

2023 Amendment to the Lovell Subdivision Regulation Regarding Non-Discrimination

Complies with state law requiring municipalities to ensure that ordinances and regulations are designed to affirmatively further the purposes of certain federal and state laws.

LD 2003, a state law enacted in 2022, requires municipalities to ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act to achieve the statewide or regional housing production goal. Lovell will comply with this requirement by amending the Subdivision Regulation to impose a non-discrimination obligation on subdivision applicants patterned after federal law. LD 2003 provisions related to municipal regulation of residential density and accessory dwelling units are the subject of separate warrant articles. LD 2003 provisions related to municipal regulation of affordable housing density do not apply to Lovell because Lovell does not have designated growth areas or centrally managed water and sewer systems.

Principal Changes

Subdivision applicants are subjected to a non-discrimination obligation.

Lovell Subdivision Regulation Provisions to be Amended

Article 10 – Performance Standards

2023 Amendments to the Lovell Subdivision Regulation Regarding Non-Discrimination

The Subdivision Regulations of the Town of Lovell Maine shall be amended as follows (additions are underlined and deletions are ~~struck out~~). This amendment is not to go into effect before the implementation date set by 30-A M.R.S.A. § 4364-B, sub-§ 13, as that date may be amended.

1. Amend Article 10 – Performance Standards as set forth below:

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10.17 Non-discrimination

The applicant shall take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, which are race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability.