

Town of Lamoine, Maine
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Policy Regarding Transmission Of Complaints Of Alleged Ordinance Violations

I. Purpose

- a. It is recognized that from time to time officials employed by the Town of Lamoine receive complaints from members of the public in regard to ordinance violations. The purpose of this policy is to provide for the proper and orderly investigation of reports of possible violations of the ordinances of the Town of Lamoine. This policy is intended to ensure that a written record is generated for all reports of alleged ordinance violations.

II. Authority

- a. The Selectmen are the duly authorized, elected and sworn municipal officers of the Town Of Lamoine and hereby are responsible for making policy regarding day to day operations of the town. The Board is also responsible for appointing and supervising numerous individuals to various boards, committees and municipal jobs within the Town of Lamoine.

III. Scope

- a. This policy applies to all complaints received by officials appointed by the Lamoine Board of Selectmen to be investigated by the Code Enforcement Officer or the Health Officer.
- b. This policy does not apply to complaints properly routed to other investigatory personnel, including but not limited to the Animal Control Officer, the Harbor Master, and/or the Fire Chief.

IV. Standards

- a. **Written Complaint** – For each instance of a complaint, either by appointed or elected officials or by a member of the public, a written document will be generated either by, or on behalf of, the complainant. In the event of a telephone call received by such an official, a hand-written or computer generated document shall be generated and signed by said official. The complaint shall identify the following:
 - i. Date the complaint was received
 - ii. Time the complaint was received
 - iii. Person(s) making the complaint
 - iv. Nature of the complaint
 - v. The name (if known) of the alleged violator
 - vi. Location of the alleged offense

vii. Contact information for the person making the complaint including (if applicable) address, telephone number(s), e-mail address.

- b. **No Anonymous Complaints** – Elected and appointed officials shall **not** accept complaints from anonymous sources. If a complaint is received by elected or appointed officials, and a person does not wish to reveal their name, then the complaint will either not be forwarded to the proper investigatory official or if it is forwarded, the complainant will be considered to be the elected or appointed official who forwards that complaint. The basis for this standard is that a person accused of committing a violation has the right to know who their accuser is.
- c. **Form Available** – The Lamoine Town Office shall generate a paper form for complainants to make written complaints and submit them to the proper officials. The form shall contain, at a minimum, spaces to fill in the items listed in paragraph “a” above.
- d. **Follow Up** - The town official to whom the written complaint is forwarded shall investigate all written complaints and shall issue a written report in regard to the investigation. A copy of that report will be forwarded to the Board of Selectmen, put on file for the required period of time as defined by state statute, and a copy of the investigation report sent to the complainant and the alleged violator.

V. Validity & Severability

- a. Should any section of this policy be declared illegal or unenforceable, it shall not invalidate any other section of this policy.

VI. Definitions

- a. **Complainant** – a person who makes a complaint to a town official in regard to alleged violation of an ordinance
- b. **Complaint** – An inquiry, allegation, statement, or other form of communication that some violation of an ordinance or state statute has occurred within the jurisdiction of the Town of Lamoine.

VII. Signature

This policy is enacted on this 13th day of July, 2006 by:

/s/ S. Josephine Cooper, Chair

/s/ Brett Jones

/s/ Cynthia Donaldson

/s/ Perry Fowler

/s/ Richard Fennelly, Jr.

The Lamoine Board of Selectmen