

- A. Removal or filling of material reasonably incidental to construction, alteration or repair of a structure, or in the landscaping incidental thereto;
- B. Construction of farm and fire ponds and normal agricultural operations;
- C. Inactive areas where previous mining last occurred at least 12 months prior to the adoption of this Ordinance;
- D. Removal of stone walls, rock walls, or foundation walls; and
- E. Stripping of topsoil (loam) not part of a mineral extraction operation to a depth no greater than one foot, provided the area so stripped is reseeded in the same growing season as removal;

ARTICLE III - AUTHORITY, APPLICABILITY & ADMINISTRATION

§1 Effective Date

This Ordinance shall be effective upon its adoption by vote of the eligible voters of the Town of Prospect, Maine in Town Meeting.

§2 Permit Required

- A. The provisions of this Ordinance shall apply to all mineral extraction activities within the boundaries of the Town of Prospect, Maine, except as provided in Article II of this Ordinance. This applies to all extraction activities described in Article I which are:
 - 1. A resumption of extraction activities in inactive operations, or on parcels of land on which inactive operations are located, or on parcels of land that are under a common scheme of development with parcels of land on which inactive operations are located;
 - 2. Active Operations not permitted by the State;
 - 3. New or proposed; or,
 - 4. Expansions of the above, except as provided in Article II of this Ordinance.
 - 5. **Leasing of Quarry**
 - a. For a long term lease of (1) year or more, which would also include multiple leases with terms of less than a year that when combined amount to or exceed a year, the lessee must meet the full requirements of this ordinance.
 - b. For a lease that is less than (1) year, the lessee is required to notify the Town of its specific plans at least (2) weeks before operations commence. This notification must include the beginning and end dates, nature of extraction, blasting schedule, the anticipated traffic plan, number of loads and type of trucks and contact information for lessee.
- B. Approval under this Ordinance shall be obtained as part of and concurrent with any other Planning Board and/or Site Plan review and approval applicable to the mineral extraction activity.
- C. Any application submitted to the Planning Board for any portion of the affected area, shall be treated as if it includes all the previously exempt or non-permitted un-reclaimed inactive area.

§3 Permit To Be Recorded

No permit shall take effect or be valid unless it is recorded in the Waldo County Registry of Deeds together with the site plan, the reclamation plan and all other plans such as but not limited to the spill containment plan or blasting plan, and the survey, if required, within 90 days of the granting of said permit at the expense of and by the applicant.

