

CHAPTER 106

LICENSE AND PERMIT ISSUANCE ORDINANCE

TOWN OF GRAY

ADOPTED SEPTEMBER 5, 1995

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**SECTION 106.1 – TITLE**

This ordinance shall be known and cited as the License and Permit Issuance Ordinance of the Town of Gray, Maine.

**SECTION 106.2 - PURPOSE**

The regulations set forth in this ordinance are adopted to promote payment of real and personal property taxes, judgments and accounts owned to the Town of Gray.

**SECTION 106.3 – DEFINITIONS**

1. “Applicant” shall mean the natural person or entity submitting the application for a license or permit to the Licensing Authority.
2. “Licensing Authority” shall mean the Town official or officer or Town body that is authorized to issue a license or permit.
3. “License” shall mean any license that the Town of Gray, its officers, officials or bodies are authorized by statute or ordinance to issue, but excludes liquor licenses issued pursuant to 28-A; M.R.S.A.; Section 651 et seq., as amended from time to time.
4. “Permit” shall mean any permit that the Town of Gray, its officers, officials or bodies are authorized by statute or ordinance to issue, but excludes liquor licenses issued pursuant to 28-A; M.R.S.A.; Section 651 et seq., as amended from time to time.

**SECTION 106.4 – CONDITIONS FOR ISSUANCE OF LICENSES OR PERMITS**

1. No license or permit shall be issued by the Licensing Authority until said Licensing Authority determines as of the date of the license or permit application, whether or not:
  - A. The Applicant owes any real or personal property taxes to the Town of Gray;
  - B. There is an outstanding, final judgment against the Applicant that is due and payable to the Town of Gray;

- C. There is any account of the Applicant payable to the Town of Gray which has not been paid in full;
- D. All real and personal property taxes or final judgments due and payable to the Town of Gray on account of the premises for which said license or permit is requested have not been paid in full.

Provided, however, the requirement that all taxes and other monies owed to the Town be paid in full before the issuance of a license or permit may be waived by the vote of the Town Council if the Applicant pays the licensing fee in full and agrees, in writing, to pay the taxes, final judgments or accounts or a showing by the Applicant that there is not rational relationship between withholding the license or permit and the payment of the taxes, final judgments or accounts owed.

#### SECTION 106.5 – WAIVER

The requirements in Section 106.4 that all taxes, final judgments and accounts be paid prior to issuance of a license or permit may be waived by vote of the Town Council upon good cause shown by the Applicant, which good cause includes, but is not limited to non-economic reasons beyond the Applicant’s control for failure to pay the taxes, final judgments or accounts or a showing by the Applicant that there is not rational relationship between withholding the license or permit and the payment of the taxes, final judgments or accounts owed.

#### SECTION 106.6 – EXCEPTION FOR CERTAIN TAX DELINQUENCIES

The above sections of this Ordinance notwithstanding, the Licensing Authority may not refuse to issue a license or permit because of the owner of the premises for which Applicant requests a license or permit during the pendency of any request for abatement, or any appeal from the real or personal property tax assessment which appears to be delinquent.