

**Bayside Parking Ordinance Committee
Meeting Notes 2/22/2020**

Attending: Judy Metcalf, Sandy Hall, Jeffrey Wilt, Dan Webster, Elaine Moss, Deanna Wolfire, Gina Cressey, Martha Beiser, Bill Paige, Village Agent

Additional guest: Gordon Fuller

Review of items from previous meetings:

- Bill confirmed that Bay Street is 19 feet wide. No further discussion of this issue (*still to be discussed – do we need to consider making this street one-way due to parking congestion to allow passage for emergency vehicles?*)
- Martha updated progress with the schoolyard parking solution. Overflow parking for the 4th of July weekend and the Around Islesboro Race (AIR) weekend in September has been approved, so this location can be publicized for these dates. Further discussion for summer-long use is scheduled for the school board discussion in March. Martha will report back on results.
- Jeffrey spoke about a visit to the area behind the water facilities building as a possible yacht club trailer storage area. He and Bill agreed that there should be sufficient room for the club trailers currently stored in Cradle Row (though not any private boat storage) with the understanding that there would be limited traffic in and out by these trailers. Ideally, Cradle Row would be free of boat storage from Memorial Day through AIR. There is still no good count of possible parking spaces to be gained in Cradle Row. Jeffrey indicated that the Waterfront Safety Committee also will be addressing stopping the usage of Cradle Row as a boat storage location during the summer.
- Winter Parking ban revisited. Wording has been changed to match the published ban. Deanna asked if there are options for the year-round residents who do not have off-street parking. Ruggles Park will have more parking options after the completion of the waterfront project, and some section of this parking can be treated like Merrithew Square parking, which is exempt from the parking ban. Bill plows this type of area after vehicles using it for emergency parking have been removed. Bill has been making individual accommodations for anyone whose situation is inconsistent with the restrictions of the ordinance, and this has been working. **Action item:** Elaine will add a clause indicating that, unless a specific exception to the parking ban has been granted, winter parking options will be subject to the discretion of the village agent.
- Item 6.1.6 – parking prohibition on the west side of George Street. **Action item:** For clarity, change item to state that parking will be prohibited ‘...from Rogers Lane to Cobe Road.’
- Item 6.1.8.4 – Parking in Ruggles Park; loading and unloading on the causeway. After discussion, all agreed that the time limit should be amended to match the time limitation at the boat float. **Action item:** change to read ‘...for a period not to exceed 15 minutes.’
- Gina asked that a similar item be included for Bayview Park, which occasionally has issues with users of the Bayview Park beach area. **Action item:** Add to 6.1.7 a clause indicating that parking is allowed for a maximum of 15 minutes for loading and unloading only.

New discussion:

- Section 7 – locations of allowed parking on Village property. Dan expressed concern on how to define ‘no parking’ areas vs. ‘allowed parking’ areas, as the proposed ordinance has both sections. Do we need to add a ‘parking is allowed in all areas except...’ clause

to Section 6, and similar 'no parking is allowed except' clause to section 7? We want to be careful not to prohibit street-side parking in front of cottages. Elaine has considered this issue as well, and feels that current wording is sufficiently clear, when supported by a map. **Action item:** Dan and Elaine to discuss this further and present their conclusions on the next call.

- 7.2 – Will overnight parking be allowed in Ruggles Park? Historically, the park is used by:
 - o Mooring owners who have left the mooring for a night or nights, who are not Bayside property owners. (Per Judy, mooring assignment is under the authority of the Harbormaster, who is an agent of the Town of Northport. Mooring assignment therefore cannot be tied to availability of village parking.)
 - o Overflow guests of residents with limited parking at their cottages.
 - o **Action item:** Amend 7.2.2 to state that overnight parking will be allowed on the west side of Ruggles Park only, and for a limited term (2 to 3 nights were discussed.)
 - o Signage is recommended which indicates alternative sites if the designated area is full (e.g., Cradle Row)
- 7.2.8 – Auditorium Park. Sandy advocated for allowing more than one car per cottage, as the primary usage of the park is not by all abutters, but by only three or four abutters who have more than one car and/or guests, and who have traditionally used this park as needed. Judy stated that the wording of the Deed of Gift is vague, and can be defended in court in two ways: 1) allow only one vehicle per abutting cottage, or 2) allow only one vehicle per abutting cottage owner (which in essence provides for multiple vehicles per cottage). Due to the historical usage of the park and unclear wording, Judy feels that the 2nd interpretation would win in a court case, and, therefore, the ordinance should not restrict parking in Auditorium Park to only one vehicle per cottage. **Action item:** Sandy to attach the actual Deed of Gift for a direct quote inclusion in the ordinance (*upon review, current wording in the ordinance is correct.*) **Action item:** Clause referencing one vehicle per household to be removed. Recommendation: Place signage at the entrance to the park indicating that parking is restricted to residents of Auditorium Park only. **Recommendation:** When trees are planted to replace the aging trees currently in the park, take into consideration the parking requirement to site trees in such a way that will accommodate both healthy planting and resident parking.

