TOWN OF BRIDGTON, MAINE
ORDINANCE TO CONTROL DISORDERLY HOUSES

PURPOSE: The purpose of this Ordinance is to protect the safety and welfare of Bridgton residents by controlling persistent unlawful and nuisance activities occurring near their properties.

DEFINITIONS:
Dwelling means any single or multi-family residence or part thereof, including, without limitation, garages, outbuildings and exterior grounds.

Disorderly House means any dwelling to which law enforcement officers have been called, in response to complaints or on their own initiative, three (3) or more times in any sixty (60) day period to respond to conduct which is unreasonably disturbing to residents of neighboring properties. Such conduct includes, without limitation, loud music, excessively loud or unnecessary noises emanating from within the dwelling which re audible outside the dwelling, boisterous parties, fights (including domestic violence) or the arrest and conviction of persons at the dwelling for conduct which constitutes a crime or a civil infraction.

DOCUMENTATION OF COMPLAINTS/INCIDENT REPORTS: The Bridgton Police Department shall document all calls relating to conduct which is described in the definition of Disorderly House. The responding officer shall determine if the conduct observed, if any, was conduct which could to lead to a finding of Disorderly House.

NOTICE OF INCIDENT REPORTS: Whenever a dwelling is visited by the Bridgton Police Department, the building owner, property manager or rental agent will be notified by phone and in writing if the conduct observed could lead to a finding of Disorderly House. If the visit results in the Police Department's finding that three (3) or more incidents that could lead to a finding of Disorderly House have occurred within sixty (60) days, such notice shall be given within five (5) business days.

HEARING BY BOARD OF SELECTMEN; ACTIONS: After receiving notice from the Bridgton Police Department that it has evidence of a Disorderly House, the Board of Selectmen may schedule a public hearing to determine whether the evidence supports a finding that the individual(s) named by the Police Department have maintained a Disorderly House. The Selectmen shall provide written notice of the date, time and place of the hearing to the property manager or rental agent, as applicable, and to the

building owner by mail, certified with return receipt requested, or by delivery in-hand. The notice shall contain a statement of the alleged violation of this Ordinance and a summary of the possible penalties.

The Chair of the Board of Selectmen or his/her designee shall preside at the hearing. A representative of the Bridgton Police Department shall be heard first and shall be followed by the person(s) named in the notice as having violated this Ordinance. Any party may cross-examine witnesses and may be represented by an attorney. After the hearing, the Board of Selectmen shall vote on whether, based upon a preponderance of the evidence presented, the dwelling cited by the Police Department is Disorderly House.

ACTIONS UPON FINDING OF A DISORDERLY HOUSE: If the Board of Selectmen finds that the dwelling in questions is a Disorderly House, they may enter into a consent agreement with the person(s) named in the notice whereby that person agrees to control the type of conduct which led to a finding of Disorderly House by, for example, enforcing rules and regulations pertaining to tenants and evicting tenants who refuse to comply with rules and regulations. If the terms of a consent agreement cannot be agreed upon, the Board may refer the matter to the Town Attorney for legal action.

VIOLATIONS: The following shall be violations of this Ordinance:

1. Maintaining a Disorderly House.
2. Failure to comply with the terms of a consent agreement.
3. Failure to appear at a duly noticed hearing by the Board of Selectmen concerning a Disorderly House.

Nothing in this Ordinance shall preclude the Town from seeking other remedies provided by law for the conduct described herein, including, without limitation, those remedies provided by 17 M.R.S.A. §§2701, et seq.

PENALTIES: Violation of this Ordinance shall be punishable by a civil penalty of not less than $100 and not more than $2,500. Each day that the violation exists shall constitute a separate offense. The Town may also seek injunctive relief. If the Town prevails in an action to enforce this Ordinance, it shall also be entitled to an award of reasonable attorney’s fees and costs.

Enacted: June 12, 2007
Amended: June 10, 2008