

**An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells,
to Define a Business, Seasonal Tent and exempt from the definition of a Structure**

**NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.**

The Town of Wells hereby ordains and enacts “An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells, to define a Business, Seasonal Tent and exempt from the definition of a Structure” to read as follows:

Part 1: Section 145-10, entitled “Definitions” is hereby amended as follows:

STRUCTURE

Anything constructed, assembled or erected having a fixed location uninterrupted for more than 10 days on or in the ground or in the water. Any attachment to a structure shall be considered to be part of the structure. The term "structure" shall not include signs; utility distribution lines; stone walls; fences; embankment retaining walls; culverts; fire cisterns; fire hydrants; mailboxes; vehicles registered for use on public ways; at-grade paving, such as sidewalks, patios, driveways, business, seasonal tents and parking lots; and other items located in the public right-of-way normally and customarily related to a road. The term "structure" shall not include picnic tables and other tables, chairs, benches and other seating, trash cans, bicycle racks and planters each of which can be transported by two or fewer persons without use of mechanical assistance. The term "structure" includes utility transmission lines. Exclusions from this definition may not negate the requirement for a building permit.

BUSINESS, SEASONAL TENT

A tent erected on a temporary or seasonal basis (May 1 through November 1) as accessory to an existing business use, which is not a Home business; consisting of a roof and can include sides constructed of a fabric or pliable material supported by a frame; said covering material shall be removed between November 1 and May 1; shall not to be considered a structure or building but shall require a building permit if erected more than 10 days.

Part 2: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

Given under our hands this ____ day of _____, 2021.

BOARD OF SELECTMEN OF THE TOWN OF WELLS:

Sean Roche

Kathy Chase

Timothy Roche

John MacLeod, III

Robert Foley