck; or~~
- iii. Any hotel, bed and breakfast, motel, hostel, or inn measured from the nearest edge of the property.

8. In addition to complying with the City's ordinances related to food trucks and these regulations, the owner and operator of a food truck is responsible for applying for and obtaining all other necessary city licenses required for the service of food and beverages, the food truck itself must be in compliance with the motor vehicle laws of the State of Maine, and the food truck owner is responsible for verifying that a specific location, other than those identified in paragraph 3(a), does not violate a zoning ordinance of the City.

Comment [JLT1]: This change is intended to bring the Rules in line with the Ordinance, which allows food trucks on school grounds if it is part of an authorized school function. The lack of that language in the rules has caused some confusion about whether trucks are totally prohibited on school grounds or whether, as outlined in the ordinance, they are permitted if authorized by the school.

Comment [JLT2]: This amendment is intended to address an apparent conflict between Paragraph 2(a) and this prohibition.

Comment [JLT3]: The following two changes are intended to bring the Rules in line with the Ordinance which permits clustering of food trucks and proximity to fixed-base food service establishments during declared festivals or special events.

Comment [JLT4]: This change would allow clustering of food trucks.

DRAFT

- | 97. Food truck locations, other than those on private property or those permitted through the City's competitive bid process, are based on a first come, first serve basis; there will be no designated parking spots for specific food truck vendors.

- | 108. In locations on public property where food trucks are permitted to operate, food trucks shall comply with all parking rules, except that food trucks otherwise operating lawfully on city-owned property may, in any twenty-four (24) hour period, "feed" any parking meter once in order to extend the maximum parking time by two times (2x) the usual maximum parking time limit.

- | 911. Food trucks may not be parked overnight on city streets or in city parking lots.

- | 12. Size limitations: Food trucks must not exceed ten (10) feet in width, including any side extensions or awnings, and twenty (204) feet in length, including the length of any trailer hitch, trailer, or other extension, unless the food truck is parked on private property, in which case, the food truck with attached trailer hitch, trailer, or other extension must not exceed forty (40) feet in length.

- | 13. Food trucks must be self-contained when operating, except for the required trash and/or recycling receptacles which shall be in contact with the food truck, in a safe location and in no event shall impede the free movement of automobiles or pedestrians.

- | 14. Food trucks must serve to the sidewalk or esplanade next to a sidewalk when parked in spaces parallel to City sidewalks.

- | 15. Only food and/or non-alcoholic beverages are allowed to be sold on City property.

- | 16. Each food truck vendor must provide the City of Portland with a certificate of insurance to cover public liability in the amount of at least \$400,000.00

- | 17. The food truck base station must be inspected and properly licensed pursuant to Chapter 19 and Sections 15-12 and 6-17 (if applicable) of the City code.

- | 18. Food trucks shall comply with the City's noise requirements pursuant to Section 17-20 of the Portland City Code.

- | 19. Failure to adhere to the regulations for food truck is cause for revocation or suspension of your license by the City Clerk pursuant to Chapter 15 of the City Code.

Dated: _____

Signed: _____

Mark Rees
City Manager

DRAFT

Please Direct Inquiries Regarding the Food Trucks in the City of Portland or Food Truck Inspections to (207)756-8365.

Field Code Changed

Jennifer Thompson - Fwd: Re: Potential Revisions to Food Truck Ordinance and Rules

From: Caitlin Cameron
To: Thompson, Jennifer
Date: 8/26/2013 10:35 AM
Subject: Fwd: Re: Potential Revisions to Food Truck Ordinance and Rules

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov

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<http://www.portlandmaine.gov/planning/undertheclocktower.asp>
>>> Nate <wickedgoodtruck@gmail.com> 7/19/2013 6:22 PM >>>
Caitlin,

Thanks for this,

I appreciate the reassessing of the fees for zoning.

It was my understanding that clustering was originally improved but it was an oversight when drafted. Thanks for correcting this.

I'm not really entirely sure how the draft is proposing to handle the metered parking. The obstacles were clearly outlined in the 5/31 memo, attached. If larger trucks are allowed to park in metered spaces it is going to further complicate an already difficult parking situation. As one of the 4 existing trucks that has been operating under these rules I can attest that its a nightmare with the parking department. Our truck is 18-8 and it is tricky to park it on the meters. I'm thinking larger trucks will be impossible.

What we really need as a food truck community is for the city to open up certain public spaces and to allow us to cluster there or make a food truck dedicated street or something of that nature.

Please let us know if this is within the scope of reality.

Nate Underwood

WGSK

On Jul 19, 2013, at 4:09 PM, Caitlin Cameron wrote:

As you are likely aware, following the City's adoption of its Food Truck ordinance, the food truck industry in Portland has really started to take off. As you are also likely aware, as more and more

food trucks come to Portland, wrinkles in the permitting and licensing process are being ironed out and areas for possible improvement identified. A recent article in the Portland Press Herald highlighted some of these efforts and areas for improvement. That article, together with input received from food truck operators and members of the public have prompted City staff to begin working on identifying possible ways to improve the way that the City regulates food trucks.

The attached materials have been released to the former members of the Food Truck Task Force. While the City Manager is collecting feedback from those task force members, we would also like your input as food truck operators in the City of Portland. We think it is important that you all help vet some of the proposals before they are presented to the Public Safety Committee and the full Council for consideration.

Therefore, attached please find a memo written by Jennifer Thompson in our Corporation Counsel's office identifying those areas that seem ripe for re-consideration. Also attached are proposed ordinance changes aimed at addressing some of the questions and concerns that have been raised as well as proposed changes to the rules and regulations promulgated by my office. These proposed changes are intended only to serve as a starting point for discussion and do not represent any particular recommendation on the part of my office or City staff.

My hope is that you will review these materials and provide me with your feedback - good, bad or otherwise. If, after receiving your feedback, it appears that there is general support for changes to the existing system, the City Manager's intention is to present those suggestions to the Public Safety committee for its consideration.

Thank you for time and assistance. I look forward to hearing from you and to working toward improving the way that food trucks do business in Portland. **If you could please have your comments to me by August 1**, that will allow us to move this along to Committee and to have public hearings on any potential changes before the end of the season.

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov

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<proposed food truck ordinance amendments.docx> <Draft Food Truck Regulations Amendments 7-15-13.docx> <5-31-13 Memo re food truck changes.docx>

Jennifer Thompson - Fwd: RE: Reminder: feedback requested

From: Caitlin Cameron
To: Thompson, Jennifer
Date: 8/26/2013 10:35 AM
Subject: Fwd: RE: Reminder: feedback requested

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov

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<http://www.portlandmaine.gov/planning/undertheclocktower.asp>
>>> <anna@lovecupcakesinme.com> 7/30/2013 5:44 PM >>>
Hi Caitlin,

Thank you for the reminder.

Our main concerns were also with clustering and building permits. We have a spot on private property right now, but we believe there are many businesses that could benefit from a food truck sitting on their property. We've had a great response with our trailer in Falmouth at the antique shop and we'd love to do the same thing in Portland with our truck. The extra fees and paperwork seem to be unnecessary.

The points that Sarah and Karl raised in their email hit most of our concerns spot on. We especially liked their idea of open parking after 6pm. This allows food trucks to explore the Old Port a bit more and seek out prime locations where foot traffic is at its best. Open parking after 6pm also gives food trucks the opportunity to sell where only the late night licenses are able to right now. It may lead to more trucks investing in the late night permit. We'd love to try it out, but we are not willing to pay for late night if we can't even try those locations during the early evening.

Those are our thoughts/concerns right now. We understand this is new to everyone. With anything new, there are bugs to be worked out.

Thanks for your time,

Anna & Joey Turcotte
Love Cupcakes
207.749-1671
www.lovecupcakesinme.com

| ----- Original Message -----

Subject: Reminder: feedback requested
From: "Caitlin Cameron" <CCameron@portlandmaine.gov>
Date: Tue, July 30, 2013 11:39 am
To: "Caitlin Cameron" <CCameron@portlandmaine.gov>

Just a reminder that we are looking for your feedback on the proposed changes to the Food Truck ordinance and accompanying Rules and Regulations by this Thursday, August 1st.

Thank you for your time,

Caitlin

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov

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Jennifer Thompson - Fwd: Re: Potential Revisions to Food Truck Ordinance and Rules

From: Caitlin Cameron
To: Thompson, Jennifer
Date: 8/26/2013 10:34 AM
Subject: Fwd: Re: Potential Revisions to Food Truck Ordinance and Rules

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov

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<http://www.portlandmaine.gov/planning/undertheclocktower.asp>
>>> Mainely Burgers <mainelyburgers@gmail.com> 7/30/2013 7:06 PM >>>
Caitlin,

We just want to make four points, some of which are reflective of our support of changes you have already noted in the documents sent out and all of which echo the changes voiced by the other trucks.

1. The need (and subsequent fee) for the building permits has been a major source of frustration for us. Our truck, which is 24 ft, is currently relegated to private lots. While we had envisioned parking in multiple spots in order to reach different segments of customers, we were forced to use just a few this summer in hopes of avoiding the harsh fees. Further,
2. We also support abolishing the 20 ft guidelines. We understand that many spots are just 20 ft long and that is fine. Other spots, however, should be open to all trucks.
3. Food trucks should be able to park anywhere, according to the 60 ft rule, starting at 6pm. The extra dinner period would be a major boost for Portland food trucks. Expanding the available parking spaces during the day would be a major step in the right direction as well.
4. Most of all, we'd like to see a designated space for food trucks in the city. Portland's food culture is great - this would make it greater.

We understand that the food truck industry is new to Portland, and are above all glad that this is still a work in progress. We are not asking for the city to do our work for us - only for them to make it a little easier for some young entrepreneurs chasing their dreams.

Ben and Jack
Co-proprietors, Mainely Burgers

On Fri, Jul 19, 2013 at 4:09 PM, Caitlin Cameron <CCameron@portlandmaine.gov> wrote:

As you are likely aware, following the City's adoption of its Food Truck ordinance, the food truck industry in Portland has really started to take off. As you are also likely aware, as more and more food trucks come to Portland, wrinkles in the permitting and licensing process are being ironed out and areas for possible improvement identified. A recent article in the Portland Press Herald highlighted some of these efforts and areas for improvement. That article, together with input received from food truck operators and members of the public have prompted City staff to begin working on identifying possible ways to improve the way that the City regulates food trucks.

The attached materials have been released to the former members of the Food Truck Task Force. While the City Manager is collecting feedback from those task force members, we would also like your input as food truck operators in the City of Portland. We think it is important that you all help vet some of the proposals before they are presented to the Public Safety Committee and the full Council for consideration.

Therefore, attached please find a memo written by Jennifer Thompson in our Corporation Counsel's office identifying those areas that seem ripe for re-consideration. Also attached are proposed ordinance changes aimed at addressing some of the questions and concerns that have been raised as well as proposed changes to the rules and regulations promulgated by my office. These proposed changes are intended only to serve as a starting point for discussion and do not represent any particular recommendation on the part of my office or City staff.

My hope is that you will review these materials and provide me with your feedback - good, bad or otherwise. If, after receiving your feedback, it appears that there is general support for changes to the existing system, the City Manager's intention is to present those suggestions to the Public Safety committee for its consideration.

Thank you for time and assistance. I look forward to hearing from you and to working toward improving the way that food trucks do business in Portland. **If you could please have your comments to me by August 1,** that will allow us to move this along to Committee and to have public hearings on any potential changes before the end of the season.

Caitlin Cameron, LEED AP, Associate AIA
Urban Designer | Planning & Urban Development Department
City of Portland, Maine
389 Congress Street, 4th Floor Portland, ME 04101
(207) 874-8901 | ccameron@portlandmaine.gov
Subscribe to our quarterly newsletter, Under the Clock Tower:
<http://www.portlandmaine.gov/planning/undertheclocktower.asp>

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--

Mainely Burgers
108 St. John St.
Portland, ME 04102

P. (207) 650-6217
P. (207) 272-2921
W. www.mainelyburgers.me
F. [facebook.com/mainelyburgers](https://www.facebook.com/mainelyburgers)

T. @mainelyburgers

Jennifer Thompson - Re: Potential Revisions to Food Truck Ordinance

From: Bite into Maine <biteintomaine@gmail.com>
To: Mark Rees <MHR@portlandmaine.gov>
Date: 7/29/2013 7:29 PM
Subject: Re: Potential Revisions to Food Truck Ordinance
CC: Doug Fuss <doug@bullfeeneys.com>, Steve Dimillo <steve@dimillos.com>, Ka...

Mark,

Thank you for sending this out to all of us. We would like to weigh in on some of the thoughts we have regarding the current issues.

First and foremost, we would like to see the City of Portland enact the recommendations that was originally presented by the Food Truck Task force. Specifically, no restrictions on clustering on private or public property, and also expanding the permitted areas that could include food trucks, specifically Compass Park.

In addition, the building and occupancy permits should not be applied to food trucks. From our understanding, while these have been a method to have a "handle" on where food trucks are operating, it has caused unnecessary fees and applications that have resulted in red tape and money spent that has seen no direct result to the food trucks.

We really urge the city to focus on finding a designated area of Portland where food trucks can operate daily and consistently, and could be managed by the city in some fashion. It could be a spot that food trucks, the city, and other restaurants could be happy about. It would allow for food trucks to provide consistent service, customers know that they could always find a food truck to eat at if they like, and the city could promote it.

In addition, we urge the city to look at a few more matters as it pertains to some of the issues we see facing successfully operating food trucks in Portland:

Please include or appoint an actual food truck owner(s) in discussions on the matters that apply to the ordinances

Consider expanding the street areas that food trucks are permitted to operate i.e. Western Prom, streets that aren't closed off when cruise ships are in town, etc.

Allow food trucks to park on the streets starting at 6 pm when meters expire over the entire city as long as they follow the distances from operating kitchens. This could allow for food trucks to actually provide a dinner service in the city where foot traffic is a possibility. We miss out on great opportunities like First Friday Artwalk as a result.

Investigate additional city property that could be leased to a number of food trucks to create and promote a food truck area of the city i.e. open air parking lots, open lots, etc

Allow food trucks to either park more than 2 hours at designated meter +/-OR Consider leasing metered spots to food trucks such as the current Uhaul Zip cars are allowed

Allow truck sizes more than 20 feet to operate on the streets, while we understand the metered parking spaces are 20 ft in length, much of the rest of the city does not fall into that size restriction.

