

MAR 11 2021

TOWN OF WESTMANLAND

1157 Westmanland Road
Westmanland, ME 04783
(207) 896-3019

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Brian Raynes, Selectman
Erich Margeson, Selectman
Kenneth Hixon, Selectman

Patricia Anderson
Clerk/Treasurer/Registrar of Voters

March 6, 2021

Department of Agriculture, Conservation and Forestry,
Board of Pesticides Control
28 State House Station
Augusta, ME 04333-0028

To Whom It May Concern:

Pursuant to Title 22 M.R.S.A. §1471-U, (3) *New Ordinances*, this letter and attached copy of a proposed ordinance to prohibit aerial spraying of herbicides in the Town of Westmanland shall serve as the required seven (7) day notice of intent. The Town Meeting to vote on the proposed ordinance is scheduled for March 18, 2021.

Should the proposed ordinance pass by majority vote of the residents of Westmanland, a subsequent notification shall be sent within the requisite thirty (30) day period following the vote.

Thank you.

Patricia Anderson

Patricia Anderson, Town Clerk
Town of Westmanland

Attachment enclosed

EXHIBIT A

TOWN OF WESTMANLAND

Forest Herbicide Ordinance

Section 1. Summary. The purpose of this ordinance, titled **Forest Herbicide Ordinance**, is to safeguard the public’s health, safety, and welfare, as well as to protect the natural resources of the Town of Westmanland (hereinafter the Town) by prohibiting the aerial application of herbicides for forestry purposes.

Section 2. Definitions. When used in this ordinance the following terms shall have the following meanings.

1. **Aerial Application.** “Aerial Application” means any application (of herbicide) by airplane, helicopter, or any vehicle, manned or unmanned, not in contact with the ground.
2. **Herbicide.** “Herbicide” means any substance, or mixture of substances, intended to inhibit, repel, desiccate, defoliate, or otherwise cause injury or death to plants.
3. **Forestry Purposes.** “Forestry Purposes” means the management of wooded land or land intended to be wooded, either mixed forest or plantation, for the production of forest products, including but not limited to, sawlogs, pulpwood, or firewood.

Section 3. Authority. This ordinance is adopted pursuant to Title 30-A M.R.S.A. §3001 and Title 22 M.R.S.A. §1471-U, and after filing the required notice with the Board of Pesticides Control.

Section 4. Prohibited Activities. The aerial application of herbicides for forestry purposes is prohibited at all times throughout the Town except as outlined below.

Section 5. Exceptions. Proposed variances or exemptions to the above prohibited activities must be approved by a two-thirds majority vote by registered voters of the Town.

Section 6. Enforcement and Penalties. This ordinance shall be enforced by the Town’s Code Enforcement Officer according to policies governing municipal ordinances of the Town. The Town may apply to any court of competent jurisdiction to enjoin any planned, anticipated or threatened violation of this ordinance.

Section 7. Effective Date. This ordinance shall take effect on the date upon which it has received the required approval by a majority vote at a Town Meeting or by majority vote of registered voters in the Town. This ordinance shall remain in effect unless or until terminated or amended by a two-thirds majority vote by registered voters of the Town.

Certification Date:

Brian Raynes, Selectman

Erich Margeson, Selectman

Kenneth Hixon, Selectmen

Witness to all: Patricia Anderson, Town Clerk