



Town of Windham

Town Offices
8 School Road
Windham, Maine

Cover Sheet

File Number: 24-129

Agenda Date: 8/20/2024

Version: 1

Status: Agenda Ready

In Control: Town Council

File Type: Order

Agenda Number:

I. Council Action Requested.

To adopt a 90-day extension to the ordinance establishing a moratorium for non-residential uses in shoreland zoning districts, extending the existing ordinance expiration from September 22, 2024 to December 21, 2024.

II. Basis for Council Action.

Council approval of this item is required because;

- a. Pursuant to Article I, Section 2 of the Charter the town “may enact reasonable by-laws, regulations and ordinances for municipal purposes, not inconsistent with the Constitution and laws of the State of Maine,”
- b. Pursuant to Article I, Section 2 of the Charter “the administration of all the fiscal, prudential and municipal affairs of said Town, with the government thereof, except as otherwise provided by this Charter, shall be and are vested in one body of seven (7) members, which shall constitute and be called the Town Council,”
- c. Pursuant to Article II, Section 3(l) of the Charter the Council shall have the power to “exercise all the legislative, financial, borrowing and other powers now or hereafter given by statute to inhabitants of towns acting in Town Meeting except as otherwise provided herein, and also exercise all the powers now or hereafter given by statute to municipal officers of towns,” and
- d. Pursuant to Article II, Section 11(D) of the Charter and “to meet a public emergency affecting life, health, property or the public peace, the Council may adopt one or more emergency ordinances.”

III. Issue Summary.

The moratorium ordinance was adopted by Council on April 9, 2024, by Council Order 24-051, with an applicability date of March 26, 2024, which was when the Council initially discussed it (CD 24-075). The existing ordinance expires September 22, 2024.