Thank you for your time and consideration,

Karl and Sarah
Bite into Maine

On Tue, Jul 23, 2013 at 9:34 AM, Mark Rees <MHR@portlandmaine.gov> wrote:
To the former members of the City of Portland's Food Truck Task Force:

As you are likely aware, following the work that you did last year and the City's adoption of its Food Truck ordinance, the food truck industry in Portland has really started to take off. As you are also likely aware, as more and more food trucks come to Portland, wrinkles in the permitting and licensing process are being ironed out and areas for possible improvement identified. A recent article in the Portland Press Herald highlighted some of these efforts and areas for improvement. That article, together with input received from food truck operators and members of the public have prompted City staff to begin working on identifying possible ways to improve the way that the City regulates food trucks.

Given the invaluable role the task force played not only in formulating and drafting the current ordinance but also in soliciting and incorporating the interests of stakeholders, I think it is critically important that you all help vet some of the proposals before they are presented to the Public Safety Committee and the full Council for consideration.

Therefore, attached please find a memo written by Jennifer Thompson in our Corporation Counsel's office identifying those areas that seem ripe for re-consideration. Also attached are proposed ordinance changes aimed at addressing some of the questions and concerns that have been raised as well as proposed changes to the rules and regulations promulgated by my office. These proposed changes are intended only to serve as a starting point for discussion and do not represent any particular recommendation on the part of my office or City staff.

My hope is that you will review these materials and provide me with your feedback - good, bad or otherwise. If, after receiving your feedback, it appears that there is general support for changes to the existing system, my intention is to present those suggestions to the Public Safety committee for its consideration.

Thank you for time and assistance. I look forward to hearing from you and to working toward improving the way that food trucks do business in Portland. If you could please have your comments to me by August 1, that will allow us to move this along to Committee and to have public hearings on any potential changes before the end of the season.

Mark H. Rees
City Manager
City of Portland, Maine
389 Congress Street
Portland, ME 04101

MHR@portlandmaine.gov
(207)874-8689

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--

Bite Into Maine

Mainecentric Mobile Food
www.BiteintoMaine.com

Winner of Portland's Best Lobster Roll 2012!

From: Doug Fuss <doug@bullfeeneys.com>
To: Mark Rees <MHR@portlandmaine.gov>
CC: Steve Dimillo <steve@dimillos.com>, Katy Jayne <k8jayne@gmail.com>, Ron ...
Date: 7/31/2013 1:24 PM
Subject: Re: Potential Revisions to Food Truck Ordinance

My feedback:

Clustering:

We absolutely wanted to encourage clustering in all areas where they permitted especially in private lots. Keep in mind that they are banned from downtown streets where clustering would be a problem. The areas we outlined where they were permitted we identified as opportunity zones where trucks would thrive without threatening bricks and mortar restaurants or disrupting downtown parking, which merchants actively protect.

Parking Fees:

I think parking is a cost of doing business and metered locations exist for a reason; they are premium spots requiring payment to park there. I have no objection to allowing food truck operators to feed the meter once, allowing for an extra two hours, bringing it to four, roughly the normal mealtime during the morning or lunchtime. Dinner isn't an issue since meters are not required after 6p. John can chime in here, but I think it would be relatively easy for him to instruct his officers to allow trucks to feed the meters once.

Increasing Vehicle Size:

I am opposed to this idea. Keep in mind that we are an urban environment where space comes at a premium. Large trucks could prove to be a blight on our vibrant community. I think there are already fantastic examples of trucks that work within the existing footprint in a healthy way, like Mainely Burgers, Wicked Good Food, etc. These are the types of trucks that work well in our environment.

Cruise Ships:

I feel strongly that we should continue the prohibition during cruise ship days. Every bricks and mortar business would like access to cruise ship customers. As it is now, with their attention drawn to busses headed to Freeport or Walker's Point, we struggle to recruit passengers to explore our great city. As we have seen with "street artists," when portable vendors setup immediately outside cruise ships, we distract their attention from heading more deeply into the city. We are footing much of the bill for the terminal, so we should benefit from their passenger traffic.

Building Codes:

I would make it as easy as possible for food trucks to operate within private lots. They shouldn't have any more fees than required in the ordinance, covering (part of) the cost of inspections. They are not "structures" per se and should not be subject to this double "tax" or fee.

Festivals and Events:

There should be clustering at these events. As far as I understand, existing ordinances are fine.

Hope this helps. Sorry it took me a while to get back to you,

Doug Fuss
Immediate Past President
Board of Directors
Portland's Downtown District

Publican
Bull Feeney's
375 Fore Street
Portland, ME 04101

207-773-7210
doug@bullfeeneys.com

On Jul 23, 2013, at 9:34 AM, "Mark Rees" <MHR@portlandmaine.gov> wrote:

> To the former members of the City of Portland's Food Truck Task Force:

>

> As you are likely aware, following the work that you did last year and the City's adoption of its Food Truck ordinance, the food truck industry in Portland has really started to take off. As you are also likely aware, as more and more food trucks come to Portland, wrinkles in the permitting and licensing process are being ironed out and areas for possible improvement identified. A recent article in the Portland Press Herald highlighted some of these efforts and areas for improvement. That article, together with input received from food truck operators and members of the public have prompted City staff to begin working on identifying possible ways to improve the way that the City regulates food trucks.

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>

>

>

> Mark H. Rees
> City Manager
> City of Portland, Maine
> 389 Congress Street
> Portland, ME 04101
> MHR@portlandmaine.gov
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> <5-31-13 Memo re food truck changes_1.docx>

> <Draft Food Truck Regulations Amendments 7-15-13_1.docx>

> <proposed food truck ordinance amendments_2.docx>

**CITY OF PORTLAND
MEMORANDUM**

TO: Jennifer Thompson, Associate Corporation Council

FROM: John Peverada, Parking Manager

DATE: August 28, 2013

RE: Food Trucks

Jenn,

Once again I feel strongly that the length of food trucks in metered spaces should remain at 20', otherwise regardless of what the ordinance states I fear that food trucks longer than 20' that take up more than one spot will think they can just feed both meters causing unnecessary confrontation between the vendors and the PCOs. However I do believe that there is no need to have a length restriction at all other on and off street locations ie time zones and unrestricted spaces.

Finally, the meters have a two hour limit to create turnover parking for all businesses. If a food truck needs more time then they should park in an unmetered area. This is not about receiving a permit fee and revenue. A lot of brick and mortar businesses feel strongly that they pay rent or taxes year round and they do not want to lose a customer due to lack of parking.

Thanks
John

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View Food Trucks of Portland in a larger map

May 8

Portland finally joining food truck revolution

It's a bit late to the party, and there remain some wrinkles to be ironed out, but this summer, Portland finally joins the food truck revolution.

By Meredith Goad mgoad@mainetoday.com
Staff Writer

At long last, Portlanders will be able to walk up to a food truck this summer and grab a hamburger, taco, hand pie, cup of coffee or other casual fare — years after the food truck revolution invaded other cities across the country.

The presence of a few food trucks downtown (see this comprehensive [guide to the fleet](#)) will be a huge step forward for this food-loving city, which struggled over the regulations and made the whole process way more complicated than it needed to be. We should celebrate the fact that the city has finally embraced an idea that will make life here just a little bit better.

But don't crack open the Champagne too fast.

When food truck operators actually went to get their licenses and open their businesses, they got a couple of unwelcome surprises. Turns out there are still two big regulatory hurdles to get over before we can declare Portland a food truck-friendly place.

First, food truck operators are being required by the city to pay \$105 in fees —



Customers queue up at El Corazon food truck, which was parked on Commercial Street in Portland on Sunday.

Tim Greenway/Staff Photographer

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\$30 for a building permit and \$75 for an occupancy permit -- for every place they park on private property, even though they already have paid for a lease agreement with the property owner. That's on top of their \$500 food truck license and \$110 inspection fee. (Night vending is another \$200.)

This means that some trucks will have to limit where they can do business, since all those fees add up quickly.

But food trucks are supposed to be mobile, right? That's the whole point.

"They wrote the ordinance so that it would encourage people to park on private property, basically, instead of roaming around the city and trying to find parking spots, especially in the Old Port and the peninsula," notes Sarah Sutton, who owns the lobster roll food truck Bite Into Maine and has been trying in vain to get the City Council to take a look at the issue. "It's really restrictive. And now -- I don't even know how it happened -- they're charging building permits for every spot on private property that they know you're going to park on."

This is important because, truck operators say, in order to make their business work at all they must have a place to park on private property. There just are not enough public parking spots available on city streets because of the restrictive limits that were put in place to spare Portland's restaurants a little competition.

The second issue has to do with clustering. When the ordinance was being developed, food truck operators made it clear they wanted to be able to cluster together in a parking lot, especially for specific events. But when the regulations were published, the rules said food trucks had to stay at least 65 feet from each other on the Portland peninsula, and 200 feet away from each other off-peninsula.

That hasn't kept some trucks from clustering anyway, at the popular monthly "Flea Bites" gatherings at the Portland Flea-For-All on Kennebec Street, for example. But they are always looking over their shoulders while they're selling their sandwiches, worried that these popular events will be broken up by the city because of a rule that they didn't expect to be in the ordinance in the first place.

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Rising Tide to host trucks through summer

Some businesses around Portland are embracing food trucks, hoping they'll add a little extra taste of fun to their events and draw more people to their businesses.

"We're going to have food trucks every Saturday, and it's going to be a different food truck every week," said Heather Sanborn of Rising Tide Brewing Co. at 103 Fox St. in the East Bayside neighborhood of Portland. "Obviously, there will be repeats throughout the summer, but I have six I'm working with now."

The trucks will be parked on a rotating basis in front of the brewery during the business' tasting room hours, noon to 5 p.m. Gusto's Italian Food Truck will be on site this Saturday, and Mainely Burgers will be on tap May 18.

Sanborn said if the trucks prove to be popular, she may expand to Thursdays and Fridays.

She'll also be signing on food trucks for special events.

Sanborn said having food trucks in the area -- the SmallAxe truck will be parked regularly over on Anderson Street -- will be a boon for people who work in East Bayside, who currently have limited options for buying lunch

WHO PAYS THE PRICE?

The rule raises a lot of questions: Who pays the building and occupancy fees when these trucks cluster at an event? The property owner, since there are several trucks involved? Does each truck pay a separate fee, or do they all chip in together and pay once? And do they have to buy a new permit every time they gather, even if it's a regular weekly or monthly event?

"We had talked to City Council and said we want trucks to be able to cluster, and they had all agreed that was a good idea," said Ben Berman, owner of Mainely Burgers.

"And then the ordinance came out, and it said you can't. I don't know why that happened. It was sort of a surprise, but truly we're not mad at anyone. We're frustrated that this hasn't been resolved yet, but happy that some progress has been made."

The situation is clearly making food truck owners unhappy, but most are limiting their public comments to low-level grumbling, both because they still have to work with the city and are hoping someone in power will take notice and help them fix things.

In referring to the unexpected permit fee, they use phrases like "double dipping" and call it "a little unfair."

"That does come into play when you move from location to location," city spokeswoman Nicole Clegg acknowledged. "I will say that these are still kind of new rules and regulations. This is kind of a new concept that we're applying to existing ordinances. So when issues like the one that you've raised come up, it kind of forces us to examine if how we're applying it is fitting in with the goal of supporting the industry."

Clegg said the permits are required because the food trucks are being treated like tents and other temporary structures you might set up on your property for a special event.

"We knew when we enacted the rules that there probably were going to be some things that need to get adjusted as we learned more about how the industry operates," Clegg said. "And this was a good one to point out. We recognize that for someone who's trying out their business, and trying out a location, that this is a challenge for them."

Sutton said the loose coalition of food truck owners that has formed in Portland has been trying to get the permits and the clustering issue brought up as an immediate concern at City Council for weeks, "and it hasn't happened yet." She just found out that Christopher Hall, CEO of the Portland Regional Chamber, will be meeting with the mayor soon to discuss these two issues.

'FEAR OF THE UNKNOWN'

These glitches could just be considered a learning curve for the city, but they also point to larger concerns that Portland is making it too difficult for food trucks to work here.

"Right now, I think the majority of the rules that are on the books have been influenced by those who are concerned about the impact of the food truck revolution on the standard brick-and-mortar restaurant," said Carson Lynch, owner of the Gorham Grind truck. "I don't think that's necessarily justified. I think it's fear of the unknown. If you look to other more developed cities, you'll see that with food culture, there's a 'rising tide lifts all boats' sort of thing. If you're selling falafel in front of a barbecue place, you're just going to bring more consumers in general to that neck of the woods, and that's a good thing. So the code is written based on some fear."

and dinner, because restaurants are not allowed there.

As for whether or not a permit is required for the trucks that will be parked at her business on a rotating basis, Sanborn said she has left that for the truck owners to figure out.

"I don't see where that is actually required anywhere in the law," she said. "This is a major regulatory issue that the food trucks are going to have to deal with with the city. So far, I've kind of kept my nose out of it."

-- Meredith Goad

Jim Chamoff, owner of Gusto's Italian Food Truck, has been running his business since December and has already found it difficult to work within the city's rules.

"The biggest issue we're having quite frankly, is Portland," he said. "They didn't make it easy for anybody to do a food truck in Portland. It's very difficult. We can't go in the heart of the city where all the foot traffic is, so if you want to find us you have to walk a block or two in a different direction and you have to be looking out for us. We're not in the center of it. That changes after 10 p.m.; we can pretty much go anywhere. For the late-night crowd, it works pretty well."

Chamoff tried leasing a spot in a private parking lot, but discovered quickly that he wasn't going to be doing much business there. So he moved, and everywhere he moves, he has to get a new building permit.

When he has parked on city streets, Chamoff has found it difficult to abide by the parking regulations for food trucks. Moving every couple of hours is not always practical in a big food truck that has to be set up and taken down every time it moves.

"The parking guys are all over us," Chamoff said. "I mean, they're just brutal. I've literally gotten tickets while on the truck serving food. The bottom line, quite frankly, if they want food trucks in Portland, they're going to have to change the laws or it's not going to fly in Portland. Not the way it's written now. It's just too restrictive."

The rules are supposed to be reviewed again in August, a year after they were put in place. Sutton said she hopes that once more people start food truck businesses here, there will be a stronger voice for the movement in the city.

Because if things don't change, don't forget: Food trucks are mobile, and they may just motor right out of here.

Staff Writer Meredith Goad can be contacted at 791-6332 or at mgoad@pressherald.com

Twitter: [MeredithGoadONLINE](#)

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Additional Photos



Chefs
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Joseph Urtuzastegui and April Garcia at work in the Corazon kitchen.
Tim Greenway/Staff Photographer



Owners
click image to enlarge
Jack Barber, pictured, and Ben Berman will open Mainely Burgers 2.0, a Portland version of the truck they'll continue to operate at Scarborough Beach.
Gregory Rec/Staff Photographer

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by Taboola

Sec. 6-17. Fee Schedule.

