

**Government Operations Committee
Monday, May 5, 2014 at 5:15PM
City Council Chambers**

MINUTES

Council Members: Civiello, Baldacci, Sprague, Nealley, Durgin, Graham, Plourde

Staff Members: Conlow, Farrar Heitmann, Fogler, Lucas

Others: Local Media, Residents Jody McDonald & Wendy Erickson

1. Accepting and Appropriating \$336,935 in Grant Funds from the U.S. Department of Housing and Urban Development-Shelter Plus Care Renewal

Program Manager Rindy Fogler explained what Shelter Plus Care was and who it is used for. We have been using these funds since 1993.

Councilor Durgin moved staff recommendation, Councilor Sprague seconded, so approved.

2. Continued Discussion and Review on Proposed Staff Recommendations concerning the use of outdoor fire pits and fireplaces

City Solicitor Heitmann explained about the problems that have been concerning residents such as unwanted smoke inhalation, inappropriate items burned, the size of the fire and the use of accelerants. This is why a change in the current ordinance is being reviewed. There was talk about the penalties being changed for those who violate the ordinance a number of times. There was a concern about landlords and if they should be the ones responsible for the renters they have on their property. Heitmann stated that he didn't see that as unreasonable for those who have multi-unit properties.

Councilor Graham asked in reality, how we really intend to police this ordinance. Heitmann stated that we will have a list of who has permits and do our best but of course we will not be able to be everywhere at all times. A bullet list to residents as to what they can and cannot do will help with the items that are burned, how large the fire pit can be, etc. Effective penalties will be what we hope that will keep residents responsible to follow the ordinance.

Chief Lucas appreciated the Councils' input and wanted to add that the geographical areas of Bangor are very diverse and the Fire Department has concerns of the logistics or the practicality of issuing burn permits when it comes

to renters/landlords, etc. Just something he wanted to be kept in mind. He discussed with Heitmann that the landlords should be the responsible ones when it comes to multi-unit properties only.

Councilor Baldacci explained that there needs to be a definition change as well since people aren't coming in for permits unless there is a problem after they have fires. There is a problem with the statute and that needs to be looked into along with the other concerns of the actual fire pits.

Residents spoke regarding the permit issues and thanked the Council for looking into this. Questions were asked regarding how residents will know if a permit has been either granted or revoked from other residents so they don't have to keep calling and bothering the fire department.

Chief Lucas stated that it is not a part of the permitting process so that is something that we will have to keep in mind as well.

Councilor Baldacci suggested that there be a list of who have permits on our website since it is public information.

Heitmann stated that we will get this started with the first reading and follow the appropriate steps from there.

Councilor Blanchette disagrees with tenants being able to burn in fire pits because she feels it's not necessary. Tenants can't put wood stoves or pellet stoves in so why should they have fire pits?

Motion to adjourn at 6:00PM.