

TOWN OF SKOWHEGAN

ORDINANCE GOVERNING VICTUALERS LICENSES FOR
FOOD SERVICE ESTABLISHMENTS, INNKEEPERS, AND LODGING HOUSES

Adopted: Town Meeting, March 8, 1999

THE TOWN OF SKOWHEGAN HEREBY ORDAINS the following ordinance governing victualers licenses for food service establishments, innkeepers, and lodging houses.

TITLE:

This Ordinance shall be know as the Town of Skowhegan, Maine, Victualers, Innkeepers, and Lodging House Ordinance, and shall be referred to hereinafter as the “Ordinance”.

AUTHORITY: This Ordinance has been prepared in accordance with the provisions of Title 30-A, Section 3812 of the Maine State Revised Statutes Annotated. (M.R.S.A.)

PURPOSE: The purpose of this Ordinance is to control the issuance of licenses to the various food service establishments in the Town of Skowhegan.

DEFINITIONS: For the purposes of this Ordinance, the following definitions shall mean:

1. Innkeeper. “Innkeeper” means a person who keeps an inn, bed and breakfast establishment, hotel or motel to provide lodging to travelers and others for compensation and also to provide meals.
2. Licensing Board. “Licensing Board” means the Municipal Officers of the Town of Skowhegan.
3. Lodging House. “Lodging House” means a building in which three (3) or more rooms are rented, but does not include 1) a house where lodgings are rented to persons within the second degree of kindred to the person operating the lodging house; 2) the dormitories of charitable, educational or philanthropic institutions; or 3) the emergency use of private dwelling houses at the time of conventions or similar public gatherings.
4. Victualer. “Victualer” means a person who serves food or drink prepared for consumption on the premises by the public.
5. Premises. “Premises” means all lands, buildings, structures, places and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

LICENSE REQUIRED:

No person shall operate as a victualer within the Town of Skowhegan unless licensed to do so by the Town, unless specifically waived by the Town. Applications for victualers' licenses shall be made in writing upon forms supplied by the Skowhegan Town Clerk and shall state the name of the applicant; his residence and mailing addresses; the name of the business to be conducted; his business address; the location(s) to be used; residence and business telephone numbers; and the date of the application. Upon receipt of the application, the Town Clerk shall refer the same to the Code Enforcement Officer for a determination to assure compliance with the ordinances, statutes and regulations of the Town of Skowhegan and the State of Maine.

HEARING:

The Board of Selectmen shall hold a hearing on any original application for a license for food service within thirty (30) days of the date of the request received at which time the testimony of the applicant and that of any interested members of the public shall be taken. The applicant shall be notified of the hearing date.

The municipal officers shall grant a license unless they find that issuance of such license will be detrimental to the public health, safety or welfare, or would be in violation of any Town or State ordinance, rules or regulations.

SUSPENSIONS AND REVOCATIONS:

The municipal officers may, after a public hearing, suspend or revoke any license for non-compliance with the ordinances, statutes and regulations of the Town of Skowhegan and the State of Maine.

FEES AND EXPIRATION:

Each person initially licensed as an innkeeper or victualer shall pay to the Town Clerk a fee of twenty-five dollars (\$25.00). All licenses, unless otherwise provided, expire May 31 of each year. Renewal of said victualer's license shall be twenty-five dollars (\$25.00).

ANNUAL VICTUALERS LICENSE HEARING:

The licensing board shall meet annually during the month of May on a date and at a time and place in the municipality that they determine. At least seven (7) days before the meeting they must post notices stating the purpose of the meeting in at least two (2) public places in the municipality.

PENALTY:

Any person who violates any section of this Ordinance commits a civil violation for which a forfeiture of not more than fifty dollars (\$50.00) for the first offense or any subsequent offense may be adjudged. All forfeitures to be recovered, on complaint, will be to the use of the Town of Skowhegan.