The applicant shall submit the cost of work in order to determine the permit fee. If the construction cost submitted is less than that as indicated by national standards such as BOCA International or the R.S. Means Company, Inc., the City of Portland reserves the right to reevaluate the proposed project cost based on the referenced national standard and assess the larger of the fees. All building permit applications shall be accompanied by the appropriate fee as established below:

(a) Construction work:

(1) Cost of work fees:

Up to \$1,000.00	\$.30.00
\$1,000.00 or more	\$.30.00 + \$10.00 per
	\$1,000.00 above

\$1,000.00

(2) Belated fees:

Below \$30.00 permit fee . .	\$.50.00 additional
Above \$30.00 permit fee . .	\$.100.00 additional

(3) Amendments to application:

Up to \$1,000.00	\$.30.00
\$1,000.00 or more	\$.30.00 + \$10.00 per
	\$1,000.00 above

\$1,000.00

(b) Fees for specific items (additional to cost of work fees above):

(1) Air conditioning and ventilation systems	\$.30.00 + \$10.00 per
	\$1,000.00 cost

(2) Change of use permit	\$.30.00 + \$10.00 per
	\$1,000.00 cost

(3) <u>Food Truck Operating</u>	
<u>on Private Property</u>	<u>\$30.00</u>

(~~4~~) Demolitions:

	Structures	.\$30.00 + \$10.00 per \$1,000.00 cost
	(<u>54</u>) Heating systems-all types. .	.\$30.00 + \$10.00 per \$1,000.00 cost
	(<u>65</u>) Oil and gas burner.	\$30.00 + \$10.00 per replacement \$1,000.00 cost
	(<u>76</u>) Stop work order removal . .	\$100.00
	(<u>87</u>) Certificate of Occupancy. .	\$75.00 for each Inspection
	(<u>98</u>) Home occupation	.\$150.00 plus cost of work
	(<u>109</u>) Re-inspections	\$75.00 for each
		

Sec. 19-21. Prohibited operations.

(a) No street vendor shall operate on any street, way or public place without a license.

(b) No street goods vendor shall operate on any street, way or public place except during a festival or event declared pursuant to Section 19-22.

(c) No vendor other than a licensed street vendor or a street artist as defined in this Article shall operate on any street, way or public place.

(d) No street vendor shall operate:

(1) Within any area designated by the city council for a sidewalk sale, street festival, or other special event, except as authorized by a street and sidewalk occupancy permit issued pursuant to section 25-26 and as provided by section 19-22;

(2) On any city-owned property without a lease, contract, or other agreement with the city;

(3) On the grounds of any public school unless a school authorized function;

~~(4) Within sixty-five (65) feet of any other licensed street vendor if operating on the peninsula, except for festivals approved pursuant to Section 19-22;~~

~~(54)~~ Within sixty-five (65) feet of any fixed-base retail establishment if operating on the peninsula, except during festivals approved pursuant to Section 19-22 and except as provided in subsection (e) below;

~~(56)~~ Within two-hundred (200) feet of any ~~other licensed street vendor or~~ fixed-base retail establishment if operating off the peninsula, except during festivals approved pursuant to Section 19-22 and except as provided in subsection (e) below;

~~(67)~~ For pushcarts, on any sidewalk less than eight (8) feet in width or in any other location so as to impede the free passage of vehicles or pedestrians, obstruct the entrance to or exit from private property, jeopardize the public safety, or otherwise

inconvenience the public.

| (e) Notwithstanding paragraph^s (d) (~~54~~ & ~~5~~) above, a licensed street vendor may operate one mobile food service establishment within sixty-five (65) feet, if on the peninsula or two-hundred (200) feet if off the peninsula, of a fixed-based retail establishment offering the same or substantially similar goods or services, upon the following conditions:

(1) The owner of the fixed-base retail establishment and the owner of the mobile food service establishment are the same and each entity is licensed under the same ownership; or

(2) The owner of the mobile food service establishment has permission from the owner of the fixed-based retail establishment.

All other laws and regulations applicable to such licensed street vendor shall apply.

Sec. 28-84. Violations.

It shall be unlawful for any person to:

. . . .

(c) Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to remain in a parking space beyond the period of legal parking time established for such parking space as provided in the traffic schedule, or, except as provided in Section 19-26, to deposit in the adjacent single-space parking meter or a multi-space meter any payment for the purpose of parking beyond the maximum legal parking time designated by the parking meter or multi-space meter ("prolonged parking" or "feeding the meter");

. . . .

Sec. 19-26. Parking

Notwithstanding the general prohibition contained in Section 28-84, licensed street vendors operating lawfully in a metered parking space located on City-owned property may deposit in the adjacent single-space parking meter or a multi-space meter payment for the purpose of parking beyond the maximum legal parking time designated by the parking meter or multi-space meter ("prolonged parking" or "feeding the meter"), provided that no street vendor may prolong the maximum legal parking time designated by the parking meter or multi-space meter by more than two times (2x) the maximum parking time in any twenty-four (24) hour period.

Article VII: Access to Reproductive Health Care Facilities

Sec. 17-108. Findings; purposes

(a) The City Council hereby finds as follows:

- (1) Access to Reproductive Health Care Facilities is important for residents and visitors to the City of Portland and is a right that must be protected;
 - (2) The exercise of a person's right to protest or counsel against certain medical procedures is a First Amendment activity that must be protected;
 - (3) Public sidewalks adjacent to Reproductive Health Care Facilities located in the City of Portland are narrow, measuring between six and eight feet wide. These sidewalks abut busy city streets;
 - (4) Under Federal law (18 U.S.C. § 248 (2010)) and Maine state law (5 M.R.S. § 4684-B (2002)) it is unlawful for any person to obstruct or interfere with another person's access to reproductive health care services;
 - (5) Recent demonstrations outside of reproductive health care facilities have caused patients and employees of these facilities to believe that their safety and right to privacy are threatened; and
 - (6) Recent demonstrations outside of reproductive health care facilities have resulted in the fear and intimidation of patrons seeking to enter or leave other private businesses adjacent the reproductive health care facilities.
- (b) The City Council further finds that it is in the interest of public health, safety and welfare to regulate the use of public sidewalks and streets adjacent to reproductive health care facilities in order to promote the free flow of traffic on streets and sidewalks, reduce disputes and potentially violent confrontations requiring significant law enforcement services, protect property rights, protect First Amendment freedoms of speech and expression and secure a citizen's right to seek reproductive health care services.
- (c) The Council finds that the size of the limited buffer zone outside of reproductive health care facilities located in the City of Portland established by this Article is necessary to ensure that patients and employees of reproductive health care facilities have unimpeded access to reproductive health care services while also ensuring that the First Amendment rights of people to communicate their message to their intended audience is not unduly restricted or overburdened.

- (d) The City Council seeks to provide unobstructed access to reproductive health care facilities by setting clear guidelines for activity in the immediate vicinity of the reproductive health care facilities.
- (e) In adopting this ordinance, the Council recognizes and seeks to balance both the fundamental right to assemble peacefully and to demonstrate on matters of public concern, with the right to seek and obtain reproductive health care services. This ordinance is intended to promote the full exercise of these rights and to strike an appropriate accommodation between them.

Sec. 17-109. Definitions.

For the purposes of this Article:

“Reproductive health care facility” means a place, other than within or upon the grounds of a hospital, where health care services related to the human reproductive system, including abortions, are offered or performed.

“Patient escort services” means the act of physically escorting patients through the buffer zone to the reproductive health care facility and does not include counseling or protesting of any sort during such escort service.

Sec. 17-110. Prohibited acts.

- (1) No person shall knowingly enter or remain on a public way or sidewalk adjacent to a reproductive health care facility within a radius of 39 feet of any portion of an entrance, exit or driveway of a reproductive health care facility. This subsection shall not apply to the following:
 - (a) persons entering or leaving such facility;
 - (b) employees or agents of such facility acting within the scope of their employment for the purpose of providing patient escort services only;
 - (c) law enforcement, ambulance, firefighting, construction, utilities, public works and other municipal agents acting within the scope of their employment;
 - (d) persons using the public sidewalk or street right-of-way adjacent to such facility solely for the purpose of reaching a destination other than such facility; and
 - (e) persons using the public sidewalk or street right-of-way adjacent to such facility solely for the purpose of de-boarding or waiting to board a Greater Portland METRO Bus.

- (2) The provisions of subsection (1) shall only take effect during a facility's business hours and if the area contained within the radius described in subsection (1) is clearly marked and posted.

Sec. 17-111. Enforcement.

- (1) Prior to issuing a citation for a violation of this section, a police officer or any law enforcement or code enforcement officer shall issue one verbal warning to an individual. If the individual fails to comply after one warning, said individual shall be given a citation. Failure to comply after one warning is cause for citation whether or not the failure or subsequent failures are contemporaneous in time with the initial warning .
- (2) Any violation of the provisions of this law constitutes a civil offense punishable by a minimum fine of \$100. The City may also seek and the court may order injunctive relief designed to prevent further violations of this Article.

Sec. 17-112. Severability.

If any section, sentence, clause or phrase of this Article is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this law.



PORTLAND MAINE

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POLICE DEPARTMENT

January 18, 2013

RE: Sidewalk Protesting

This letter addresses the ongoing protests taking place in front of 443 Congress Street. The goal of the Portland Police Department is to ensure that pedestrians and workers enjoy safe and unimpeded access to this building, while respecting the first amendment rights of all citizens.

As you know, the Portland Police have been present at most of the protests, and have consistently ensured adherence to state and local laws related to disorderly behaviors and sidewalk obstruction. Please see the attached synopsis of those laws and regulations.

In recent weeks we have received an increase in complaints regarding the noise created by the protesters. Accordingly, I wish to draw your attention to the Maine Civil Rights Act prohibition against creating noise that can be heard within the building where health services are being provided (see page 2 of the attached list). Please understand that any future violations of this law will be referred to the Attorney General's office for prosecution.

If you have any questions or would like to meet to discuss these issues, please feel free to contact Trish McAllister, the Police Department's Neighborhood Prosecutor, at 756-8350.

Sincerely,

Michael Sauschuck
Chief of Police
Portland Police Department

Encl.

Possible criminal offenses:

Disorderly Conduct (17-A M.R.S. §501-A)

Intentionally or recklessly causing annoyance to others by intentionally making loud and unreasonable noises; or accosting, insulting, taunting or challenging any person with offensive, derisive or annoying words, or by gestures or other physical conduct, "that would in fact have a direct tendency to cause a violent response by an ordinary person in the situation of the person so accosted, insulted, taunted or challenge."

Harassment (17-A M.R.S. § 506-A)

A person is guilty of harassment if, without reasonable cause the person engages in any course of conduct with the intent to harass, torment or threaten another person after having been notified by a police officer, in writing or otherwise, not to engage in such conduct.

Obstructing public ways (17-A M.R.S. § 505)

Unreasonably obstructing the free passage of foot or vehicular traffic on any public way (including sidewalks), and refusing to cease or remove the obstruction upon a lawful order to do so given him by a law enforcement officer.

Each is a Class E crime which is punishable by up to 6 months in jail and up to a \$1000 fine.

Possible civil offenses:

Disorderly Conduct (Portland City Code § 17-17)

"No person shall in, on, or adjacent to any of the streets, ways or public places, make, continue, or cause to be made or continued any loud, unnecessary or unusual noises which shall either annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. The sounding of any horn or signaling device, except as a danger warning; the playing of any radio, musical instrument, phonograph or any other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants and passers-by; the use of any loudspeaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building, location or business, yelling, shouting, hooting, whistling, or singing shall be considered to be loud, disturbing, and unnecessary noises, but such enumeration shall not be deemed exclusive."

\$100 fine imposed.

Maine Civil Rights Act (5 M.R.S. § 4684-B)

It is a violation of this section for any person, whether or not acting under color of law, to intentionally interfere or attempt to intentionally interfere with the exercise or enjoyment by any other person of rights secured by the United States Constitution or the laws of the United States or of rights secured by the Constitution of Maine or laws of the State by any of the following conduct:

...

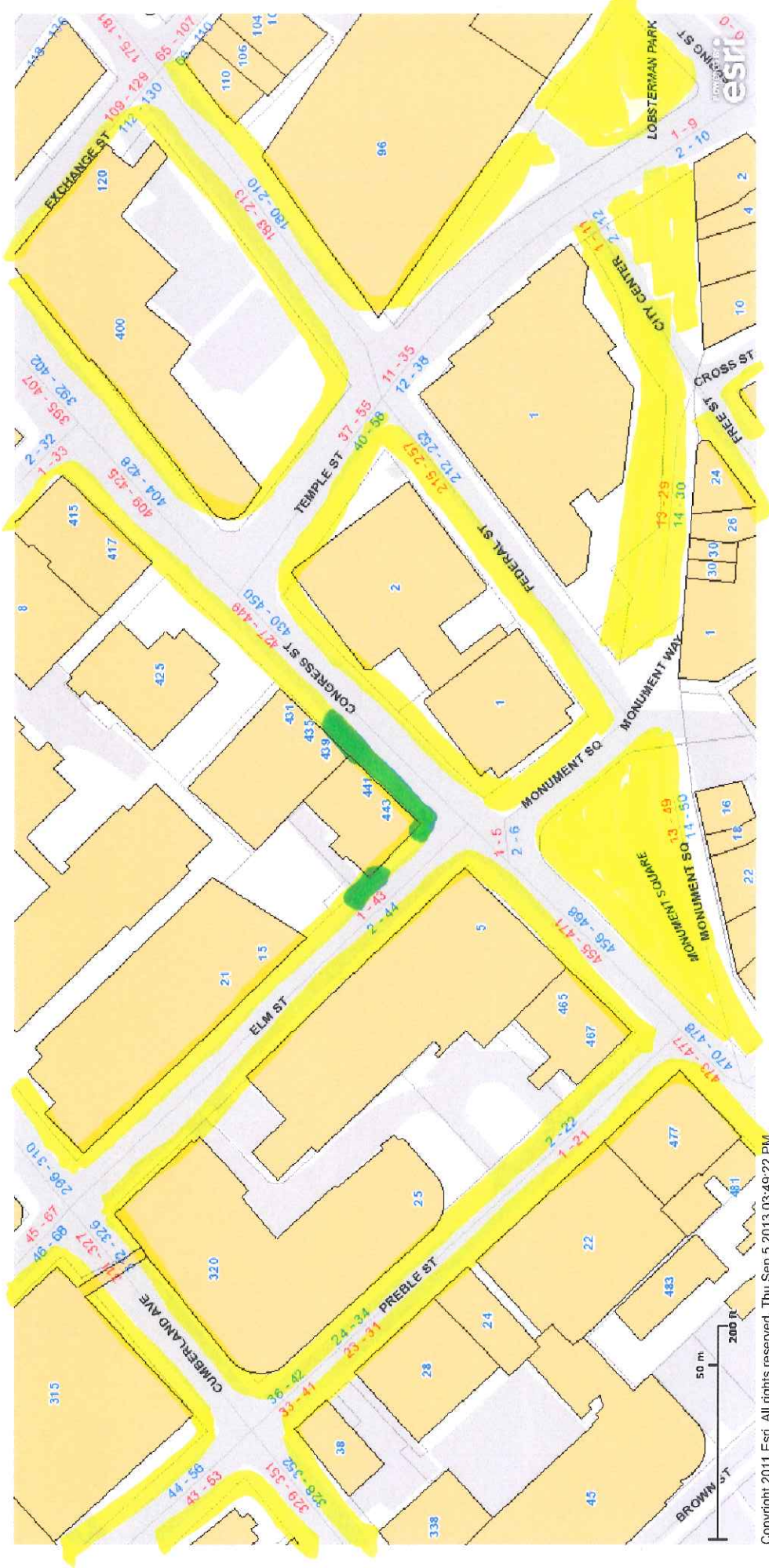
D. After having been ordered by a law enforcement officer to cease such noise, intentionally making noise that can be heard within a building and with the further intent either:

- 1) To jeopardize the health of persons receiving health services within the building; or
- 2) To interfere with the safe and effective delivery of those services within the building.

