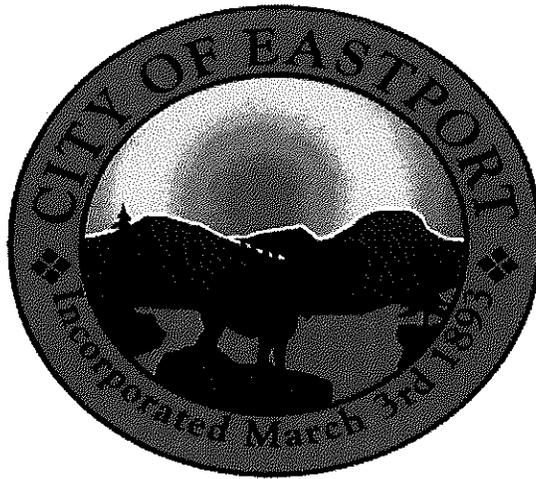


City of Eastport Parking Ordinance



Date Approved: 4 March 1991

Effective Date: 19 March 1991

Attest: Carolyn Camick, City Clerk

Revised

Date Approved: 12 October 2011

Effective Date: 27 October 2011

Attest: Ella Kowal, City Clerk

2011/ema

CITY OF EASTPORT
PARKING ORDINANCE

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EASTPORT PARKING ORDINANCE

BE IT ORDAINED THAT the following ordinance, to be known as the “**EASTPORT PARKING ORDINANCE,**” ~~is hereby adopted~~ as amended **4 March, 1991**, effective on **19 March 1991**, as revised on **12 December, 2005**, effective **1 January, 2006**. It is further ordered that a news release dealing with changes, related to violations and penalties be published in at least once in a newspaper of general circulation in the City of Eastport.

ARTICLE I. STOPPING, STANDING, AND PARKING

Section 101. Stopping, Standing, or Parking Prohibited in Specified Places

No personal shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a Police Officer or Traffic-Control device, in any of the following places:

- 101.01 On a sidewalk;
- 101.02 In front of a public or private driveway or alleyway;
- 101.03 Within an intersection;
- 101.04 Within five (5) feet of a fire hydrant;
- 101.05 On a crosswalk;
- 101.06 In a handicapped zone without legal handicapped identification;
- 101.07 Within ten (10) feet of the near corner of the curbs at an intersection;
- 101.08 Within fifteen (15) feet upon the approach to any stop sign located at the side of a roadway;
- 101.09 Within twenty (20) feet of the driveway entrance to any fire station and on side of a street opposite the entrance to any fire station within seventy-five (75) of said entrance (when properly sign posted);
- 101.10 Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- 101.11 On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- 101.12 No parking area's

101.13 **Unlawful Parking** – No person shall park a vehicle upon any roadway for the principle purposes of advertising, displaying such vehicle for sale, washing or repairing such a vehicle except when repairs are necessitated by an emergency;

101.14 At any place where official signs or curb painting so prohibit. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful ;

Section 102. Parking Prohibited At All Times on Certain Streets

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets described in Schedule I attached to and made a part of this Ordinance.

Section 103. Parking Time Limited on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle longer than one hour between the hours of 8:00 a.m. and 6:00 p.m. Mondays through Fridays, or between the hours of 8:00 a.m. and 10:00 p.m. Saturdays, Public Holidays excepted, upon any of the streets or parts of streets described in Schedule II attached hereto and made a part of this Ordinance.

Section 104. Hazardous or Congested Places

104.01 The Police Chief with the approval of the City Manager is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which the stopping, standing, or parking of vehicles would created [sic] an especially hazardous condition or would cause unusual delay to traffic.

104.02 When Official signs are erected at hazardous or congested places as authorized herein, no person shall stop or park a vehicle in any such designated place.

Section 105. Parking Not To Obstruct Traffic

No person shall stop, stand, park, or leave his/her vehicle on any street in such a manner or under such conditions so as to obstruct the free passage of other vehicles in either direction unless specifically permitted by a police officer, or as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

Section 106. Parking in Alleys

No person shall park a vehicle within an alley in such a manner or under any conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Section 107. Standing or Parking Close to Curb

No person shall stand or park a vehicle on any street in a business district other than parallel with the edge of the roadway headed in the direction of the lawful traffic movement and with the right hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as follows:

107.01 Angle Parking – Upon such streets or parts thereof which have been officially signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of roadway indicated by such signs or markings.

