
SERVICE CHARGE ORDINANCE

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Adopted June 6, 1996

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Article 1. Authority.

This ordinance is enacted in accordance with Title 30-A, M.R.S.A., Section 3001 and Title 36 M.R.S.A., Section 652 (1)(L).

Article 2. Service Charge Established.

An annual service charge is hereby established. It shall be levied by the Town of Gorham against all residential property owned by an institution or organization if the property is otherwise totally exempt from property taxation and used to provide rental income. The Assessor shall provide a list of such property to the Town on request. This service charge shall not apply to student housing or parsonages.

Article 3. Calculation of Service Charge Limitation; Abatement.

The service charge established in Section 2 shall be calculated according to the actual cost of providing municipal services to the property in question and the persons who use that property. Services considered in making this calculation shall include, without limitation: fire protection, police protection, road maintenance and construction, traffic control, snow and ice removal, water and sewer service, sanitation services, and any services other than education and welfare.

The total service charge levied by the Town of Gorham under this ordinance against any institution or organization shall not exceed two percent (2%) of the gross annual revenues of that institution or organization. To qualify for this limitation, the institution or organization shall file with the Finance Director an audit of the revenues of the organization for the year immediately prior to the year in which the service charge is levied. The Finance Director shall abate the service charge amount that is in excess of the two percent (2%) of the gross annual revenues.

Article 4. Collection.

Unpaid service charges shall be collected following the procedure provided in 38 M.R.S.A. Section 1208, as may be amended from time to time.

Article 5. Use of Revenues.

Revenues accrued from service charges shall be used, as much as possible, to fund the cost of providing the services which were considered in calculating the service charge.

Article 6. Appeals

Any institution or organization wishing to challenge the decision of the Town of Gorham to levy a particular service charge or the amount of a particular service charge may appeal that determination to the Board of Assessment Review. Such appeals shall be filed in writing within sixty (60) days of the date on which notice is provided by the Town to the institution or organization indicating the amount of the service charge which they have noted to levy.

Section 7. Severability

If any section, subsection, sentence or part of this ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. 6 years.