Each violation of this section is a civil violation carrying a penalty of not more than \$5,000.

In addition, the Attorney General's office may seek a temporary restraining order or injunction. A person who knowingly violates a temporary restraining order or preliminary or permanent injunction issued under this section commits a Class D crime, which is punishable by up to one year in prison and/or a fine of up to \$2,000.

My Map



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Unrestricted Public Space



Sidewalk area subject to Time, Place & Manner Restrictions

MEMORANDUM

To: Public Safety, Health and Human Services Committee
From: Trish McAllister, Neighborhood Prosecutor
Re: Reproductive Health Facility Buffer Zone
Date: September 3, 2013

BACKGROUND

Last fall, pro-life protesters began congregating outside Planned Parenthood (PP) Facility at 443 Congress Street to protest abortion. The protesters tended to show up each Friday morning and stand just outside the PP entrance. There were almost immediate complaints from PP regarding loud chanting, harassing behaviors, and intimidation of clients and workers. PP chose to hire a police officer for four hours each Friday morning (0800-1200) to ensure their safety.

In January, Portland Police Chief Sauschuck signed a general informational letter explaining the possible ramifications of protesters becoming disorderly, obstructing pedestrian traffic on the sidewalks, and/or making enough noise to be heard inside the building, which would constitute a violation of the Maine Civil Rights Act. This letter was distributed personally to every protester that appeared on Friday mornings throughout January and February, assuming they would accept it. They were not forced to take the letters. In addition, counter protests were organized, and those participants also accepted copies of the letter. The counter protesters, in order to keep the situation from becoming volatile, voluntarily moved to Monument Square whenever they showed up on Fridays to protest.

In the presence of the hired officer things remained fairly civil. However, various members of City staff still received complaints from PP of intimidation and harassment of clients and workers, especially when the officer was not present.

There was only one case of a potential Civil Rights Act violation for loud preaching, which occurred on March 22nd. That individual was warned by the PPD verbally, as well as in writing. He ceased his loud preaching activities. A report of the incident was forwarded to the Attorney General's office. They declined prosecution because the noise level decreased after the warning; therefore, no violation had occurred.

The PPD has done everything possible to keep all protesters, PP clients, workers, and passersby safe and orderly during these protests (see attached timeline and documentation of protester numbers). Nonetheless, PP has collected hundreds of written complaints from its

clients and workers detailing instances of harassment and intimidation from the protesters.¹ Note that such acts (preaching, taking photos, holding signs of graphic images, urging women not to enter the building) may not rise to the level of illegal behavior, yet are still intimidating to the recipients. If the City takes no action, the PPD will continue to monitor the protests and ensure no laws are broken, or that perpetrators are held accountable. However, this will not change the feeling by PP clients and workers that they are required to walk a hostile “gauntlet” every time they approach the entrance to 443 Congress Street.

OPTIONS

Portland could consider passing an ordinance which would create a buffer zone around any reproductive health care facilities where abortions are performed (PP being the only one at present, other than hospitals).² See the attached proposed ordinance creating a 39-foot zone around each entrance.

Alternatively, buffer zone proponents could lobby for a state law which would accomplish the same result in terms of protection of certain zones around reproductive health care facilities. This process would take longer just because of the legislative time line. In addition, if there is not a demonstrable need for such a law in cities other than Portland, it is possible it would fail in the Legislature. On the positive side, a legal challenge to a state law would be referred to the State Attorney General’s office, rather than necessitate defense by the City Attorney’s office in the case of a challenged ordinance. Note that both the Burlington ordinance and the Massachusetts state law discussed below have been challenged in court.

LEGAL ANALYSIS OF A BUFFER ZONE ORDINANCE

Protecting the health and safety of citizens is a traditional police power granted to local governments. U.S. Supreme Court holdings to date have relied upon this basic premise in decisions upholding buffer zones around abortion clinics, upon finding them to be narrowly tailored and in service of a significant government interest. In the most recent Supreme Court case, *Hill v. Colorado*, the Court noted that persons entering health care facilities “are often in particularly vulnerable physical and emotional conditions.” 530 U.S. 703, 729(2000)(holding that a state law requiring a floating eight foot “bubble zone” around persons within one hundred feet of a health care facility was constitutional); *Madsen v. Women’s Health Ctr.*, 512 U.S. 753 (1994)(affirming an injunction creating a thirty-six foot buffer zone around clinic entrances and driveways and limiting excessive noise, agreeing with the lower courts that the State has a strong interest in protecting a woman’s freedom to seek medical services and in

¹ Attached to this memo is a compilation of complaints from PP workers and clients, as well as notes and statistics kept by PP staff. More detailed documentation is available in the City’s legal office and should be considered part of the formal record.

² Legal staff recommends not including hospitals in a proposed buffer zone ordinance, in the interest of keeping such an ordinance narrowly tailored to address the actual issue presented, and thus remaining on more solid constitutional ground.

ensuring public safety and order); *Schenk v. Pro-Choice Network*, 519 U.S. 357 (1997), (upholding an injunction creating a fifteen foot buffer zone around clinic entrances).

One very important case to follow is *McCullen v. Coakley*, 708 F.3d 1 (1st Cir. Mass. 2013). Last spring the First Circuit affirmed the District Court opinion which held a thirty-five foot buffer zone (created by state law) to be constitutional. The state statute creates a protected area in a radius of thirty-five feet from any portion of the entrances to a “place where abortions are performed” (other than a hospital). This law is very similar to the one proposed here. On June 24, 2013, the Supreme Court granted certiorari and will hear this case on appeal. If the Massachusetts law is determined to be unconstitutional, then the Portland ordinance would fail if challenged in court on the same premise.

The City of Burlington, Vermont enacted an ordinance effective August 15, 2012, that created an abortion clinic buffer zone of thirty-five feet. *Clift v. City of Burlington*, 2013 U.S. Dist. LEXIS 21888, *5 (D. Vt. Feb. 15, 2013). Primarily on the basis of the First Amendment jurisprudence cited above, the court granted the city’s motion to dismiss the plaintiff’s claim of facial unconstitutionality. Currently, it does not appear that the decision affirming the ordinance has been appealed.

The proposed buffer zone ordinance in its current form suggests a 39-foot zone radiating from all entrances to PP. While the case law upholding buffer zones generally addresses those between 15 and 35 feet, staff has noted that a 35-foot buffer zone in this particular case would leave a very small area between zones on Congress Street, which would likely spark even more confrontations, as well as presenting a significant enforcement problem. A 39-foot zone accomplishes the task much more efficiently while still leaving ample alternative channels for communication open.

Under current jurisprudence, the proposed Portland buffer zone ordinance appears to be a valid content-neutral, time, place, and manner regulation, narrowly tailored to serve the City’s significant interest in ensuring public safety, protecting First Amendment rights, and ensuring patient and staff safe and unfettered access to and from reproductive health care facilities.

Attachments:

Proposed Ordinance

Chief Sauschuck’s January 18, 2013 Letter to Protesters

Timeline of City Actions/PPD documented numbers

Copies of complaints from PP greeters and clients



The Planned Parenthood of Northern New England Patient Experience

Despite regular police presence outside of our downtown Portland Health Center, routinely patients are harassed and intimidated in an attempt to deter them from accessing reproductive health care. Since the beginning of the protest activity we've been collecting stories from patients regarding their experiences walking the intimidating gauntlet of protestors. Patient Intake Form responses have continuously illustrated that, regardless of police presence, patients are feeling harassed, intimidated and uncomfortable with the protestor presence outside of the health center.

Total forms collected: 161

Patient Survey Questions:

Were you intimidated or harassed when entering this Health Center?

110 answered "Yes"

Does the presence of protestors so close to the Health Center make you feel uncomfortable?

150 answered "Yes"

Do you support a city ordinance creating a safety zone that would keep protestors 35 feet away from the entrance to the Health Center?

158 answered "Yes"

What our patients have said:

06-28-13, Ericka

the protestors made it even more uncomfortable to follow through with my decision to have an abortion. It's hard enough to have the strength to get here and with them being in your face with murder signs its too much to take in. I do not feel they should be allowed to protest right in front of the building.

06-14-13, Julia

The protestors form a gauntlet leading up to PPH doorway that serves to intimidate & shame people going in. I was going in for a routine health appointment & felt judged as 30 strangers stared & offered to "help me" at me going in. It was uncomfortable & felt like a violation of my privacy. I'm being a responsible person who cares about their health & personal safety. I should not be subjected to this kind of intimidation & harrassment.

05-31-13, Nicole

Being escorted by a stranger through a line of protestors has upset me very badly. I am nervous about walking out to my car in the garage.

05-03-2013, Erin

It was hard to enter the door + when I pushed by they were mumbling offensive stuff.

05-03-2013, Joyce

The 1st thing I saw was a sign that said babies are murdered here. I already feel bad enough having to save my own life.

04-26-2013, Renee

To many protestors blocking, and showing signs that are really heart breaking, and they make it harder for the women who are coming here. And shouting things at me.

04-26-2013, Eileen

I was rudely + aggressively approached and yelled at as if they wanted to get physical. It made me extremely uncomfortable + angry.

04-12-2013, Holland

disturbing images on protestor's signs, shouting at me as I walked in side. Last week's visit one woman was in my face and trying to block me from coming in.

03-22-2013, Jo

The sidewalk is like walking a gauntlet. This poses an intentionally threatening and intimidating environment, encroaching on my life, liberty, and pursuit of happiness.

03-01-2013, Michele

The protestors were very intimidating and should not be allowed so close to the clinic entrance. Protesting is their right, but they have taken it way too far.

02-15-2013, Ronald

People shoving signs in my face. Calling me names "ignorant" + "stupid" as I was trying to enter building blocking my way! We should not have to have greeters to make people feel safe enough to enter this building!

02-15-2013, Jason

Lady followed me, tried showing me pictures and figures of babies. Also stood out front of my car as I tried to leave.

02-01-2013, Nicole

Ran into the building. He was standing 5 ft from the door. With a sign w/ choose life and bible verses. Not everyone coming in is here for an abortion, and I found it offending and rude. He made me feel uncomfortable coming to a place I should always feel safe/welcome.

02-01-2013, Cassandra

A woman handed me a pamphlet and said things like "Don't do it honey, this is your baby..." I don't need to be harassed or judged for a choice that I'm making that is my freedom and right as an American.

02-01-2013, Myriah

It was very uncomfortable and I was nervous to even cross the street. They kept trying to hand me things. I do not appreciate being judged for taking positive steps to ensure my personal health.

02-01-2013, Zara

Images on posters in your face as you walk by, Lady asking if I was going into the building, what I was having done, telling me she needs to tell me the "truth about Planned Parenthood." Who is she to ask me those things?

01-25-2013, Maureen

Due to the cold, there were not many people outside today. On other days there have been many and made it difficult to pass. The comments are angry, hate-filled and ugly. Their presence is very intimidating and I feel that my right to pass by is limited and makes me feel anxious.

01-23-2013, Elizabeth

I have been bothered by the presence of protestors so close to the entrance of the health center. Their violent images and messages are upsetting to me and make me feel less safe.

01-18-2013, Devin

Being told that I'm a baby killer. That I'm selfish and care only about myself. I was being yelled at and told that it's not my right to choose. I felt very disrespected. This is a WOMAN'S RIGHT!!!

01-18-2013, Gretta

Man outside started yelling at me saying that we kill babies, and it's planned murder. I feel very harassed. Apparently I'm selfish and the world revolves around me. He made me feel so uncomfortable. I think they should not be outside the building because it is a woman's choice!!!

01-18-2013, Amethyst

[...]I was nervous for my safety.

01-12-2013, Beth

Although I was only coming into PP for birth control, I even felt intimidated and threatened by these terrible people. They are attempting to threaten and scare people away from their legal rights to obtain healthcare.

01-11-2013, Derek

It was hard enough to come here and support my girlfriend without hatred and ignorance greeting you on the way in.

01-11-2013, Annelise

Very uncomfortable and judged. My rights as a patient feel violated to have people outside that do not approve of me and want me to stop receiving care here.

01-11-2013, Ariel

I felt crowded in and constricted by the protestors. As this was my first time to this location, I wasn't sure of where the entrance was so I had to walk through them again. It's really unpleasant and emotionally taxing to have people yelling at you and trying to inflict guilt upon you when you're just trying to go to the doctor.

01-11-2013, Molly

I can hear them from the waiting room. Not cool.

01-11-2013, Elisa

...having them so physically close was intensely uncomfortable...

01-04-2013, John

Entering Planned Parenthood today was like running a gauntlet. There were cheering, jeering people lining both sides of the sidewalk. It was very disorienting... I almost couldn't find the door to the office because I was so overwhelmed.

01-04-2013, Blynn

The anti-choice protestors were loud, and held signs – covered with disgusting images offensives to common decency. It is frankly enraging that this sort of behavior is permitted so close to a center devoted to health care.

