

# TOWN OF FARMINGTON

## Board of Assessment Review Ordinance

ENACTED: July 19, 2004

CERTIFIED BY: Jeane E. Pankhan  
Name

Town Clerk  
Title

Affix Seal

# Town of Farmington

Adopted 07-19-04

## Board of Assessment Review Ordinance

### Chapter 3. Review

#### Article 2. Board of Assessment Review

##### 3-2.1 Establishment.

Pursuant to 30-A M.R.S.A. § 2526(6), a Board of Assessment Review is hereby established for the Town of Farmington, Maine.

##### 3-2.2 Administration and Enforcement.

The Municipal Officers, or their duly appointed agents, shall administer and enforce this Ordinance.

##### 3-2.3 Composition; qualifications; terms; vacancies.

The Board shall consist of five (5) members who shall be appointed by the Municipal Officers and who shall be residents of the Town. No Municipal Officer or Assessor may be a member. Members shall serve for terms of three (3) years or until their successors are appointed, except that for transition purposes, initial terms shall be staggered so that as nearly an equal member of terms shall expire annually. Vacancies shall be filled within sixty (60) days by appointment by the Municipal Officers for the unexpired term.

##### 3-2.4 Officers; meetings; quorum; procedures.

The Board shall annually elect from its membership a Chairman and a Secretary. The Chairman shall call meetings as necessary, shall preside at all meetings. The Secretary shall maintain a record of all proceedings including all correspondence of the Board. All meetings and records shall be subject to the Maine Freedom of Access Act, 1 M.R.S.A. §§ 401-410, except as otherwise authorized by law. A quorum necessary to conduct business shall consist of at least three (3) members. The decision to grant abatement requires three (3) affirmative votes. The Board's procedure shall be governed by 30-A M.R.S.A. § 2691(3).

##### 3-2.5 Powers and duties.

The Board shall hear and decide all appeals properly taken from the refusal of the Municipal Officers or Assessor to make such property tax abatements as are asked for. The Board may take such evidence and testimony as it deems necessary and may grant such abatements as it thinks proper. If the Board fails

to give written notice of its decision within sixty (60) days of the date the appeal is filed, unless the appellant agrees in writing to further delay, the appeal shall be deemed denied.

### 3-2.6 Appeals.

The Board's decisions may be appealed in accordance with 36 M.R.S.A. § 843.

### 3-2.7 Effective Date.

The effective date of this Ordinance shall be the date this Ordinance is adopted by the voters at Town Meeting.

### 3-2.8 Amendments and Severability.

a. An amendment to this Ordinance may be initiated by:

1. The Municipal Officers provided a majority of the Board has so voted;
2. Written petition of a number of voters equal to at least ten percent (10%) of the number of votes cast in the municipality at the last gubernatorial election.

b. Public Hearing: The Municipal Officers shall hold a public hearing on the proposed amendment. Notification of the hearing shall be posted and advertised in a newspaper of general circulation in the municipality at least seven (7) days prior to the hearing.

c. Adoption of the Amendment: An amendment to this Ordinance shall be adopted by a majority vote of a Town Meeting.

d. If any provision of this Ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provisions shall continue in full force and effect. This Ordinance shall become effective when adopted by a majority of the voters at any regular or special Town Meeting.