

(Second Reading)

Section 151. Issuance.

A. Unless otherwise specifically provided, all licenses required by the Revised Statutes of Maine or by the City of Gardiner Code shall be issued by the city clerk

B. Licensing standards and criteria.

In determining whether to grant or deny a license or permit required hereunder, the City Clerk shall determine whether the applicant complies with all standards and criteria for the issuance of said license or permit as may be established by ordinance or statute.

1. In addition, unless otherwise prohibited by law, there must be an affirmative showing by the applicant that he or she complies with the following:

(a) The activity to be licensed or authorized is an authorized use in the zone in which it is to be located or conducted;

(b) The applicant has obtained all necessary approvals and permits under Title 31, Land Use Ordinance of the Code of the City of Gardiner for the proposed activity; and

(c) The applicant has paid all real estate and personal property taxes, sewer user fees and other debts owed to the city then currently due.

2. A license or permit application shall not be denied under Subsection B(1) above where the applicant is a business or individual with respect to which collection actions have been stayed or the underlying debt has been discharged by order of the United States Bankruptcy Court or where the underlying debt is the subject of an authorized, current workout agreement executed by the applicant and the City Manager or City Treasurer/Tax Collector. Workout agreements for this purpose must provide for payment in full of the underlying debt and all interest and other charges accruing thereon within 9 months or less from the agreement date. On request, the City Manager shall certify the existence and current status of any such workout agreement to the applicant and to the City Clerk. Except in bankruptcy cases, any license or permit issued on the basis of a workout agreement shall be revoked by the City Clerk upon certification by the City Manager that the license or permit holder has failed to meet its obligations under the workout agreement concerned.

Deleted: A(3)

(a) A license or permit application shall not be denied under Subsection B(1) above where the license or permit is needed to protect life or safety or to correct a dangerous condition on the premises concerned; for example, a building permit to correct fire code violations."

3. Any application for a license, permit or renewal required under this chapter not granted within 30 days shall be deemed denied.