01-04-2013, Theresa

Anti-abortion protestors...were standing right in front of the door I had to go through which was very uncomfortable.

12-30-2012, Marie

No way to avoid them. Really shocked that this is allowed in my city.

12-21-2012, Eliza

I was partially blocked and shouted at when trying to enter the building. The area is small in front of the entrance, and they take up most of it!!

12-14-2012, Jen

I am an adult. I feel it my right to come here and not feel uncomfortable.

12-07-2012, Tara

They started tapping on the window saying this is wrong. Trying to force pamphlets in my hand.

11-21-2012, Anonymous

There were so many protestors it was difficult to find the door, they were all staring at me ... I was worried they might try to physically restrain us.

11-09-2012, Kasia

Was a bit hesitant to enter. Someone with a sign stepped right in front of me and ask if I thought a baby was a gift from God. I just walked by. Was very disturbed by the posters of the fetuses.

Greeter Intake Form Overview

Below you will find a compilation of notes and statistics that were pulled from the Greeter Intake Forms at the Portland Health Center. Our Greeters cover the entrance to the health center on Friday and Saturday mornings. Each week, the health center sees regular protest activity on these days. The forms begin on October 10, 2012 and run 38 weeks (36 of which we have documentation of) until June 28th, 2013. In those 36 weeks, the mean number of protesters present was 12.8. At protests occurring on Fridays, the average number of protestors present was 17. On Saturdays, the average was 7. The largest number of protesters was 120, and the smallest was zero.

The Greeter Intake Forms Demonstrated:

- On 100% of the days that protesters were present, greeters reported that patients felt intimidated or harassed when entering the Health Center due to protest activity.
- On 100% of the days that protesters were present, greeters reported that patients felt uncomfortable due to the presence of protesters so close to the Health Center.
- During all 36 weeks, protesters approached the patients, prayed, held signs, videotaped, passed out literature, verbally harassed patients and passersby and/or preached loudly.
- During 26 of the 36 weeks (72.2% of the time), protesters blocked the door.
- During most Friday protests, except for the month of April, Planned Parenthood had a police officer on duty outside the clinic. On five occasions, the police were called. On three occasions, the police officer on duty called for additional police assistance.
- During two of the 36 weeks, the protesters used a bull horn/amplifier.
- During 12 of the 26 weeks, there was media present or passersby were noticeably photographing the protesters and/or patients.

During the 36 weeks, the Greeters commented on the many common themes. They stated:

- They surrounded and yelled at patients, especially family couples. Their harassment was strikingly androcentric – “That’s your son in your womb.” (*Greeter Sharon, 10/26/2012*)
- They yelled at employees of other businesses entering the building with their dogs: “No dogs allowed in the clinic!” (*Greeter Sharon, 10/26/2012*)
- Preacher spewed Bible verses and talked about Judgment Day. Mother and two children with a large sign harassed patients and called them murderers. (*Greeter Bre, 10/26/2-12*)
- A protester was aggressively evangelizing passersby, greeters and men contracted to clean windows. (*Greeter Moriah, 11/2/2012*)
- One protester talked to me or at me specifically for several minutes, told me that I’m complicit to murder, accused me of mocking the death of women, etc. (*Greeter Justine, 11/2/2012*)
- One protester indicated that there was an undercover photographer in the health center today. (*Greeter Bre, 11/9/2012*)

- Police presence makes a huge difference in the volume and tone of the protest. They spoke to patients, but didn't scream at them or accuse them of murder. *(Greeter Sharon, 11/30/2012)*
- Police presence discouraged a lot of the worst behavior. *(Greeter Bre, 11/30/2012)*
- The protestors were back to circling around the door as patients entered; they argued with the officer about where their signs could be, they shouted at the clinic windows and argued vehemently with passersby. *(Greeter Sharon, 12/7/2012).*
- They were MEAN today. Meaner than usual. We need some way to block the doors from view, taking pictures of people in the building is so not okay. Several ganged up on me and I tried not to let it get to me but it was fierce out there. *(Greeter Bre, 12/7/2013)*
- Very Loud. Donna (protester) had an amplifier. Mike (local shop owner next door) was very upset. Lots of shouting, arguing, loud singing, loud preaching...very emotional. *(Greeter Bre, 12/21/2013)*
- Four officers present to keep engagements civil and the sidewalk clear. A buffer zone would be fantastic! *(Greeter Moriah, 1/24/2013)*
- Protesters are still forming double row on sidewalk, leaving narrow corridor for patients or public to navigate. They are still swarming forward as patients approach the door to try to hand literature, talk or yell at them. *(Greeter Sharon, 1/11/2013)*
- Escalating in language. Following people down the block. Passersby are visibly irritated and upset. *(Greeter Bre, 1/11/2013)*
- The persistent guy with double sided signs called Moriah and I "wicked, evil and disgusting." *(Greeter Bre, 1/18/2013)*
- Loud preaching and loud singing of hymns which bother employees at Portland Chamber, one of whom came out and spoke to the police. *(Greeter Sharon, 1/18/2013)*
- One patient's partner was visibly angry and shaken that they could be right in front of the door, that they could videotape...He yelled at them, but seemed upset at everyone for not protecting him and his partner from harassment. *(Greeter Sharon, 2/2/2013)*
- Held signs towards traffic; many drivers take their eyes off the road (so unsafe). *(Greeter Marie 2/23/2013)*
- Telling women 'you don't need to murder your baby.' *(Greeter Marie, 2/23/2013)*
- They approached patients and asked them if they were having abortions, walked with them and harangued them." *(Greeter Sharon 3/1/2013).*
- Leslie (protestor) did accompany and harangue one patient, walking on the other side of her while I accompanied her and yelled at her as the woman went into the building. She yelled "Mommy, don't kill your baby!" *(Greeter Sharon 3/8/2013).*
- Lots of drivers were very distracted by protesters' signs and would try to read them while driving. A few almost ran through the intersection. *(Greeter Kirstan, 3/9/2013)*
- Protesters followed patients to the door of the clinic while shouting. They followed a man who escorted a female to the clinic all the way to the intersection where he went to park his car. *(Greeter Marie, 3/15/2013)*
- Preacher was targeting/harassing passersby, patients, and greeters. He followed people and told them "You are a sinner and I hope god will torment you." *(Greeter Farley 3/22/2013)*

- Lots of yelling at patients: Protester - "Do you know they murder children on the 2nd floor?!" Other protester to patient - "Don't murder your child!" (*Greeter Sharon 4/5/2013*).
- Police were called for the sidewalk being blocked; officer came and cleaned everything up. More patients than usual asked to be escorted from the corner of Elm and Congress to the clinic. (*Greeter Moriah 4/5/2013*).
- David (protester) is intermittently aggressive and confrontational with patients: yelling about murder, calling them wicked/evil/sinners, threatening them with God's eternal punishment. (*Greeter Sharon 4/12/2013*).
- David (protester) seems increasingly angry at volunteers, yelling at us "You're smirking, but God will get you." (*Greeter Sharon, 4/19/2013*)
- Leslie (protester) followed patients in talking loudly about God and God's mercy. (*Greeter Farley, 4/19/2013*)
- There was a man with a large sign. The sign had a graphic image of a dismembered fetus on one side; the other side says "Planned Parenthood, Planned murder!" (*Greeter Lynne 4/20/2013*).
- The older gentleman with signs was incredibly verbally abusive today. He kept attempting to engage with me. At one point, he told a passerby that Maria and I murder babies, the passerby then looked at me and made a motion across his neck as to imitate slitting a throat. (*Greeter Kirstan 4/20/2013*).
- People were being followed (by protesters) down the sidewalk. One woman saw that she was being followed and lashed out. (*Greeter Maria 4/26/2013*)
- First thing this morning, David stood with his back to the street, directly across from me and Sharon (fellow greeter). We were on either side of the door and faced us with his signs directly at us for several minutes—very intimidating. (*Greeter Lynn 5/3/2013*)
- Today was intense. David got in loud arguments with several passing pedestrians and also lashed out at Marie and me a number of times. (*Greeter Marian 5/4/2013*)
- Very loud shouting, "preaching" about "whores" etc. from one young protester. Police called by PP staff due to his shouting. One passerby made three threats, 'I'll beat you up' etc. to the protesters. Very tense. (*Greeter Marie 5/4/2013*)
- David (protester) yelled at a few pedestrians when they rolled their eyes at his signs or told him he should be ashamed, but he didn't engage with patients. (*Greeter Marian 5/11/2013*)
- Leslie and her baby-doll-carrying cohort were very aggressive. Followed patients, called them "murderers, sinners, fools" and yelled at patients. Argued with members of the public—some of the altercations were initiated by members of the public and they got quite heated. (*Greeter Sharon 5/24/2013*)
- Leslie and two other women were standing in the rain with signs. One woman tried handing out literature but nobody took it. A runner said thanks to us and that set the woman off, she shouted at him, but he remained calm and disagreed with her. (*Greeter Marian 5/25/2013*)
- Today's theme was "Aren't you glad you weren't murdered in the womb?" (*Greeter Suzy, 6/1/2013*)
- Leslie followed a man with his two small sons, yelling at the sons. The man had actually shielded the older son's face from the signs, but Leslie followed them up the

sidewalk. The man was very upset that Leslie was yelling specifically at his kids. (Greeter Lynne, 6/7/2012)

- David (protester) has a new sign he hangs around his neck. It reads 'Greeter, Planned Parenthood, HOUSE OF HORRORS.' (Greeter Lynne, 6/7/2013)
- A woman, who was on the sidewalk with a man and her toddler, was upset – she had a noon Planned Parenthood AB appointment today and decided NOT to come because of the protesters (Greeter Lynne, 6/7/2013)
- Leslie brought a woman to tears by yelling at her. People were videotaped without their consent. Leslie got uncomfortably close to Bre. (Greeter Marie, 6/7/2013)
- David said to us Greeters "There's so much wickedness in you. You're going to hell." and told a pedestrian "They murder babies here. They put them into a garbage disposal or incinerator or flush them down the toilet." (Greeter Lynne, 6/8/2013)
- One loud person preaching, we had to call the police. Protesters were very belligerent today. There was also very aggressive pamphleting. People who said 'no thanks' had leaflets pushed in their face. The protesters were very agitated by the Pride parade. (Greeter Kirstan, 6/15/2013)
- Today David was all about racism, Margaret Sanger and the KKK, eugenics, a dash of homophobia and gender identity. Said at one point he is trying to save my soul. (Greeter Sharon, 6/21/2013)
- Protesters yelled at patients "Have mercy on your body, it's not too late to change your mind!" (Greeter Marie, 6/29/2013)
- One young woman who had exited the building after her appointment came up and asked me to walk her to her car, saying that the protesters made her really uncomfortable. (Greeter Sharon, 6/28/2013)
- As usual, great support from the community for us; I always feel that I represent the majority in this process. But a no-advocacy zone would be even better. (Greeter Sharon, 6/28/2013)

2013 PP Protest – Relevant Dates

January 14 – Mayor, City Manager, Police Chief, Counselor Suslovic, Danielle West-Chuhta, Nicole Clegg, Jeff Levine, Trish McAllister met to discuss PP protests; discussed buffer zone possibility. Agreed to continue enforcement efforts and reach out to protesters to educate them on applicable laws/ordinances (particularly Maine Civil Rights Act).

January 18 – Letter from Chief Sauschuck (see attached) was distributed by hand to protesters every Friday from this point forward, throughout February. No violations noted during this time.

March – PPD began to keep hourly statistics on protester activity (see attached).

March 22nd – PPD confronted preacher Robert Gray and warned him that his voice /preaching was loud enough to be heard inside the PP building and if it continued, it would constitute a violation of the Maine Civil Rights Act. He accepted a copy of Chief Sauschuck's letter, and from that point forward his preaching could not be heard inside. Report sent to Attorney General's office – no prosecution. Gray has not returned.

April - PP ended hired officer detail. Special Attention still provided by PPD every Friday and Saturday morning.

May 4th (Saturday) – Call for service due to loud protesters

May 17th – Hired officer detail reinstated.

.

PP PROTEST STATS

Friday March 8th, 2013

0800- 0 protestors
0900- 4 protestors
1000- 1 protestor
1100- 0 protestors
(Detail + video)

Saturday March 9th, 2013

0800- 0 protestors
0900- 1 protestor
1000- 3 protestors
1100- 1 protestor

No outside detail and no video on Saturday.

Friday March 15th

0800-- 1 person
0900-- 6 people (3 adults and 3 children)
1000-- 17 people (adults and children)
1100-- 1 person
1200-- 0 people
3 counter protestors across the street in Monument Square
Detail + video

Saturday March 16th

0800-- 0 people
0900-- 1 person
1000-- 0 people
1100-- unk (Officer Ampezzan was on a call unable to check)
1200-- 0 people

Friday, March 29th

0800 -- 0 protestors
0900 -- 6 protestors
1000 -- 18 protestors
1100 -- 2 protestors
Detail + Video

Saturday, March 30th – 13 protesters

Friday April 5, 2013

0900 - 16 protestors
No detail or video

One call for service that day -- Eric Grove, gave his address as 443 Congress St. 2nd floor. He told dispatch that the protestors were blocking the entrance. Officer Rose responded and when he arrived, no one was blocking the entrance. Officer Rose spoke with the protestors and cleared.

Also heard at a Chamber meeting that on Friday (4-05-13 around 0930) there was a disturbance at PP (out front). They said that one of the female protestors began preaching and swearing in a very loud voice, that she could hear from inside the building. According to the employee this went on for about 5 minutes and then stopped. Planned Parenthood did not call about the woman yelling

Saturday, April 6, 2013 - 0 protestors.

Friday, May 17th (Hired detail reinstated)

0800 -- 0
0900 -- 3
1000 -- 15
1100 -- 0

Saturday, May 18th

0800 -- 0
0900 -- 6
1000 -- 15
1100 -- 2

Friday 5-24-13

0800 -- 0
0900 -- 6
1000 -- 12
1100 -- 0

No counter protestors were present and the only issue were a couple of passerby's who got into a shouting match with the protestor's.

Saturday 05/25/13

0800 -- 0
0900 -- 0
1000 -- 3
1100 -- 0
1200 -- 0

Friday 07/12/13

0800 -- 0
0900 -- 0
0915 - 3
1000 -- 13
1100 -- 10
1200 -- 0

Saturday 07/13/13

Approximately 20 protesters on both sides of the street in front of PP. Most called themselves "Pro Life Supporters." A smaller number claimed to be "Pro Choice Supporters."

(Note: PP reported 24 protesters, 12 of which were children (3 in strollers)).

