

Order 136-05/06

Given first reading on 12/5/05

Public Hearing & Passage: 12/19/05 7-0 (Gorham, Leeman absent)

JAMES I. COHEN (MAYOR)(5)
WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)
EDWARD J. SUSLOVIC (A/L)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 31 (Scrap Metal Recycling Facilities)
SECTION 31-8 PERFORMANCE STANDARDS

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Section 31-8 of the Portland City Code is hereby amended to read as follows:*

Section 31-8. Performance standards.

...

(j) *Setback from waterways and water supplies.* No scrap metal recycling facility shall be located within 100 feet of any waterbody, watercourse or wetland, or within 300 feet of a well that serves as a public or private water supply.

(k) *Road/property line setbacks.* No scrap metal recycling facility shall be located within 1,000 feet of the right-of-way of any highway incorporated in both the interstate system and primary system or within 600 feet of the right-of-way of any other highway or within 1,000 feet of an abutting property line except for a scrap metal recycling facility entirely screened from ordinary view from that public road or abutting property line at all times in accordance with the screening standards in the rules promulgated by the Department.