

**TOWN OF MADAWASKA  
SPECIAL TOWN MEETING WARRANT**

**AROOSTOOK, SS  
STATE OF MAINE**

**TO:** Ross Dubois, a constable in the Town of Madawaska, County and State aforementioned.

**GREETINGS:**

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Madawaska, in said County, qualified by law to vote in said town affairs to meet at the Madawaska Middle/High School Cafeteria on Tuesday February 21st, 2023 at 6:30 pm to act on articles 1, 2, & 3.

**Article 1** To choose a moderator to preside at said meeting.

**Article 2** Shall the Town of Madawaska vote to repeal the Town Ordinance entitled "Maine Uniform Building and Energy Code (MUBEC), as adopted on October 11, 2010 by the Maine Department of Public Safety's Building Codes and Standards Board, be adopted by reference, as authorized by 10 M.R.S.A., section 9724 (1-A) and 30-A M.R.S.A. section 3003? Upon adoption, MUBEC shall be effective retroactive to September 28, 2011. The penalty for violation of any provision of MUBEC shall be provided by 30-A M.R.S.A., section 4452. A copy of MUBEC of and shall remain on file with the municipal clerk and is available for public use, inspection, and examination.

**EXPLANATION:**

As authorized by State Law requires Town's over 4,000 in population to enforce all aspects of MUBEC. The Town's population declined below 4,000 as of the most recent census, and therefore the Town is not required by State law to enforce MUBEC. MUBEC is mandatory in terms of required building code in Town's over 2,000 in population, however there is no mandate for local enforcement unless adopted by local ordinance. Additionally, a legal opinion on the Town's 2012 MUBEC ordinance states:

*"when a municipality voluntarily adopts MUBEC it adopts only the version in effect/stated at the time of local adoption."*

Since MUBEC building codes constantly change, this means that the version of MUBEC that was adopted in 2012 is no longer current. The Board of Selectmen understands that MUBEC building codes for Towns with populations over 2,000 is required by State law, but the law does not require a Town to enforce the provisions of MUBEC, unless it is properly adopted into local ordinance by "reference". The Board of Selectmen, recommends the repeal of the 2012 MUBEC ordinance for these aforementioned reasons, and for practical reason not adopt a new MUBEC ordinance.

**RECOMMENDED BY BOARD OF SELECTMEN**

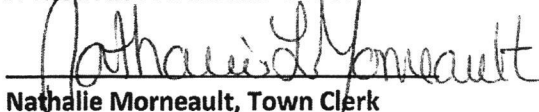
**Article 3**      Shall the Town of Madawaska adopt the "Municipality of Madawaska Moratorium Ordinance on Commercial Solar Farms, and Commercial Solar Gardens in the Medium Density Residential and High Residential Districts" (in the form attached hereto), which shall be in effect for a period of 180 days after the adoption. Authorized by 30-A M.R.S.A. § 4356.

**RECOMMENDED BY BOARD OF SELECTMEN**

The Board of Selectmen hereby give notice that the Registrar of Voters will be at the Madawaska Town Office for the purpose of registering and correcting the list of voters at the Madawaska Town Office during regular business hours from 9:00 am to 3:00 pm.

Dated and signed at Madawaska, Maine this 23<sup>th</sup> Day of January, 2023

**A TRUE AND ATTESTED COPY:**

  
Nathalie Morneault, Town Clerk  
Town of Madawaska

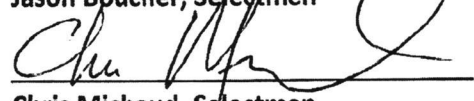
Madawaska Board of Selectmen

  
Richard J. Dionne, Chairman

  
Chris Braley, Vice Chairman

  
Manon Bilodeau Raymond, Selectmen

  
Jason Boucher, Selectmen

  
Chris Michaud, Selectmen

**OFFICERS RETURN**

Aroostook, ss

State of Maine

I certify that I have notified the voters of Madawaska of the time and place of the SPECIAL TOWN MEETING by posting a true and attested copy of the within warrant at the Town Clerk's office, Twin Rivers Paper Time Office, the Madawaska Town Office,

and the St. David Post Office.

A photocopy of the within warrant will be posted at a variety of other locations throughout the community for the convenience of the public.

Dated at Madawaska this 24th day of January, 2023.

A handwritten signature in black ink, appearing to read 'RMBU', is written over a horizontal line.

Ross Dubois, Constable



## TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299  
Tel — (207) 728-6351 • Fax — (207) 728-3611

### MUNICIPAL OFFICERS' CERTIFICATION OF OFFICIAL TEXT OF A PROPOSED ORDINANCE (30-A M.R.S.A. §3002 (2) )

To the Town Clerk of the Town of Madawaska:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled "Town of Madawaska Maine Uniform Building & Energy Code (MUBEC) Ordinance", which is to be presented to the voters for their consideration on June 19, 2012.

Pursuant to 30-A M.R.S.A. § 3002 (2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote. NOTE: DUE TO THE SIZE OF THE REGULATIONS COPIES SHALL NOT BE MADE BUT INDIVIDUALS MAY REVIEW THE CODE BOOKS AT  
Date: June 5, 2012. THE MADAWASKA TOWN OFFICE DURING  
REGULAR BUSINESS HOURS.

Donald J. Chase  
Don L. Chase  
Don L. Chase  
Michael Williams  
James P. Sarge  
Town Selectmen

Rec'd by  
Kathleen Pellaton  
6/11/12 1:30 p.m.