Friday 07/19/13

0800 – 0

0900 – 3

1000 – 21

1100 — 17

Friday 08/02/13

0800 – 0

0900 – 12

1000 – 21

1100 — 26

1200 – 1

Saturday 08/03/13

4 adults, 2 children total

MEMORANDUM

To: Public Safety, Health and Human Services Committee
From: Trish McAllister, Neighborhood Prosecutor
Re: Removal of Sprinkler Requirement for Renovated 1/2 Family Homes
Date: September 4, 2013

Chapter 10 of the City Code says that the City adopts the provisions of NFPA 101 (which include sprinkler requirements for all new buildings as well as all buildings that undergo major renovations).

Section 43.6.4.1 of NFPA requires sprinklers to be installed in all residential and commercial buildings being re-habbed by more than 50%.

Section 10-3 of the ordinance lists several specific modifications and alterations that the City has opted to make to those NFPA 101 requirements, including some deletions. Currently, Section 43.6.4.1 is not referenced in any way (which means sprinklers are currently required in single family homes that are altered by more than 50%).

In order to remove the requirement to install sprinkler systems in renovated single family homes, the addition to Section 10-3 as set forth in the attached document would be necessary as an ordinance amendment.

For the sake of consistency, this amendment identifies the exempted properties as "one and two family dwelling units."

Attachments:

Proposed Ordinance Amendment, Chapter 10

Sec. 10-3. Amendments.

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

(a) Section 3.3.32.8 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 Article IX of the Portland City Code.

(b) Section 3.3.97 shall be amended to include the following:
"In the case of structures posing significant life safety risks that may result in the displacement of person(s), a fire watch not to exceed seven days, with specifications and criteria to be set by the authority having jurisdiction, may be instituted if said watch is approved by the authority having jurisdiction, the City Manager, Corporation Counsel, and the Director of Planning & Urban Development."

(c) Section 9.7.1.1. The authority having jurisdiction shall have power to amend the water supply requirements of sections 9.7.1.1(1), 9.7.1.1(2), or 9.7.1.1(3) 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.

(d) Sections 12.3.5.3(3) and (4); and Sections 13.3.5.3(1) and (2); *delete*.

(e) Unvented fuel-fired heaters shall not be used in a bedroom or bathroom or in a manufactured home.

(f) Section 43.6.4.1; delete automatic sprinkler requirement for one- and two-family dwelling units only.

(g) Section 39.3.4.4. Fire department notification shall be accomplished in accordance with section 9.6.4.

(h) *Stair risers, guards, treads, and tread nosing.* The maximum height of risers as prescribed in Chapter 24, Section 24.2.5 is modified to permit a maximum 7 ¾" riser for newly constructed stairs in one and two family dwellings only. The minimum height of guards as prescribed in Chapter 24, Section 24.2.5 is modified to permit a minimum guard height of 36" for newly constructed stairs in one and two family dwellings only. The minimum tread depth as prescribed in Chapter 24, Section 24.2.5 shall be amended to permit a 10" tread depth for newly constructed stairs in one and two family dwellings only. Tread nosing as prescribed in Chapter 7, Section 7.2.2.3.5 is modified to permit a nosing at least ¾" but not more than 1 ¼" in depth for newly constructed one and two family dwellings.

(i) All new single and multiple-station smoke alarm installations shall comply with section 9.6.2.10 without

exception. New detectors shall not use ionization detection technology. Therefore, the following sections shall be *deleted*:

Section 24.3.4.3

Section 31.3.4.5.4

- | (~~j~~_i) Section 7.2.2.5.5 is amended as follows:
7.2.2.5.5 *Exit Stair Path Markings*. Exit stair path marking shall be installed for all new high-rise buildings in accordance with 7.2.2.5.5.1 through 7.2.2.5.5.11.
- | (~~k~~_j) Annex B, *Elevators for Occupant-Controlled Evacuation Prior to Phase I Emergency Recall Operations*, is hereby incorporated by reference.
- | (~~l~~_k) All residential occupancies, and all new multiple occupancies containing parking structures shall be protected in accordance with NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2009 edition.
- | (~~m~~_l) The provisions of the Life Safety Code shall not apply to one and two-family occupancies existing prior to the adoption of this ordinance, unless such structures are being used for a purpose which requires a state or municipal license, including, but not limited to, daycare facilities, or are rented in their entirety and are the subject of a complaint to the City's Office of Building Inspections and Code Enforcement.
- | (~~n~~_m) Inspections. The authority having jurisdiction, whenever any governmental agency having jurisdiction over a particular premises should request it to do so, upon proper identification, shall have the right to enter at any and all reasonable times into or upon any premises subject to this Code for the purpose of inspecting the premises in order to determine compliance with the provision of this Code. It shall be a violation of this article for any person either to interfere with or to prevent such inspection.
- | (~~o~~_n) **Appeals**. Appeals shall be governed by Chapter 10, Article III, Enforcement and Appeals, §10-23 of the Portland City Code.
- | (~~p~~_o) All new buildings shall comply with the authority having jurisdiction's Standards for Building, Stair, Floor, Suite and Room designation system.
- | (~~r~~_p) Existing buildings shall comply with the authority having jurisdiction's Standards for Building, Stair, Floor, Suite and Room designation system where practicable as determined by the authority having jurisdiction.
- | (~~r~~_q) Section 4.6.4.3. Rehabilitation projects in buildings or structures shall not be considered historic buildings under the provisions of this Code by this fact alone. The provisions of section 43.10 shall apply to buildings or structures designated or eligible

for designation or located within a historic district if deemed necessary by the Department of Planning and Urban Development or as required by Article IX of the Portland City Code or to comply with the Secretary of the Interior Standards for Historic Preservation under federal or state review requirements.

(Ord. No. 188-00, § 6, 4-24-00; Ord. No. 214-01/02, Ord. No. 25-10/11, 8-16-10; Ord. No. 215-11/12, 7-2-12)



PORTLAND MAINE

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MEMORANDUM

TO: Public Safety, Health, and Human Services Committee

FROM: Ian Houseal, Assistant to the City Manager, Sustainability Coordinator

DATE: September 10, 2013

SUBJECT: Fire Department Survey

Please see the attached survey of Fire Departments across New England that are somewhat similar to Portland with regard to population. The survey summarizes a number of comparable aspects between communities and Fire Departments within those communities.

The table highlights certain aspects of the comparison with shades of gray and red. Darker shades indicate a value with a greater value than Portland's value. Red shades indicate that the value is greater than Portland. Gray shades indicate that the value is less than Portland.

Portland's population and area is slightly less than the average of the communities surveyed while the number of housing units are slightly more than the average; however, call volumes (EMS and total) are almost double the average of the communities surveyed.

- The average number of firefighters per 1,000 population (less EMS, Airport, and Marine) for the communities surveyed is 1.88 while Portland has 2.37 firefighters per 1,000 population.
- The average number of firefighters per area is 8.57, while Portland has 7.41 firefighters per area.
- The average number of firefighters per population density is 44.07, while Portland has 50.28 firefighters per population density.
- Portland's firefighter per housing density is approximately the average of the communities surveyed.

Fire Department Survey Summary

	Portland ME	S. Portland ME	Holyoke MA	Somerville MA	Pawtucket RI	Lawrence MA	Framingham MA	Waltham MA	Haverhill MA	Cranston RI	Danbury CT	Greenwich CT	West Hartford CT	Bristol CT	New Britain CT	Manchester NH
Population	66,194	25,002	39,880	75,754	71,148	76,377	68,318	60,632	60,879	80,387	80,893	62,368	63,268	60,477	73,206	109,565
Median Household Income	42,010	48,483	33,911	69,471	39,614	31,457	62,039	65,238	59,316	58,903	64,534	120,064	78,488	57,046	39,805	48,720
Median House Value	257,245	234,168	188,830	549,955	214,700	244,700	346,400	454,089	344,626	316,878	417,727	1,200,323	329,234	220,004	193,530	263,928
Housing Units	31,864	10,349	16,210	32,477	31,819	25,601	26,734	23,880	23,737	32,068	28,519	24,511	25,332	26,125	31,164	45,892
Fire Protection Risks	immigrant, wood frame, islands,	petroleum port, railyard, mall, semiconductor		wood frame		immigrant, wood frame, density	diverse population, biotech, highway, industrial		farms, downtown, factories, river	petro port, railyard, mall, semiconductor	typical	typical downtown, high value shoreline	residential, mall, commercial center	industrial, chemical, factories	manufacturing, wood frame, hospitals, rail, highway	23 high rises, 3 hospitals
Square Miles	21	12	21	4	9	7	25	13	33	29	42	48	22	57	13	33
Population per mile ²	3,122	2,084	1,872	18,477	8,141	10,974	2,722	4,774	1,828	2,811	1,921	1,305	2,876	1,070	5,504	3,320
Housing units per mile ²	1,503	862	761	7,921	3,641	3,678	1,065	1,880	713	1,121	677	513	1,151	462	2,343	1,391
Total Calls	14,173	4,147	6,500	12,524	13,527	6,000	10,000		11,000	15,506	7,757	4,200	4,262	3,000	6,450	18,148
EMS Calls	10,252	2,610	-	-	9,881	3,000	6,100	-	8,000	13,320	4,310	-	1,644	-	3,710	13,143
Department Configuration	Combination	Combination	Career	Career	Career	Career	Career	Career	Career	Career	Combination	Combination	Career	Career	Career	Career
EMS Service- ALS/BLS	ALS	ALS	BLS	BLS	ALS	No	No	No	No	ALS	BLS	No	No	No	BLS	BLS
EMS Transport Service	Yes, 32	Yes, 16	No	No	Yes	No	No	No	No	Yes, 32	No	No	No	No	No	No
Airport Division	Yes, 14	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No
Marine Division	Yes, 12	No	No	No	Yes	No	No	No	No	Yes	No	No	No	No	No	No
Plan Review	Yes, 2	Yes, 1		Yes, 6		Yes, 6	Yes, 5		Yes, 3	Yes, 5	Yes, 7	Yes, 5	Yes, 3	Yes, 7	Yes, 7	Yes, 5
Building Inspection	Yes	Yes		Yes		Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Heavy Rescue	Yes	Yes		Yes		Yes, regional	Yes		Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Fire Stations (career, volunteer)	9, 4	4, 0		5			5		4, 2	6		1, 7	5	5	6	10
Additional Services	call boxes	public education, boat		Public education		traffic lights, streetlights, call boxes, juvenile fire school, fire investigation	call boxes, dive team with four boats, public education		traffic lights, call boxes	call boxes	Public education	Education, Volunteer recruitment and retention	No		Public education, smoke detector program	No
Total Department Staff	234	65	140	152	127	136	155	170	103	200	123	113	94	101	137	231
# of Firefighters and EMS	215	49	140	152	125	120	148	160	89	168	123	107	90	92	120	198
Firefighters/Pop (1,000)	3.25	1.96	3.51	2.01	1.76	1.57	2.17	2.64	1.46	2.09	1.52	1.72	1.42	1.52	1.64	1.81
# of Firefighters less EMS, Airport, Marine	157	33	140	152	125	120	148	160	89	136	123	107	90	92	120	198
Firefighters/Pop (1,000)	2.37	1.32	3.51	2.01	1.76	1.57	2.17	2.64	1.46	1.69	1.52	1.72	1.42	1.52	1.64	1.81
Firefighters/mile ²	7.41	2.75	6.57	37.07	14.30	17.24	5.90	12.60	2.67	4.76	2.92	2.24	4.09	1.63	9.02	6.00
Firefighters/Pop (1,000)/mile ²	50.28	15.84	74.77	8.23	15.36	10.94	54.38	33.51	48.68	48.39	64.01	82.01	31.30	85.95	21.80	59.64
Firefighters/Housing/mile ²	0.104	0.038	0.184	0.019	0.034	0.033	0.139	0.085	0.125	0.121	0.182	0.209	0.078	0.199	0.051	0.142
Standards																
ISO Rating	2	2		2		No	3		4	2	4/9	4/8B	2	3	3	2
NFPA 1710	Yes	Yes		Yes		No	Yes		No	Yes	No	No	No	No	No	Yes
Accredited	No	No		No		No	No		No	No	No	No	No	No	No	No
4 people to engines	No	No		No		Yes	Yes		No	No	No	Yes, 50%	Yes	No	No	Yes, 75%
Interior Firefighting	2	2		2		1	1		1	2	1	2	1	1	2	1
Consolidated Services																
Formal Mutual Aid	Yes	Yes		Yes		Yes	Yes		Yes	Yes	Yes	Yes	Yes	No	No	Yes
Dispatch PD/FD, Multiple Juris	Yes, Yes	Yes, Yes		No, No		No, No	No, No		Yes, No	Yes, No	No, No	Yes, No	Yes, No	Yes	Yes, No	No, No
Vehicle Maintenance	No	Yes		Yes		Yes	Yes		Yes	Yes	Yes	No	No	Yes	Yes	No
Noted Labor Provisions	Bid positions, vacations, leave policies, overtime policies	must be EMT-I and hazmat tech.		No Min staff, arrest notice, loss of license, sick or other leave chief approved, must attend fire academy		Holiday time approximate to 3.5 time, education benefit	Minimum Staffing		Min staff, Min shift, Min apparatus, vacation time by hour	All FF must be EMT - I and Hazmat Tech	None Noted	No minimum staffing	Minimum Staffing	Minimum Staffing	Positions are written into contract	management sets staffing, overtime above minimum staffing

Notes: Darkening color spectrum indicates relative range from Portland value. Red-scale indicates higher value and gray-scale indicates lower value than Portland.
Survey Conducted August 2013



Overview



- Summary of steps already taken
- Operational Changes forthcoming
- Changes in Peaks Island staffing
- Plans review improvements
- Portland International JetPort staffing
- Modernizing EMS dispatch and response
- Fire Alarm Box System
- Survey of comparable localities

Steps Taken & Underway



- Life Safety at fire department facilities
 - Smoke Detectors
 - CO Detectors
 - Sprinklers
 - Fire alarms
 - Marine Division Construction
- Administrative Reorganization
- Closest unit response criteria
- Rules Procedures and Guidelines
- EMS Working Group
- CAD fusion software implementation
- Portland High School program

Operational Changes



- Staffing from Engine 4 reallocated
- MEDCU 6 relocated to Bramhall Station
- MEDCU 1 placed in service (5th ambulance)
 - Paramedic Engine at Central Station
- AEMS personnel to Peaks Island
- 3 person staffing to Marine Division
- Spare Engine staffed as needed by Marine Division

Changes Provide for:

