



CITY OF WATERVILLE

CITY COUNCIL

RESOLUTION 236-2025

Refer to the Planning Board—Zoning Ordinance Amendment  
(Variances)

BE IT RESOLVED by the City Council of the City of Waterville, acting as the Municipal Officers, as follows:

THAT, in accordance with Article 7, Section 7.1 of the Zoning Ordinance, a proposal to amend the Zoning Ordinance is hereby referred to the Planning Board for public hearing and recommendation.

SUMMARY:

The proposal is to revise the variance provisions contained in Section 6.2.E.(4)(g) of the Zoning Ordinance as follows (underlined language is an addition):

§ 275-6.2. Zoning Board of Appeals.

...

E. Powers and duties. The Zoning Board of Appeals has the following powers and duties:

...

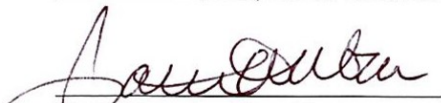
(4) Variances.

...

(g) Notwithstanding the provisions contained in § 275-6.2 and all of the subsections thereunder, the Zoning Board of Appeals may grant a variance or the Code Enforcement Officer may issue a permit, as provided in MRS Title 30-A, §4353-A, to the owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability. The Board or the Code Enforcement Officer shall restrict any variance or permit granted under this subsection solely to the installation of the equipment or the construction of structures necessary for access to or egress from the dwelling. The Code Enforcement Officer may impose conditions on the permit, including limiting the permit to the duration of the disability or to the time that the person with the disability lives in the dwelling.

IN THE CITY COUNCIL,

Dec. 16, 2025 Read and Adopted.

  
Patti Dubois, City Clerk

APPROVED:

  
Michael J. Morris, Mayor



# MEMO

DATE: December 8<sup>th</sup>, 2025  
TO: Mayor & City Councilors  
FROM: Dan Bradstreet, Code Enforcement Director  
SUBJECT: Amendment to Zoning Ordinance

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Mr. Mayor and City Councilors,

Thank you for adding code enforcement's proposed ordinance changes to the City Council agenda for their review. Below is a summary of and reasons for the proposed changes:

1. Waterville City Code **§ 275-6.2 E. (4) (g)** currently states that only the Zoning Board of Appeals may grant a variance to the owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability.
2. Waterville City Code **§ 275-6.2 H.** states that the procedure for the granting of a variance includes, but is not limited to:
  - a. The filing of an application with the code enforcement officer.
  - b. Scheduling of a public hearing to be held within 45 days of the filing of an application to the code enforcement officer.
  - c. Notice of the day, time and place of the hearing shall be published at least two times in a newspaper in general circulation in Waterville, the first publication to be not less than 14 days before the date of the hearing.
  - d. At any hearing, a party shall appear in person, or by agent or attorney.
3. **30-A MRS4353-A** enables a municipality by ordinance to authorize a code enforcement officer to issue a permit to an owner of a dwelling for the purpose of making a dwelling accessible to a person with a disability who resides in or regularly uses the dwelling If the permit requires a variance.
4. To grant disabled persons access to/from their homes in a safe and timely manner, Code enforcement proposes the inclusion of 30-A MRS4353-A via a revision of current Waterville City Code **§ 275-6.2 E. (4) (g)**.

Sincerely,

Dan Bradstreet  
City of Waterville  
Director of Code Enforcement