

# **PARKING ORDINANCE [PROPOSED REVISIONS-2021]**

## **PARKING REGULATIONS FOR THE NORTHPORT VILLAGE CORPORATION**

### **Section 1. PURPOSE**

The intent of this Parking Ordinance is to promote and maintain the public safety, well-being and convenience of the residents of the Northport Village Corporation by regulating the parking of Vehicles on Village roads and on Village-owned property.

### **Section 2. AUTHORITY**

This Ordinance has been proposed for adoption in accordance with the Maine P&S Laws 1915, ch. 136 as amended; 30-A M.R.S.A. §6302; 30-A M.R.S.A. §3009; which empower the municipal officers (Board of Overseers) with the exclusive right to enact ordinances with regard to parking.

### **Section 3. DEFINITIONS**

- 3.1. “Oversized Vehicle”: Any Vehicle which has a carrying capacity of more than three-thousand (3,000) pounds, or which, including load, is more than twenty-two (22) feet in length, or which, including load, is more than eight (8) feet in width, or which, including load, is more than twelve feet, six inches (12’6”) in height.
- 3.2. “Park”, “parked,” “parking”: A Vehicle which remains stationary in a street or on a Village-owned property, without a driver and without the engine operating.
- 3.3. “Vehicle”: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway or waterway, excepting devices moved exclusively by human power or used exclusively upon stationary rails or tracks. For the purpose of this Ordinance, Vehicles shall include trailers of every kind and boat cradles.
- 3.4. “Village Road”: Any public road within the geographic confines of the Northport Village Corporation.

### **Section 4. WINTER PARKING BAN**

From November 15 to April 15, all parking on Village roads and streets is prohibited between the hours of 7:00 P.M. and 7:00 A.M., provided, however, that the Village Agent may grant a revocable exception to individual parkers on a season-by-season basis. During a significant snow event requiring plowing, parking is prohibited during all hours on Village roads and streets. Authorization has been given for all Vehicles so parked to be removed and put into storage, and all expenses will be charged to the owner. The Northport Village Corporation will not be responsible for any damages to Vehicles so removed. The Town of Northport’s Administrative

Ordinance regarding winter parking remains in effect for all Town roads and supersedes the Village's Winter Parking Ban for those roads.

## **Section 5. VEHICLES NOT TO OBSTRUCT TRAFFIC**

- 5.1. The operator of a motor Vehicle shall park such that the wheels adjacent to the curb are no more than twelve (12) inches away from the curb. Where curbs are not present Vehicles should be parked so that as much of the Vehicle is off the road way as possible. Under no circumstance should a Vehicle be parked on a roadway in any manner that results in the area of passage being less than fourteen (14) feet.
- 5.2. A Vehicle shall not be parked or stop in any street so as to prevent or obstruct the passing of vehicular traffic or emergency vehicles.
- 5.3. No Oversized Vehicle shall be permitted to park or stand upon any public street in the Village for a longer period than fifteen (15) minutes, except when loading or unloading or performing maintenance work.
- 5.4. If the owner of an Oversized Vehicle, for reasons related to construction or to hardship, wishes to stand or park on Village roads for periods longer than those specified in Section 5.3, the owner must request exceptional permission from the Board of Overseers or Village Agent.

## **Section 6. NO PARKING ZONES**

- 6.1. No person shall stop, stand, or park a Vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of the Village Agent, a law enforcement officer or a traffic control device, in any of the following places:
  - 6.1.1. In front of a public or private driveway so as to obstruct access to same.
  - 6.1.2. Within fifteen (15) feet of an intersection, whether or not there is a stop sign or traffic signal, unless in an otherwise designated parking area, or unless written permission has been obtained from the Board of Overseers. The Village shall supply a window sticker or placard for the property owners to display in the Vehicle. No more than one placard/sticker shall be issued per household.
  - 6.1.3. Within fifteen (15) feet of a fire hydrant on the side of the street where the hydrant is located except in a designated parking space.
  - 6.1.4. Within five hundred (500) feet (or such other distance as may be determined by or the Village Agent or civil authorities (that is, police, fire, or ambulance personnel) in charge of the scene) when there is an emergency, fire, or other circumstance requiring a temporary parking ban.
  - 6.1.5. At any place where an official sign or road marking prohibits parking.

