



TOWN OF BALDWIN, MAINE
OFFICE OF THE SELECTMEN
534 PEQUAWKET TRAIL, WEST BALDWIN, ME 04091



Town of Baldwin - Policy on Notice for Public Proceedings 25 Aug 2026

Updated from 31 Jul 24 version

Background: Maine's Freedom of Access statute Title 1, Chapter 13 :Public Records and Proceedings provides the requirements for Maine's public access law. Subchapter 1, section 406 concerns public notice of public proceedings. It states "Public notice shall be given for all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons. This notice shall be given in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served by the body or agency concerned. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding." Section 402 applies this for town government in paragraph 2.C. "Any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision."

Discussion:

Specific Requirements: The above Title 1 section would appear to cover all public proceedings but it is actually a minimum requirement that is expanded or modified in several Maine statutes for specific cases. The more specific requirements are listed in the attached "Notes on Notice Requirements for Baldwin Official Meetings."

Outlets for Notices: With today's connected society there are a number of ways to notify the public. The Town of Baldwin has The Shopping Guide, the town website, a large sign in front of the town office, and a notice in the window of the town office to name a few. None of these are guaranteed to reach all town citizens. The printed copy of the Shopping Guide has been recognized over time as the accepted outlet for announcing public proceeding with the others used as backup or to increase coverage. However, feedback from town voters indicates relatively fewer people are reading the Shopping Guide in the printed format. Some read the on-line version and some don't read it at all. As a result, the Select Board has a practice of posting all its meetings on the town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, and posting them on the entrance doors to the Town Office in addition to the Shopping Guide.

Meetings: Although Maine statute specifies three or more persons meeting on public business must give public notice, two members of the Board of Selectmen is a quorum so the requirement to give public notice shall apply to two members of the Board of Selectmen at a planned meeting to discuss public business. Likewise, any planned meeting of two or more members of a town government body to discuss public business should be pre-announced to increase transparency of Town business.

Regularly Scheduled Meetings: Regularly scheduled meetings such as the Planning Board and the Select Board business meetings are considered pre-announced by their nature and do not need to be published once their schedule is established. Any meeting to address specific issues that require public hearings must be pre-announced.



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Maine statutes on non-recurring meetings or hearings vary considerably. Those called by the Select Board generally have the same notification requirement as that specified for an Annual Town Meeting and do not require local newspaper posting. Those called by the Planning Board have variable requirements and generally do require local newspaper postings. See attached info sheet for more details.

The pace of Town business has increased dramatically over the past few years with issues that require various town boards attention and/or voter approval happening more frequently. Reliance on the Shopping Guide as the only recognized public notice forum has become a hinderance to addressing critical public business in a timely manner and the publishing schedule for the Shopping Guide makes the advance public notice posting closer to 13 days minimum.

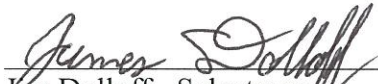
Policy:

Based on the above it is the policy of the Town of Baldwin Select Board that: All Select Board called non-emergency meetings, non-regularly recurring town government related meetings, hearings, special town meetings, and public information meetings shall be posted IAW Maine statutes and local ordinance requirements. The postings, and warrants when required, will be posted on the Baldwin town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, on the entrance doors to the Town Office, in the lobby of each Baldwin Post Office, and in the Shopping Guide (time permitting). They will also be posted in the Shopping Guide with proper advance notice if required by Maine statute. The delivery or publish dates of the Shopping Guide notices will not be determinate when ascertaining if proper advance notice was provided when local newspaper posting is not required.

An emergency meetings is one where the above notice is not fast enough. It shall be posted on the Baldwin town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, on the entrance doors to the Town Office, and in each Baldwin Post Office lobby.

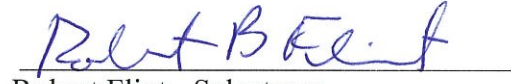
This policy should be reviewed annually.

Baldwin Select Board


Jim Dolloff - Selectman


Dale Miner- Selectman

Date 25 Sep 26


Robert Flint - Selectman



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Notes on Notice Requirements for Baldwin Official Meetings and Hearings

Background Info

There are different notice requirements (by Maine statute) for a number of official meetings where information is presented (hearing), voting occurs, or decisions are made by board members. A review of the statutes provides the following short guidelines. More detailed information should be explored if questions arise.

*Maine Title 30-A §2523 addresses “town meetings” where voters are being asked to vote. It states among other things, “The warrant for calling any town meeting must meet the following requirements.” Para 3, “Notification. It shall be directed to a town constable, or to any resident by name, ordering that person to notify all voters to assemble at the time and place appointed.” Para 4, “Attested copy posted. The person to whom it is directed shall post an attested copy in some conspicuous, public place in the town at least 7 days before the meeting, unless the town has adopted a different method of notification.”