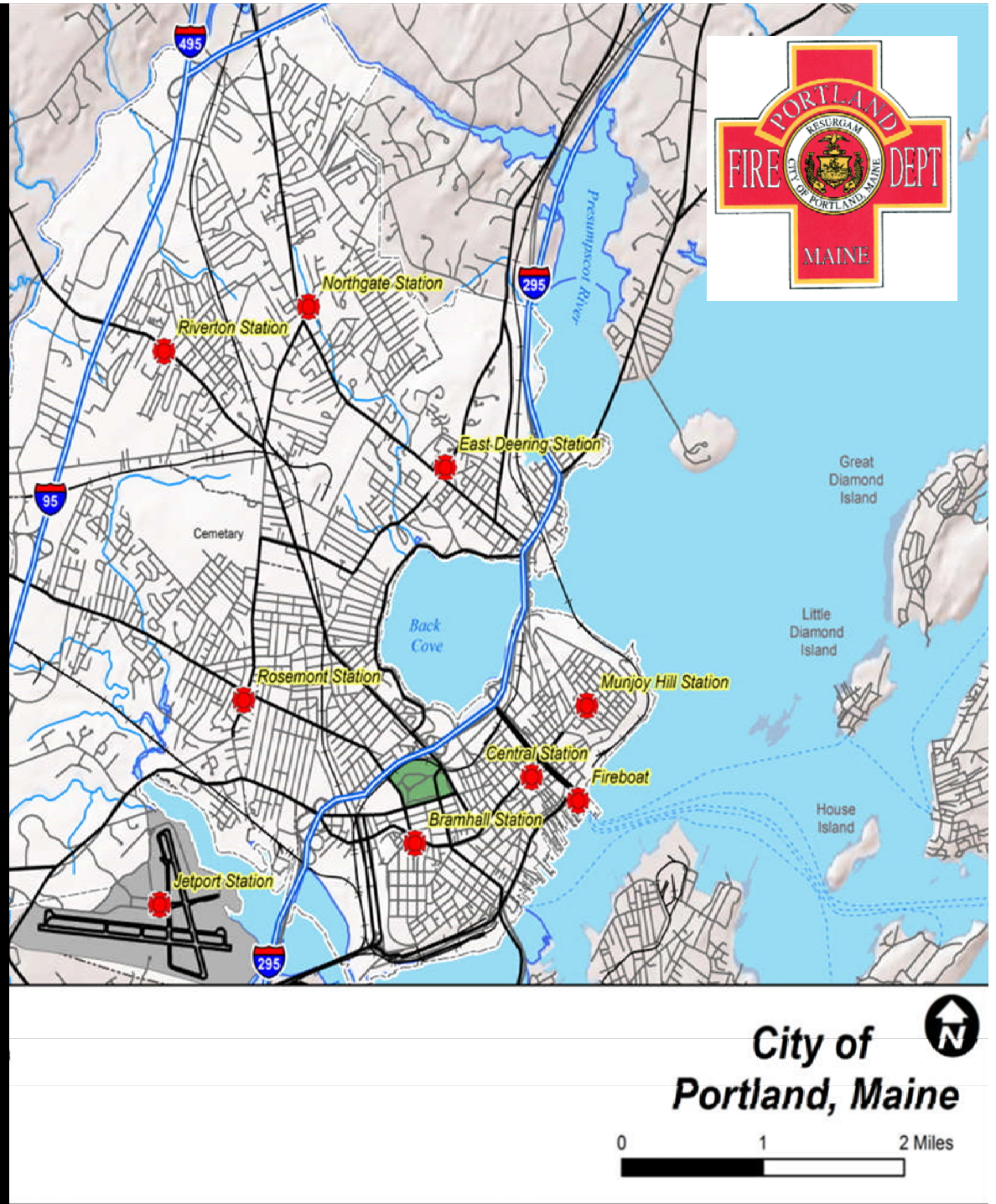


- Increased EMS capacity in the highest call volume area
- Enhanced EMS coverage to communities served by Bramhall Station
- Increased EMS capability to our island community
- Increased capacity for fire prevention plans review
- 3 personnel to the Marine Division
- Better utilization of paramedic certified personnel

Current:

Apparatus Type	#	Staffing
Engines	6	18
Ladders	4	12
Rescue	1	3
Ambulance	4	8
Marine	1	2
Air Rescue	1	3
Total	17	46

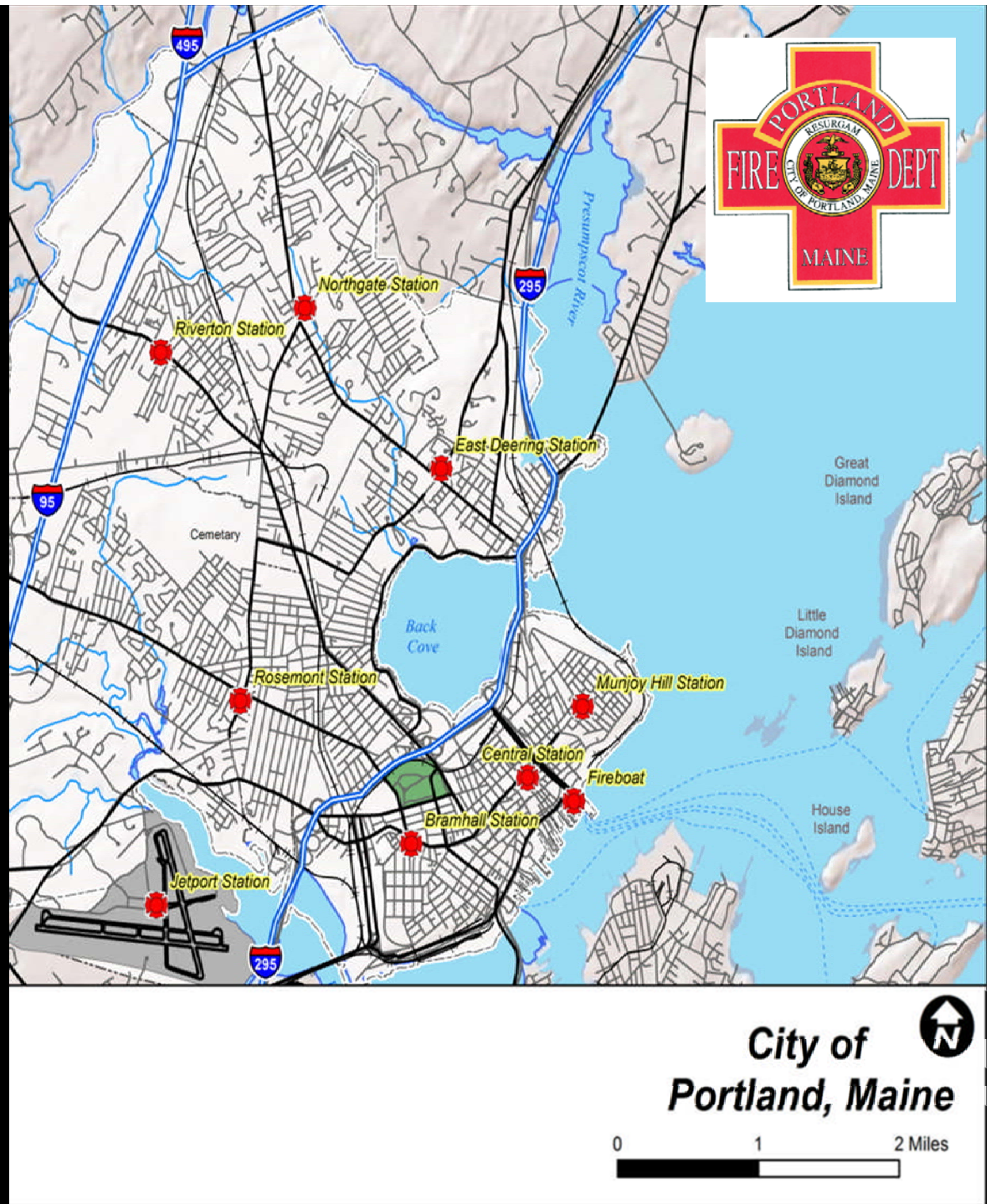
* Ladders 3 & 4 dual role
“Quints” Capable of
supplying water as an
engine.



Future:

Apparatus Type	#	Staffing
Engines	5	15
Ladders	4	12
Rescue	1	3
Ambulance	5	10
Marine	1	3
Air Rescue	1	3
Total	17	46

* Ladders 3 & 4 dual role
“Quints” Capable of
supplying water as an
engine.



Peaks Island Staffing:



- From Firefighter position to Officer with Advanced EMT skills.
- Response and Administration Support
- Electronic Plans Review
- Training and support to Island Volunteer Force

Emergency Medical Providers



EMT (Basic)	AEMT	EMT-P
140-170 Hours Training	EMT + 500 Hours Training	EMT + 1000 Hours of Training
Basic knowledge & skills for medical care & treatment	Basic & advanced emergency medical care & transport	Advanced medical care & treatment
	Performs interventions with basic & advanced equipment	Performs interventions with advanced equipment
		Performs highest level assessment
		Provides a link to the health care system

Plans Review Improvements



- Collaborative effort with Permits & Inspections Department
 - Automation of systems
 - Permit By Rule
 - Administrative streamlining
- Enhanced permit review capability

Portland International Jetport



Index B airport

Minimum requirements are established for the amount of fire suppression agent available.

500 lbs of clean agent

1500 gallons water & firefighting foam

“sufficient and qualified personnel”

Portland International Jetport



- Aircraft Crash and Fire response
- Hazardous Materials and Fuel Spill response
- Medical Emergencies - On-board or on the airfield
- Facility Fire Protection including the terminal, service buildings and parking facilities
- Daily ramp inspections
- Quarterly fuel inspections - Consisting of two fuel farms and nine mobile fuel trucks
- Yearly building inspections of all buildings on the airport property
- Fire extinguisher training for airport tenants
- Yearly Airport Emergency Plan training with outside agencies
- Biannual training in 12 subject areas as outlined in CFR 139

EMS Dispatch & Response



911 centers required to use medical protocols (EMD)

- Pre arrival instructions
- Establishes priority based on medical information gathered
- Tool for data driven decision making on resource levels.

EMS Dispatch & Response



Modified response plan submitted to Maine EMS

- EMS Work Group
- 1650 response codes
- Preliminary approval received
- Implementation by end of September

Fire Alarm Box System



Study recommendation to eliminate system

- Requires further study and complex plan for implementation
- Connected to Ordinances, Rules & Regs, and City communication infrastructure.
- Current focus is:
 - Removing street boxes when practical
 - Replacing Emergency Voice Communications Systems (EVCS)
 - Requiring new installations to be wireless

Fire Department Survey Summary

	Portland ME	S. Portland ME	Holyoke MA	Somerville MA	Pawtucket RI	Lawrence MA	Framingham MA	Waltham MA	Haverhill MA	Cranston RI	Danbury CT	Greenwich CT	West Hartford CT	Bristol CT	New Britain CT	Manchester NH
Population	66,194	25,002	39,830	75,754	71,148	76,377	68,318	60,632	60,879	80,387	80,893	62,368	63,268	60,477	73,206	109,565
Median Household Income	42,010	48,483	33,911	69,471	39,614	31,457	62,039	65,238	59,316	58,903	64,534	120,064	78,488	57,046	39,805	48,720
Median House Value	257,245	234,168	188,830	549,955	214,700	244,700	346,400	454,089	344,626	316,878	417,727	1,200,323	329,234	220,004	193,530	263,928
Housing Units	31,864	10,349	16,210	32,477	31,819	25,601	26,734	23,880	23,737	32,068	28,519	24,511	25,332	26,125	31,164	45,892
Fire Protection Risks	immigrant, wood frame, islands	petroleum port, railyard, mail, semiconductor		wood frame		immigrant, wood frame, density	diverse population, biotech, highway, industrial		farms, downtown, factories, river	petro port, railyard, mail, semiconductor	typical	typical downtown, high value shoreline	residential, mail, commercial center	industrial, chemical, factories	manufacturing, wood frame, hospitals, rail, highway	23 high rises, 3 hospitals
Square Miles	21	12	21	4	9	7	25	13	33	29	42	48	22	37	13	33
Population per mile ²	3,122	2,084	1,872	18,472	8,141	10,974	2,722	4,774	1,828	2,811	1,921	1,305	2,876	1,070	5,504	3,320
Housing units per mile ²	1,503	862	761	7,921	3,641	3,678	1,065	1,880	713	1,121	677	513	1,151	462	2,343	1,391
Total Calls	14,173	4,147	6,500	12,524	13,527	6,000	10,000		11,000	15,506	7,757	4,200	4,262	3,000	6,450	18,148
EMS Calls	10,252	2,610	-	-	9,881	3,000	6,100	-	8,000	13,320	4,310	-	1,644	-	3,710	13,143
Department Configuration	Combination	Combination	Career	Career	Career	Career	Career	Career	Career	Career	Combination	Combination	Career	Career	Career	Career
EMS Service- ALS/BLS	ALS	ALS	BLS	BLS	ALS	No	No	No	No	ALS	BLS	No	No	No	BLS	BLS
EMS Transport Service	Yes, 32	Yes, 16	No	No	Yes	No	No	No	No	Yes, 32	No	No	No	No	No	No
Airport Division	Yes, 14	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No
Marine Division	Yes, 12	No	No	No	Yes	No	No	No	No	Yes	No	No	No	No	No	No
Plan Review	Yes, 2	Yes, 1		Yes, 6		Yes, 6	Yes, 5		Yes, 3	Yes, 5	Yes, 7	Yes, 5	Yes, 3	Yes, 7	Yes, 7	Yes, 5
Building Inspection	Yes	Yes		Yes		Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Heavy Rescue	Yes	Yes		Yes		Yes, regional	Yes		Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Fire Stations (career, volunteer)	9, 4	4, 0		5		5	5		4, 2	6		1, 7	5	5	6	10
Additional Services	call boxes	public education, boat		Public education		traffic lights, streetlights, call boxes, juvenile fire school, fire investigation	call boxes, dive team with four boats, public education		traffic lights, call boxes	call boxes	Public education	Education, Volunteer recruitment and retention	No		Public education, smoke detector program	No
Total Department Staff	234	65	140	152	127	136	155	170	103	200	123	113	94	101	137	231
# of Firefighters and EMS	215	49	140	152	125	120	148	160	89	168	123	107	90	92	120	198
Firefighters/Pop (1,000)	3.25	1.96	3.51	2.01	1.76	1.57	2.17	2.64	1.46	2.09	1.52	1.72	1.42	1.52	1.64	1.81
# of Firefighters less EMS, Airport, Marine	157	33	140	152	125	120	148	160	89	136	123	107	90	92	120	198
Firefighters/Pop (1,000)	2.37	1.32	3.51	2.01	1.76	1.57	2.17	2.64	1.46	1.69	1.52	1.72	1.42	1.52	1.64	1.81
Firefighters/mile ²	7.41	2.75	6.57	17.07	14.30	17.24	5.90	12.60	2.67	4.76	2.92	2.24	4.09	1.63	9.02	6.00
Firefighters/Pop (1,000)/mile ²	50.28	15.84	74.77	8.23	15.36	10.94	54.38	33.51	48.68	48.39	64.01	82.01	31.30	85.95	21.80	59.64
Firefighters/Housing/mile ²	0.104	0.038	0.184	0.019	0.034	0.033	0.139	0.085	0.125	0.121	0.182	0.208	0.078	0.189	0.051	0.142
Standards																
ISO Rating	2	2		2		No	3		4	2	4/9	4/8B	2	3	3	2
NFPA 1710	Yes	Yes		Yes		No	Yes		No	Yes	No	No	No	No	No	Yes
Accredited	No	No		No		No	No		No	No	No	No	No	No	No	No
4 people to engines	No	No		No		Yes	Yes		No	No	No	Yes, 50%	Yes	No	No	Yes, 75%
Interior Firefighting	2	2		2		1	1		1	2	1	2	1	1	2	1
Consolidated Services																
Formal Mutual Aid	Yes	Yes		Yes		Yes	Yes		Yes	Yes	Yes	Yes	Yes	No	No	Yes
Dispatch PD/FD, Multiple Juris	Yes, Yes	Yes, Yes		No, No		No, No	No, No		Yes, No	Yes, No	No, No	Yes, No	Yes, No	Yes	Yes, No	No, No
Vehicle Maintenance	No	Yes		Yes		Yes	Yes		Yes	Yes	Yes	No	No	Yes	Yes	No
Noted Labor Provisions	Bid positions, vacations, leave policies, overtime policies	must be EMT-I and hazmat tech.		No Min staff, arrest notice, loss of license, sick or other leave chief approved, must attend fire academy		Holiday time, approximately to 3.5 time, education benefit	Minimum Staffing		Min staff, Min shift, Min apparatus, vacation time by hour	All FF must be EMT-I and Hazmat Tech	None Noted	No minimum staffing	Minimum Staffing	Minimum Staffing	Positions are written into contract	management sets staffing, overtime above minimum staffing