107.2 Backing to Curb – When specifically authorized by a Police Officer, any person may back a vehicle to the curb for the purpose of loading or unloading merchandise or materials for a period not in excess of 30 minutes. No person shall so back a vehicle to a curb unless specifically so authorized by a Police Officer and no person shall in any event back a vehicle on to any curb or sidewalk in this City.

107.3 Taxi Stands – If required, will be assigned by the City Council.

Section 108. Places of Assemblage

The Police Chief is authorized to place temporary or permanent traffic-control signs in front of the entrance to places of assemblage or any building in which entertainments, plays, shows, exhibitions, and the like are given, either regularly or otherwise and for such period as the Police Chief in his discretion may deem wise under the circumstances.

Section 109. Large Vehicles

No owner, driver, or person in charge of any vehicle which has a carrying capacity of more than three thousand pounds, or which including load is more than thirteen (13) feet in length, or which including load is more than eight (8) feet in width, or which including load is more than twelve (12) feet six inches in height, shall permit the same to stand upon any public street in the City for a longer period than one (1) hour at any one (1) time .

Section 110. Owners Liability

Whenever any police officer shall find any vehicle which has been illegally parked and such police officer is unable to determine the person who is responsible for such parking, the owner of the vehicle shall, upon request of the Police Department, furnish to it the name of the driver of the vehicle responsible for such illegal parking. Failure upon the part of any to do so shall make him liable to the general penalty under this ordinance.

Section 111. Schools

The Police Chief is hereby authorized to cause temporary or permanent signs to be erected, indicating no parking adjacent to any school property, when such parking would, in his opinion, interfere or create a hazardous situation. When official signs are erected indicating no parking adjacent to any school property, no person shall park a vehicle in any such designated place.

Section 112. Snow Removal

No vehicle shall be parking at any time on any public streets or way so as to interfere with or hinder the removal of snow from said street or way by the City plowing or loading and hauling. The Chief of Police may cause any vehicle so parking on any street to be removed and placed in a suitable parking space off the street, at the expense of the owner of such vehicle, and without the City being liable for any damage that may be cause by such removal. For the purpose of facilitating the removal of snow, the City Manager or Police Chief may cause to be placed properly marked signs along any street or streets as he shall from time to time deem necessary. It shall be unlawful for the operator of any vehicle to enter upon, stop or park within the spaces indicated by such signs.

ARTICLE II. PENALTIES

Section 201. Violations

Any person violating any provisions of this Ordinance shall, upon conviction, be punished by payment of a fine not to exceed One Hundred Dollars, which fine shall be recovered for the use of the City of Eastport.

Section 202. Alternative Penalty

Any person charged with a violation of any provision of this Ordinance may elect to pay an administrative penalty in lieu of the fine herein before provided. Such person, may upon receipt of a traffic ticket or citation, pay a sum at the Office of the City Treasurer (or at such other places as the City Council may designate) according to the following schedule:

202.1 – Initial Penalty

202.02.01	Parking on a Sidewalk	\$25.00
	(Amended 10/12/2011)	\$50.00

202.02.02	Blocking a Public or Private Driveway	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.03	Within an Intersection	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.04	Within Five Feet of a Fire Hydrant	\$25.00
	(Amended 10/12/2011)	\$75.00
202.02.05	Within a Crosswalk	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.06	In a Handicapped Zone without Handicapped Identification	\$50.00
	(Amended 10/12/2011)	\$100.00
202.02.07	Within 10 feet of the corner or curb of an Intersection	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.08	Within 15 of the approach to any Stop Sign	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.09	Within 20 feet of the entrance of any Fire Station	\$50.00
	(Amended 10/12/2011)	\$100.00
202.02.10	Alongside or opposite Road Construction	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.11	On roadway side of any vehicle stopped or parked at the edge or curb of a street	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.12	No Parking Zones and Areas	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.13	Unlawful Parking	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.14	Where signs, curb painting so prohibit	\$25.00
	(Amended 10/12/2011)	\$50.00
202.02.15	<i>Parked in a No All Night Parking Zone</i>	\$50.00
	(Added 10/12/2011)	
202.02.16	<i>Parked Overtime</i>	\$50.00
	(Added 10/12/2011)	

202.02.17	<i>Hindering Snow Removal</i> (Added 10/12/2011)	\$75.00
202.02.18	<i>Double Parked</i> (Added 10/12/2011)	\$50.00
202.02.19	<i>Disobey Official Sign</i> (Added 10/12/2011)	\$50.00
202.02.20	<i>Other</i> (Added 10/12/2011)	\$50.00

202.02 *Late Penalty*

Provided that if said sum is not paid within fourteen (14) days of the date of the ticket or citation penalties will be doubled.

