

## Town of Etna

- I. **TITLE – Town of Etna Forty-Acre Exemption Ordinance**
- II. **AUTHORITY** – This ordinance is adopted and hereafter may be amended pursuant to, and consistent with, Article VIII, pt. 2, Section 1 of the State of Maine Constitution & Title 30-A, M.R.S.A. § 3001 [Home Rule]
- III. **PURPOSE** – To provide for the exemption of lots of 40 acres or more from subdivision review as authorized by Title 30-A M.R.S.A. § 4401(4)(C)
- IV. **SCOPE (APPLICABILITY)** – The forty-acre exemption described herein shall apply to any lot created after the effective date of this ordinance.
- V. **ORDINANCE REQUIREMENTS AND ADMINISTRATION** – A newly created lot of forty or more acres shall not be counted as a lot for purposes of subdividing, when the parcel of land, from which said lot is being created, is located entirely outside any Shoreland area, as defined in Title 38, Sect. 435, or as defined in the Town of Etna Shoreland Zoning Ordinance. The Planning Board, as part of its responsibility to approve or disapprove subdivisions, shall administer the provisions of this ordinance.
- VI. **SEVERABILITY AND CONFLICT** –
  - A. Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.
  - B. This ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit or provision of law.
- VII. **AMENDMENTS** – This ordinance may be amended in part, or in whole, by a majority vote at any Etna Town Meeting, after proper procedures.
- VIII. **EFFECTIVE DATE** – June 4, 2006
- IX. **REPEAL** - This ordinance does not repeal or replace a current ordinance or law.

Respectfully Submitted by the Etna Planning Board:

John Merrill, Chairman
Deb Garcia, Secretary
Kevin Martin, Member
Jackie O'Brien, Member
Nancy DuBois, Member

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