Notes: Darkening color spectrum indicates relative range from Portland value. Red-scale indicates higher value and gray-scale indicates lower value than Portland.
 Survey Conducted August 2013

Survey of Comparable Communities



	Portland	Average + Portland	Average - Portland
Population	66,194	67,147	67,210
Median Household Income	42,010	48,720	58,473
Median House Value	257,245	361,021	367,939
Housing Units	31,864	45,892	26,961
Square Miles	21	33	25
Population per mile ²	3,122	3,320	4,645
Housing units per mile ²	1,503	1,855	1,879
Total Calls	14,173	9,146	8,787
EMS Calls	10,252	4,478	4,381
Total Department Staff	234	143	136
# of Firefighters and EMS	215	198	125
Firefighters/Pop (1,000)	3.25	2	2
# of Firefighters less EMS, Airport, Marine	157	124	122
FF/Pop (1,000) – EMS, Airport & Marine	2.37	2	2
Firefighters/mile ²	7.41	9	9

Danielle West-Chuhta - Re: Sept 10 - PSHHS committee

From: Danielle West-Chuhta (Danielle West-Chuhta)
To: Ed Suslovic
Date: 8/23/2013 12:12 PM
Subject: Re: Sept 10 - PSHHS committee
CC: Mark Rees; Sheila Hill-Christian
Attachments: Title 25.pdf

Councilor Suslovic:

Sheila forwarded me your request for information regarding the City employee solicitation policy. I have researched your question, and have specifically reviewed the City Charter, Council Rules, Vehicle Use Policy, Technology Use Policy, E-mail Retention Policy, Chapters 1 and 2 of the City Code (including the Civil Service Ordinance), the applicable Union Contracts, the City's personnel Policy, and state law regarding your question(s) below. Based on my review of the aforementioned City policies and union contracts do not specifically address employee solicitation for non-profit or charitable organizations. With that said, there are restrictions on City employee solicitations of campaign contributions/distributions of campaign materials for candidates municipal office. Also, the e-mail, technology and vehicle policies make it clear that such equipment cannot be used for personal reasons (except in limited circumstances). Overall, it is my understanding that the City has allowed charitable solicitations by employees in the past (including, but not limited to, daffodil days (done by public health), the annual bike ride for Officer Jonesy and the City's Golf Tournament).

Please note that there are specific state law rules regarding law enforcement officer (i.e. persons who can arrest individuals) solicitation (see attached). These rules, however, are not applicable to fire personnel.

Thank you for your time,

Danielle

Danielle P. West-Chuhta
Corporation Counsel
City of Portland, Maine
(207) 874.8480

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§3702-B Title 25: INTERNAL §3703

SECURITY AND PUBLIC SAFETY

Part 9: LAW ENFORCEMENT AGENCIES IN GENERAL

Chapter 403: SOLICITATION BY LAW ENFORCEMENT OFFICERS

Subchapter 1: GENERAL PROVISIONS

§3702-C. Solicitation unlawful; exceptions

Except as provided in this section, a law enforcement agency, law enforcement association, law enforcement officer or solicitation agent may not solicit property from the general public when the property or any part of that property in any way tangibly benefits, is intended to tangibly benefit or is represented to be for the tangible benefit of any law enforcement officer, law enforcement agency or law enforcement association. Any violation of this chapter constitutes a violation of the Maine Unfair Trade Practices Act. [2007, c. 633, §4 (AMD).]

1. Limited solicitation. A law enforcement agency or association may solicit property from the general public, a law enforcement officer, a law enforcement agency or a law enforcement association for the tangible benefit of a law enforcement officer, or an immediate family member of a law enforcement officer, suffering from a catastrophic illness by hosting fundraising events or by written solicitation.

A. A law enforcement agency or association may host ticketed fundraising events that are open to the public as long as the events are advertised only through public announcements and tickets are available for purchase only from a designated public benefit corporation. [2007, c. 633, §4 (NEW).]

B. A law enforcement agency or association may make general public solicitations for donations through public announcements or paid advertisements as long as all donations are directed to be sent to a designated public benefit corporation. Solicitations may not be sent directly to potential donors by mail or any other direct means. [2007, c. 633, §4 (NEW).]

[2011, c. 596, §1 (AMD) .]

2. Required notice. Any public solicitation or advertisement for a fundraising event must contain a notice that clearly identifies the name and address of the designated public benefit corporation and the law enforcement officer or immediate family member for whom the solicitation is made. The notice must also specify that any questions about the solicitation may be directed to the Office of the Attorney

General.

A. A notice for a fundraising event must read: "This event is sponsored by (insert name of law enforcement agency or association) for the sole benefit of (insert name and agency). All donations made pursuant to this solicitation must be sent to the designated public benefit corporation, which may not disclose the names of donors." [2007, c. 633, §4 (NEW).]

B. A notice for a public solicitation must read: "This solicitation is made by (insert name of law enforcement agency or association) for the sole benefit of (insert name and agency). All donations made pursuant to this solicitation must be sent to the designated public benefit corporation, which may not disclose the names of donors." [2007, c. 633, §4 (NEW).]

[2007, c. 633, §4 (NEW) .]

3. Standardized written agreement. Prior to engaging in any solicitation activity under this section, a law enforcement agency or a law enforcement association and a designated public benefit corporation must enter into a signed written agreement that specifies the obligations of each party. The Office of the Attorney General shall provide a standardized written agreement that must be used by the parties.

[2007, c. 633, §4 (NEW) .]

4. No disclosure of donors. A designated public benefit corporation that engages in solicitation pursuant to this section may not disclose the names of any donors to any person, except to the Attorney General.

[2007, c. 633, §4 (NEW) .]

5. Limited reimbursement. The law enforcement agency or law enforcement association may reimburse the designated public benefit corporation only for its advertising costs and may not otherwise pay the designated public benefit corporation for its services provided under this section.

[2007, c. 633, §4 (NEW) .]

6. Registration and reporting. Each party to the written agreement shall comply with all requirements for reporting to and registration with the Department of Professional and Financial Regulation as a charitable organization, or as a charitable organization that is exempt from registration, pursuant to the Charitable Solicitations Act and shall comply with any other reporting and registration requirements related to the event or solicitation.

[2007, c. 633, §4 (NEW) .]

7. Escrow account. All funds collected by the designated public benefit corporation under this section must be held in an escrow account pursuant to this subsection.

A. The escrow account must be established by the designated public benefit corporation in a bank or trust company authorized to do business in this State within the meaning of Title 9-B, section 131, subsection 2. The funds deposited in the escrow account must be kept and maintained in an account separate from any other accounts. [2007, c. 633, §4 (NEW).]

B. Checks, drafts and money orders from donors may be made payable only to the bank or trust company described in paragraph A. [2007, c. 633, §4 (NEW).]

C. Funds deposited in the escrow account are not subject to any liens or charges by the escrow agent or judgments, garnishments or creditor's claims against the designated public benefit corporation or beneficiary. [2007, c. 633, §4 (NEW).]

D. The funds may be paid only to the beneficiary, or to the heirs of the beneficiary if the beneficiary dies, and must be paid within 30 days of the conclusion of the event or written solicitation. [2007, c. 633, §4 (NEW).]

[2007, c. 633, §4 (NEW) .]

8. Accounting. Upon request, the designated public benefit corporation shall provide an accounting of the funds received from the event or written solicitation and any documents related to the fundraising event or solicitation, including the names of the donors, to the Attorney General. The Attorney General may enforce application of funds given or appropriated to public charities and prevent breaches of trust in their administration, pursuant to Title 5, section 194, subsection 2.

[2007, c. 633, §4 (NEW) .]

SECTION HISTORY

2005, c. 397, §C19 (NEW). 2007, c. 633, §4 (AMD). 2011, c. 596, §1 (AMD).

Data for this page extracted on 10/16/2012 08:30:08.

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Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

Maine Revised Statutes

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§3507 Title 25: INTERNAL §3702
SECURITY AND PUBLIC SAFETY
Part 9: LAW ENFORCEMENT AGENCIES IN
GENERAL
Chapter 403: SOLICITATION BY LAW
ENFORCEMENT OFFICERS
Subchapter 1: GENERAL PROVISIONS

§3701. Definitions

As used in this chapter, unless the context clearly indicates otherwise, the following words shall have the following meanings.
 [1977, c. 449, (NEW).]

1. Law enforcement agency. "Law enforcement agency" means any state, county, municipality or other political unit within the territory belonging to the State or any department, agency or subdivision of any of the foregoing, or any corporation or other association carrying out the functions of government that employs law enforcement officers.

[1977, c. 449, (NEW) .]

2. Law enforcement association. "Law enforcement association" means a corporation, partnership, unincorporated association or any other legal entity, including a benevolent association, whose members are primarily law enforcement officers.

[1977, c. 449, (NEW) .]

3. Law enforcement officer. "Law enforcement officer" means any person who by virtue of public employment is vested by law with a duty to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

[1977, c. 449, (NEW) .]

4. Property. "Property" means any money, service, gift or anything of value, including a promise.

[1977, c. 449, (NEW) .]

5. Solicit. "Solicit" means to request property. The word means and includes, but is not limited to, the following methods of securing property:

A. Any verbal request, including, but not limited to, a request that is made in person, by telephone or through any advertising media; [1981, c. 267, §1 (RPR).]

B. Any written request, including, but not limited to, a request that is sent, delivered or distributed or any advertisement posted

in a public place or appearing in a newspaper, television or other advertising media; and [1981, c. 267, §1 (RPR).]

C. The sale of, offer or attempt to sell, any advertising, advertisements, advertising space, book, card, tag, coupon, ticket, device, magazine, membership, subscription or other tangible item or thing of value. [1977, c. 449, (NEW).]

[1981, c. 267, §1 (AMD) .]

6. Solicitation agent.

[2001, c. 582, §1 (NEW); 2003, c. 560, §1 (AMD);
MRSA T. 25, §3701, sub-§6 (RP) .]

7. Solicitation agent. "Solicitation agent" means a person or entity that receives payment for or retains any portion of the proceeds from soliciting. "Solicitation agent" includes, but is not limited to, a person or entity that receives or retains reimbursement for expenses related to soliciting.

[2005, c. 397, Pt. C, §18 (NEW) .]

8. Catastrophic illness. "Catastrophic illness" means an unforeseen, prolonged and extended illness, medical condition or injury that will likely cause death or permanent disability as determined by a licensed physician whose determination must be in writing.

[2007, c. 633, §1 (NEW) .]

9. Designated public benefit corporation. "Designated public benefit corporation" means a "public benefit corporation," as described in Title 13-B, section 1406, subsection 1, that does not employ or have on its board of directors any certified law enforcement officer and that has entered into an agreement with a law enforcement agency or law enforcement association as provided in section 3702-C.

[2007, c. 633, §2 (NEW) .]

10. Immediate family member. "Immediate family member" means a law enforcement officer's spouse, domestic partner, child or legal dependent.

[2007, c. 633, §3 (NEW) .]

SECTION HISTORY

1977, c. 449, (NEW). 1979, c. 575, §1 (AMD). 1981, c. 267, §1 (AMD). 2001, c. 582, §1 (AMD). 2003, c. 560, §1 (AMD). 2005, c. 397, §18 (AMD). 2007, c. 633, §§1-3 (AMD).

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Portland Fire Department Confined Space Rescue Agreements - 2013

Company	Proposal Drafted	Contract Drafted	Contract Executed	Amount
EcoMaine (signed)	✓	✓	✓	\$63,000.00
Tigpro (signed)	✓	✓	✓	\$5,000.00
Allagash (signed)	✓	✓	✓	\$2,500.00
Municipal Utility B	✓			\$70,000.00
Municipal Utility C	✓			\$70,000.00
Local Industrial Facility A	✓	✓		\$42,000.00
Local Industrial Facility B	✓			\$14,000.00
Local Industrial Facility C	✓			\$14,000.00
Local Industrial Facility D	✓	✓		\$14,000.00
Regional Power Generator	✓			\$49,000.00
Local Laboratory Facility	✓			\$56,000.00
Health Care Facility A	✓			\$14,000.00
Health Care Facility B	✓	✓		\$2,500.00
Local Energy Resource Facility	✓			\$70,000.00
Total				\$486,000.00