Meeting concluded at the end of an hour. Goal is to complete ordinance review and revisions by the March overseers meeting. Therefore, another meeting was scheduled for next week.

Next meeting: Saturday, February 29, 2020 at 8:30 AM. Judy to send invitation; same call-in number will apply. Dan to put notice on www.BaysideMaine.com website.

[Attached to these notes is the above-referenced Deed of Gift for Auditorium Park, a current draft ordinance revised to reflect changes discussed during the February 22, 2020 meeting, and a redline of the current draft against the draft used for the February 22, 2020 meeting.]

Know all Men by these Presents.

That The Northport Wesleyan Grove Campmeeting Association, a corporation duly organized and existing by law and having its principal place of business at Northport in the County of _____ and the State of Maine, by Paul A. Morris, President of its Board of Trustees, and Chester F. Butterfield, its Treasurer, both duly authorized _____

in consideration of one dollar and other valuable considerations _____

paid by Northport Village Corporation _____

_____ does
the receipt whereof it does ~~do~~ hereby acknowledge, do hereby
give, grant, bargain, sell and convey, unto the said Northport Village
Corporation _____ forever,

a certain lot or parcel of land known as the Albert E. Morris Memorial Park situate on the grounds of The Northport Wesleyan Grove Campmeeting Association in that part of the Town of Northport known as Bayside and (not as) shown on the map of the grounds as drawn by W. P. Greenlaw in 1912 as Auditorium Park. The boundaries of this Park are not according to the scale of the abovementioned map, but are limited by the established boundaries of the abutting property owners. This Park is to be used as a public park forever and not for any other purpose. No building is to be built thereon. 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. _____

Together with a certain lot or parcel of land situate on the southerly side of Griffin Street on the above mentioned grounds shown on the Greenlaw map as lots and spaces numbered 185, 186, 187, 188, 189 together with the well situated thereon and including all water rights thereto. This parcel of land is to be used for the public purposes of the Northport Village Corporation forever, and _____

PARKING ORDINANCE [PROPOSED REVISIONS-2020]

PARKING REGULATIONS FOR THE NORTHPORT VILLAGE CORPORATION

Section 1. PURPOSE

This Parking Ordinance intends 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. “Village Road”: Any public road within the geographic confines of the Northport Village Corporation.
- 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. “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.

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 police 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 west (Community Hall) side of George Street from Rogers Lane to Cobe Road.

- 6.1.7. 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.
- 6.1.8. Ruggles Park (see Exhibit A):
 - 6.1.8.1. On the south (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 allowed on the cottage side of Park Row).
 - 6.1.8.2. On the south (right) side of lower Maple Street, at the bottom of Ruggles Park, in front of the waste-water treatment building and fire hydrant.
 - 6.1.8.3. Around the outside perimeter of the traffic island located at the bottom of Ruggles Park.
 - 6.1.8.4. 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.
 - 6.1.8.5. On either side of the playground within fifteen (15) feet of the lower vertex (that is, where the telephone pole is).
 - 6.1.8.6. On the east (bay) side of Broadway along the top of Ruggles Park, from Maple Street to Park Row.
- 6.1.9. On the north side of Clinton Avenue at Merrithew Square in front of the mail boxes.
- 6.1.10. On the west (inland) side of Shore Road at Kelly Cove by Devil Bridge.
- 6.1.11. 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.
- 6.1.12. Any other area that is likely to cause a threat to public safety.
- 6.2. Motor-homes, conversion vans, camper-trailers, or other oversize 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 others 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 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 west (lower) edge of the park slope, including along the road between Park Row and the boat launch ramp. 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 Park. [Discuss: Should overnight parking be restricted to the “flat” area or also on the road extension?]
 - 7.2.3. Lower Maple Street (below Broadway): Parallel parking along the south (right) side below the Northport Yacht Club flagpole but not in front of the waste-water treatment building and fire hydrant. Overnight parking is prohibited.
 - 7.2.4. Lower Maple Street (below Broadway): Parallel parking along the north (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 north (Park Row) side and along the south (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: East (water pump) side of Broadway from Clinton Avenue to the Bangor Cottage;
 - 7.2.7. Cradle Park: As marked and signed;
 - 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* [Need to add reference to tree line.][Will need to add a sign at the top of the park indicating that parking is for Auditorium Park residents only.]

