

# Gouldsboro Height Moratorium Ordinance

June, 1992

The Town of Gouldsboro presently has no town-wide land use ordinance, regulation, or other applicable law that is adequate to prevent serious public harm from the unsafe or inappropriate construction, erection, design, location, maintenance and use of very tall commercial or industrial structures.

In particular the Town of Gouldsboro has no adequate ordinance, regulation, or land use standards providing for and governing location, design, construction, municipal review, licensing, and inspection for tall towers used for the transmission or reception of electricity, radio waves, television signals, microwaves, and other electronic signals.

The townspeople of Gouldsboro recognize that a potential problem exists for: (1) the erection, maintenance and use of unstable and unsafe towers and other very tall structures, (2) the placement of those structures in environmentally sensitive areas, and (3) the placement of those structures in inappropriate locations so as to impose an unreasonable impact upon the scenic resources of the Town.

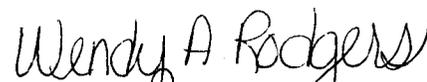
THEREFORE, pursuant to 30-A M.R.S.A., sections 3001 et seq. and 4356, the following moratorium is adopted to be effective immediately upon adjournment of the 1992 Annual Town Meeting:

1. **Moratorium.** During the term of this ordinance, or any extension thereof, no municipal official board shall review any application for, or issue any permit purporting to allow the construction, erection, location, relocation, or expansion of any structure exceeding a height of seventy-five (75) feet above the average, natural ground level adjoining that structure.

Furthermore, during the term of this moratorium, or any extension thereof, no person, corporation or any entity shall construct, erect, locate, relocate or expand within the Town of Gouldsboro any structure exceeding a height of seventy-five (75) feet above the average, natural ground level adjoining that structure.

2. **Term.** This moratorium ordinance shall be in effect for 180 days and it shall be automatically repealed on the 181st day following its enactment at town meeting **unless** it has been extended as provided below.
3. **Planning Board Duty.** During the term of this ordinance, or any extension thereof, the Gouldsboro Planning Board shall review the problems identified upon and then present to the Town a proposed ordinance(s), regulation(s), or land use standard(s) dealing with the location, design, review, licensing, and inspection of such very tall structures.
4. **Extension.** If at any time within the term of this ordinance, or any extension thereof, the Gouldsboro Board of Selectmen finds that: (1) the problems giving rise to the need for this moratorium still exist and (2) reasonable progress is being made to alleviate the problems giving rise to the need for the moratorium, the Board of Selectmen may extend this moratorium for additional 180 day periods until those problems have been adequately addressed.

Attested by

  
WENDY A. RODGERS  
Clerk of Gouldsboro

6/17/92