- 6.1.6. On the Community Hall side of George Street from Rogers Lane to Cobe Road.
- 6.1.7. On the Bayview Park side of Rogers Lane.
- 6.1.8. On either side of the dead-end road across lower Bayview Park, except for the purpose of loading or unloading for a period not exceeding fifteen (15) minutes.
- 6.1.9. Ruggles Park (see Exhibit A):
  - 6.1.8.1. On the park side of Park Row, from 1 Park Row to 21 Park Row, bordering the northern edge of Ruggles Park (that is, parking is only permitted on the cottage side of Park Row).
  - 6.1.8.2. On the water side of the connector between Park Row and the boat launch ramp.
  - 6.1.8.3. On the right side of lower Maple Street, from Broadway to the Northport Yacht Club flagpole (provided, however, that the Northport Yacht Club may park its sailing school boats/trailers in this area during their seasonal commissioning and decommissioning efforts and for emergency maintenance) and at the bottom of Ruggles Park, in front of the waste-water treatment building and fire hydrant and continuing to the causeway.
  - 6.1.8.4. Around the outside perimeter of the traffic island located at the bottom of Ruggles Park.
  - 6.1.8.5. In front of and on the causeway to the wharf, except for the purpose of loading or unloading for a period not exceeding fifteen (15) minutes.
  - 6.1.8.6. On either side of the playground within fifteen (15) feet of the lower vertex (that is, where the telephone pole is).
  - 6.1.8.7. On the bay side of Broadway along the top of Ruggles Park, from Maple Street to Park Row.
- 6.1.10. In front of the mail boxes on Clinton Avenue at Merrithew Square.
- 6.1.11. On the inland side of Shore Road at Kelly Cove across the street from the parking area just north of the bridge (Devil Bridge).
- 6.1.12. On both sides of Bluff Road in front of the fire department for the entire width of the fire department's driveway plus an additional fifteen (15) feet on either side of the driveway.
- 6.1.13. Any other area that is likely to cause a threat to public safety.

- 6.2. Motor-homes, conversion vans, camper-trailers, and Oversized Vehicles are not permitted to park overnight in any Village parking area or along Village roads without prior written approval from the Board of Overseers or Village Agent.
- 6.3. The Board of Overseers may establish and then erect and maintain signs indicating that no parking is permitted in specified areas or on one or both sides of a specified street. The Board of Overseers will update this as necessary in the interest of public safety. The list of no parking zones will be published no later than June 15 each year if any changes are made and will be available through the Village Office and other means as the Board of Overseers deem appropriate.

## **Section 7. PARKING ON VILLAGE PROPERTY**

- 7.1. No unlicensed or unregistered Vehicles shall be parked on Village property.
- 7.2. Limited space is available for parking on Village-owned property. These are the Village-owned areas available for parking, in all cases subject to the other provisions of this Ordinance:
  - 7.2.1. Lower Ruggles Park: Perpendicular parking along the seawall between the boat launch ramp and wharf causeway. Overnight parking is prohibited.
  - 7.2.2. Lower Ruggles Park: Perpendicular parking along the lower edge of the park slope, between Main Street and Park Row. Overnight parking in Ruggles Park is permitted in this area only, for a period not to exceed forty-eight (48) hours, although overnight parkers are encouraged to instead seek a private property alternative or use Cradle Row (also known as Cradle Park and Grove Street).
  - 7.2.3. Lower Maple Street (below Broadway): Parallel parking along the right side below the Northport Yacht Club flagpole but not from in front of the waste-water treatment building and fire hydrant to the causeway. Overnight parking is prohibited.
  - 7.2.4. Lower Maple Street (below Broadway): Parallel parking along the left side of lower Maple Street below the basketball court but not closer than fifteen (15) feet to the playground's lower vertex (that is, where the telephone pole is). Overnight parking is prohibited.
  - 7.2.5. Lower Main Street (below Broadway): Parallel parking along the entire Park Row side and along the playground side only below the merry-go-round but not closer than fifteen (15) feet to the playground's lower vertex (that is, where the telephone pole is). Overnight parking is prohibited.
  - 7.2.6. Merrithew Square: Perpendicular parking on the water pump side of Broadway from Clinton Avenue to the Bangor Cottage;

7.2.7. Cradle Row (also known as Cradle Park and Grove Street): As marked and signed; [Incorporate the Waterfront Ordinance provisions, once finalized.]

7.2.8. Auditorium Park: Parking within this park is permitted only to householders abutting the park as defined by the deed of gift subject to the terms of the deed, including: “The Grantor reserves the right for the abutting property owners to park or leave an automobile or other vehicle in a designated section of the park.”  
*Deed of Gift, August 1940*

7.3. No person shall park a Vehicle on any street for the principal purpose of displaying such Vehicle for sale.

## **Section 8. EMERGENCY REMOVAL**

Any Vehicle parked upon a public street or on Village property in a place or manner prohibited by this Ordinance is hereby declared to be an obstruction in the public way. A law enforcement officer or the Village Agent may cause the removal, at the owner's expense, of any Vehicle in violation of this Ordinance which is an obstruction in the public way or is posing a threat to public safety.

## **Section 9. HANDICAPPED PARKING**

9.1. The Board of Overseers is hereby authorized to determine and designate, by proper signs, certain parking spaces for handicapped parking.