Town Meetings and Select Board Hearings/Ordinances

1. Town Meeting: Warrant and notice of meeting posted in public place NLT 7 days in advance of meeting. See * above
2. General Assistance Ordinance Hearing(annual): Advance notice same as Town Meeting.
3. General Assistance Ordinance: Voted by Select Board at some point after the hearing, no published notice of the date of the vote needed if it occurs at a regularly scheduled meeting.
4. Municipal Road Ordinance Hearing: Advance notice same as Town Meeting.
5. Municipal Road Ordinance: Voted by Select Board at some point after the hearing, no published notice of the date of the vote needed if it occurs at a regularly scheduled meeting.
6. Winter Road Closure Hearing: Advance notice same as Town Meeting
7. Winter Road Closure: Voted by Select Board at some point after the hearing. (Between 1 May and 1 Oct annually) no published notice of the date of the vote needed if it occurs at a regularly scheduled meeting.
8. Special Town Meetings: Advance notice same as Town Meeting. See * above
9. Moratorium Ordinance Special Town Meeting: After hearing and Notice (no method or advanced requirements specified). (Town attorney advised 7 days sufficient for hearing and vote)
10. Extension of Moratorium Ordinance: A public hearing with 7 days advanced public notice, Voted on by the Select Board at a publicly noticed or regular scheduled meeting.
11. TIF District Designation/amendment/Hearing: 10 days in advance in Newspaper.
12. TIF Approval: Special Town Meeting vote to approve/amend
13. Warrant Articles Placed on Town Warrant or a Special Town Meeting as a result of a petition: A public Hearing minimum 10 days before the vote with notice of the hearing posted 7 days in advance IAW #1 above. A return of the notice stating the manner and time it was given shall be made by the Select Board.
14. Town meeting or special town meeting where a town ordinance is on the agenda: The Select Board shall certify one copy of the proposed ordinance to the clerk at least 7 days before the meeting. Copies shall be made available before and at the meeting. Warrant article shall be reduced to the question “Shall an ordinance entitled “ “ be enacted?
15. Public hearings called by the Select Board for the consideration of applications for a new, or renewal, of on-premises licenses and applications for common consumption area licenses.



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Notice must be published in the Shopping Guide one week before the date of the hearing. (Note that a public hearing by the Select Board is not required by statute Title 28-A §653.

Note: (no quorum needed at town meetings unless deciding on single assessor vs board of assessors (10% rule))

Land Use Ordinances hearings have specific advance notice requirements (timing and method) by Maine Statutes and Baldwin local ordinances may also have notice requirements imbedded within them. Hearings are scheduled and noticed by the Planning Board. (Voting to adopt ordinances proposed by the Planning Board is done at either the annual town meeting or a special town meeting which are called by the Select Board. Advance notices for these meetings are addressed above.)

1. Land Use Regulations and Zoning Ordinances Hearing: Post in Town Office 13 days prior and published in local newspaper 2 times, 1st at least 12 days prior and 2nd at least 7 days prior to hearing
2. Rezoning of Properties Hearing: Post in Town Office 13 days prior and published in local newspaper 2 times, 1st at least 7 days prior to hearing, notices sent to abutters.
3. Junkyard Ordinances Hearing: Post at least 7 days prior but not more than 14 days prior to hearing. Publish in newspaper and post in at least two public places.
4. Subdivision Ordinances hearing: Publish in newspaper at least 2 times, first time at least 7 days before hearing.
5. Rate of Growth Ordinance: Meetings of committee shall be conducted in open public sessions which have prior public notices. One public hearing must be held, with notice posted at least 30 days before the hearing. Follow-up hearings after comments may be noticed as per Title 1 §601. Copies of the Comprehensive plan must be available 30 days prior to the hearing. (Title 1 §601 suggests using land use ordinance hearing noticing as per #1 above.)
6. Appeals Board Hearing: Per the Baldwin Land Use Ordinance: 7 days in advance of a hearing in a local newspaper and posted in other places usually used to post public notices. It doesn't mention site walks but similar notice would seem appropriate.
7. Comprehensive Plan: (Covered under Title 30-A §4324 as part of a growth management program). Initial hearing notice published 30 days in advance IAW #1 above. Second IAW #1 above. Amendments to an existing plan follow the same rules.

References: Title 1 §601 and Title 30-A §4352

The Shopping Guide meets the requirement for local newspaper postings when required.