

Order 7 – 06/07

Second Reading Waived

Public Hearing, Amended & Passed: 7/17/06 8-0 (Duson 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**

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

1. *That Chapter 31-4 (Definitions) of the Portland City Code is hereby amended to read as follows:*

**Sec. 31-4. Definitions.**

...

*Ordinary view:* means the unaided visual access from any point within six feet of ground level that a person has of a scrap metal recycling facility from the side that is furthest away from the facility of any immediately adjacent public road or 50 feet from an abutting property line. Recycled metal or metal awaiting processing or recycling shall be construed to not be in ordinary view from a public road or abutting property line when it is located more than 1000 feet from the abutting property lines or the applicant has constructed a screen between the storage area and the public road or property line in accordance with regulations promulgated by the department.

"Abutting property line" in this definition shall not include side or back property lines on or in any property zoned I-H unless the property abuts other property on which a residential use is permitted by the applicable zoning.