9.2. Any Vehicle parked in a parking space clearly marked as a handicapped parking space and which does not bear a special registration plate or placard issued under M.R.S.A. Title 29-A, §521, or a similar plate issued by another state. "Clearly marked" includes painted signs on pavement and vertical standing signs which are visible in existing weather conditions. The Village Agent or any law enforcement officer may cause any Vehicle so parked to be removed from the parking space and towed or moved at the expense of the owner of such Vehicle, and without the Village being liable for any damage that may be caused by such removal.

## **Section 10. ENFORCEMENT**

10.1. It shall be the duty of law enforcement officers, the Village Agent or a designated parking enforcement officer, acting in accordance with instructions by the Board of Overseers, to report:

10.1.1. The state license number of any Vehicle that is or has been parking in violation of any provisions of this Ordinance.

10.1.2. The time at which such Vehicle is parked in violation of any provision of this Ordinance.

- 10.1.3. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- 10.2. Each officer shall attach to such Vehicle a notice to the owner or operator thereof that such Vehicle has been parked in violation of the provisions of this Ordinance.
- 10.3. The Board of Overseers and the Village Agent shall have the authority to provide revocable enforcement waivers under circumstances deemed appropriate, in the reasonable discretion of the Board of Overseers or the Village Agent, for a period not to exceed thirty (30) days.

## **Section 11. PENALTIES**

- 11.1. The operator or owner of any Vehicle charged with a violation of Sections 6.1.3, 6.1.4 or 6.1.12 of this Ordinance may waive all court action by the payment of a waiver fee of seventy-five dollars (\$75.00) per day of infraction at the Village Office prior to the expiration of the thirty (30) day period following the issuance of the parking ticket as stated on the Notice of Illegal Parking.
- 11.2. The operator or owner of any Vehicle charged with a violation of the general parking restrictions set out in Sections 4-8 of this Ordinance other than a violation of Sections 6.1.3, 6.1.4 or 6.1.12 may waive all court action by the payment of a waiver fee of twenty-five dollars (\$25.00) per day of infraction at the Village Office prior to the expiration of the thirty (30) day period following the issuance of the parking ticket as stated on the Notice of Illegal Parking.
- 11.3. The operator or owner of any Vehicle charged with a violation of Section 9 may waive all court action by the payment of a waiver fee of two hundred dollars (\$200.00) per day of infraction at the Village Office prior to the expiration of the thirty (30) day period following the issuance of the parking ticket as stated on the Notice of Illegal Parking.
- 11.4. In addition to sections of this Ordinance which specifically allow for towing violations, the Village Agent or other civil authority may have towed any Vehicle parked in violation of this Ordinance at the expense of the owner of such Vehicle and without the Village being liable for any damage caused by such removal when that Vehicle is parked in a fire lane, blocking a fire hydrant, parked so as to obstruct pedestrian traffic or parked in such a manner as to create a traffic hazard.
- 11.5. Any owner or operator of any Vehicle charged with five (5) or more violations of any of the parking regulations set forth in this Ordinance in any consecutive thirty (30) day period may be required to forfeit the court waiver fees, and be ordered to appear in court. Any person summoned to District Court for a parking violation and found guilty of the alleged violation may be required to pay for court costs in addition to the fine for the violation.

**Section 12. EVIDENCE**

No person shall allow any Vehicle registered in his or her name to park in violation of the provisions of this Ordinance. The fact that a Vehicle is unlawfully parked or stored shall be prima facie evidence of the unlawful parking of such Vehicle by the person in whose name the Vehicle is registered. (M.R.S.A. 30-A, §3009).

**Section 13. NO LIABILITY**

Parking of Vehicles on Village property or on or beside Village roads shall be at the owner’s risk. The Village bears no liability for any damage to property whether caused by weather, accident, or vandalism.

**Section 14. REPEAL OF PRIOR ORDINANCES**

Any and all prior ordinances or parts thereof or written policies or procedures heretofore adopted by the Board of Overseers which are in conflict with the provisions of this Ordinance shall be repealed as of the effective date of this Ordinance.

**Section 15. VALIDITY AND SEVERABILITY**

Should any section(s) or provision(s) of this Ordinance be declared by the courts to be invalid or non-enforceable, such decision shall not invalidate any other section or provision of this Ordinance.

**Section 16. ADOPTION AND EFFECTIVE DATE**

This Ordinance shall become effective \_\_\_\_\_, 2021.

Attest: \_\_\_\_\_

Maureen Einstein, Clerk  
Northport Village Corporation

*Enacted \_\_\_\_\_, by vote of Board of Overseers of the Northport Village Corporation.*

**Exhibit A**

**Ruggles Park No Parking Areas**  
(No parking areas are designated by dashed lines)

\*\*\* Under no circumstance should a Vehicle be parked on a roadway in any manner that results in the area of passage being less than fourteen (14) feet. \*\*\*