202.03 *Failure to Pay – Legal Action*

If not paid within twenty-one (21) days of the ticket or citation, this alternative method shall not be made available and normal court procedure will then be followed. Receipts shall be given for all payments made under this alternative method.

Section 203. *Tow Away of Vehicles*

The Eastport Police Department is authorized to have removed and towed away any vehicle or trailer;

- 203.1 improperly parked in such a manner as to cause a traffic hazard or,
- 203.2 blocking a fire hydrant or,
- 203.3 obstructing the movement of emergency vehicles or,
- 203.4 blocking a private driveway or alley or,
- 203.5 parked on any street during the hours when parking is prohibited by any provisions of this Ordinance.

The owner of any vehicle so towed away shall be liable for a reasonable towing charge and storage fee. Such vehicles need not be stored inside a garage or other building and shall not be restored to the owner until payment of the towing and storage charges.

Section 204. Jurisdiction

The Maine District Court shall have jurisdiction over all violations of this Ordinance and Maine Law shall govern procedure for traffic infractions.

Section 205. Application

This Ordinance applies to all public streets in the City of Eastport, including Quoddy Village, the Breakwater Pier, and the Fish Pier. Exceptions to the provisions of this Ordinance may be made on the Breakwater Pier and the Fish Pier only.

ARTICLE III. OVERNIGHT WINTER PARKING BAN

Section 301. Snow Removal

“No vehicle shall be parking at any time on any public streets or ways so as to interfere with or hinder the removal of snow from said street or way by the City plowing, loading, or hauling. The Chief of Police may cause any vehicle so parking on any street to be removed and placed in a suitable parking space off the street, at the expense of the owner of such vehicle. And without the City being liable for any damage that may be caused by such removal.”

Section 302. Penalty

“Any person violating any provision of the Ordinance shall, upon conviction, be punished by payment of a fine not to exceed \$100.00, which fine shall be recovered for the use of the City of Eastport.”

Section 303. Length of Parking Ban

“This ban will begin on November 15th of each year and run through April 15th of the following year.”

“Parking Ordinance Amendment”
ARTICLE II, SECTION 202.01

The Eastport City Council held a Public Hearing on Wednesday, October 12th, 2011 at 6:00 p.m. at Shead High School. The purpose of the hearing was to receive public input on a **Parking Ordinance Amendment** recommended by Eastport City Manager, Jon Southern.

The Eastport City Council **accepted and approved** the proposed amendment as submitted on October 12th, 2011 to read as follows:

Under Article II Section 202.01

202.01 - Initial Penalty	
202.02.01	<i>Parking on a Sidewalk</i> \$ 50.00
202.02.02	<i>Blocking a Public or Private Driveway</i> \$ 50.00
202.02.03	<i>Within an Intersection</i> \$ 50.00
202.02.04	<i>Within Five Feet of a Fire Hydrant</i> \$ 75.00
202.02.05	<i>Within a Crosswalk</i> \$ 50.00
202.02.06	<i>In a Handicapped Zone without Handicapped Identification</i> \$100.00
202.02.07	<i>Within 10 feet of the Corner or Curb of an Intersection</i> \$ 50.00
202.02.08	<i>Within 15 feet of the Approach to any Stop Sign</i> \$ 50.00
202.02.09	<i>Within 20 feet of the Entrance of any Fire Station</i> \$100.00
202.02.10	<i>Alongside or Opposite Road Construction</i> \$ 50.00
202.02.11	<i>On Roadway Side of any Vehicle Stopped or Parked at the Edge or Curb of a Street</i> \$ 50.00
202.02.12	<i>No Parking Zones and Areas</i> \$ 50.00
202.02.13	<i>Unlawful Parking</i> \$ 50.00
202.02.14	<i>Where Signs, Curb Painting So Prohibit</i> \$ 50.00
202.02.15	<i>Parked in a no all night parking zone</i> \$ 50.00
202.02.16	<i>Parked overtime</i> \$ 50.00
202.02.17	<i>Hindering snow removal</i> \$ 75.00
202.02.18	<i>Double parked</i> \$ 50.00
202.02.19	<i>Disobey official sign</i> \$ 50.00
202.02.20	<i>Other</i> \$ 50.00

The full text of the Parking Ordinance is on file at City Hall and is available for public review Monday to Thursday from 8:00 a.m. to 4:00 p.m. and Friday from 8:00 a.m. to 12:30 p.m.