- 7.3. No person shall park a vehicle on any street for the principal purpose of displaying such vehicle for sale. [Discuss: This restriction was added from the Camden Ordinance.]

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. The Board of Overseers, a police officer [Note: Kept "a police officer" here, along with Village Agent, for enforcement authority purposes] or the Village Agent may cause the removal, at the owner's expense, of any motor 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. [Note: The authority of the Chief of Police to designate handicapped parking was removed.]
- 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, shall be cited for a forfeiture of not less than two hundred dollars (\$200.00). "Clearly marked" includes painted signs on pavement and vertical standing signs which are visible in existing weather conditions. The Village Agent or any police 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 the police officers of the Northport Village Police Department or a designated parking enforcement officer, acting in accordance with instructions by the Board of Overseers or Village Agent, 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.

Section 11. PENALTIES

- 11.1. 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 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. [Discuss: Should there be a higher penalty for violations of Sections 6.1.3 (fire hydrant), 6.1.4 (civil authority ban) or 6.1.11 (fire department)?]
- 11.2. The operator or owner of any vehicle charged with a violation of Section 9 (Handicapped Parking) 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.
- 11.3. 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.
- 11.4. 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. (Code 1968, §711.39) (M.R.S.A. 30-A, §3009).

Section 13. NO LIABILITY

Parking of motor vehicles, boats, trailers, or cradles 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 _____, 2020.

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 red 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. ***



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~~REDLINE - Parking Ordinance - Northport Village(21864687.1) v2020-02-22 Against v2020-02-03 Parking Ordinance - Northport Village(21864687.1) v2020-02-03~~

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 - 6.1.5. At any place where an official sign or road marking prohibits parking.

- 6.1.6. On the west (Community Hall) side of George Street from ~~Bayview Park Rogers Lane~~ to Cobe Road.—[Discuss: Should we change Bayview Park to Rogers Lane to be more clear that parking in front of the park is prohibited?]
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- 6.1.8. Ruggles Park (see Exhibit A):
 - 6.1.8.1. ~~6.1.8.1~~—On the south (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 allowed on the cottage side of Park Row).
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 - 6.1.8.3. Around the outside perimeter of the traffic island located at the bottom of Ruggles Park.
 - 6.1.8.4. 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) five minutes.
 - 6.1.8.5. On either side of the playground within fifteen (15) feet of the lower vertex (that is, where the telephone pole is).
 - 6.1.8.6. On the east (bay) side of Broadway along the top of Ruggles Park, from Maple Street to Park Row.
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 - 7.2.1. Lower Ruggles Park: Perpendicular parking along the along the seawall between the boat launch ramp and wharf causeway. Overnight parking is prohibited.; ~~[Discuss: What did we decide regarding parking between the boat ramp and Park Row?]~~
 - 7.2.2. Lower Ruggles Park: Perpendicular parking along the west (lower) edge of the park slope, including along the road between Park Row and the boat launch ramp. 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 Park.; ~~[Discuss: Should overnight parking be restricted to the “flat” area or also on the road extension?]~~
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 - 7.2.7. Cradle Park: As marked and signed;
 - 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[, and only one vehicle per household]: “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*
[Need to add reference to tree line.][Will need to add a sign at the top of the park indicating that parking is for Auditorium Park residents only.]

- 7.3. No person shall park a vehicle on any street for the principal purpose of displaying such vehicle for sale. [Discuss: This restriction was added from the Camden Ordinance.]

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. The Board of Overseers, a police officer[Note: Kept “a police officer” here, along with Village Agent, for enforcement authority purposes] or the Village Agent may cause the removal, at the owner's expense, of any motor 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. [Note: The authority of the Chief of Police to designate handicapped parking was removed.]
- 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, shall be cited for a forfeiture of not less than two hundred dollars (\$200.00). "Clearly marked" includes painted signs on pavement and vertical standing signs which are visible in existing weather conditions. The Village Agent or any police 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 the police officers of the Northport Village Police Department or a designated parking enforcement officer, acting in accordance with instructions by the Board of Overseers or Village Agent, 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.

Section 11. PENALTIES

- 11.1. 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 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. [Discuss: Should there be a higher penalty for violations of Sections 6.1.3 (fire hydrant), 6.1.4 (civil authority ban) or 6.1.11 (fire department)?]
- 11.2. The operator or owner of any vehicle charged with a violation of Section 9 (Handicapped Parking) 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.
- 11.3. 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.
- 11.4. 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. (Code 1968, §711.39) (M.R.S.A. 30-A, §3009).

Section 13. NO LIABILITY

Parking of motor vehicles, boats, trailers, or cradles 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 _____, 2020.

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 red 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. ***

