

**DRAFT 9/11/2013**

# **TRAFFIC AND PARKING ORDINANCE**

**of the Town of Chebeague Island  
MAINE**

Adopted by the Town Meeting: 1/9/2010

Effective: 1/9/2010

Amended by Selectmen: 09/11/2013

Attest:

\_\_\_\_\_  
Town Clerk

Seal:

Town of Chebeague Island Code of Ordinances  
Chapter 21 – Roads and Paths  
Article I – Traffic and Parking Ordinance

SECTION 101. TITLE

This Ordinance shall be known as and may be cited as the “Traffic and Parking Ordinance in the Town of Chebeague Island, Maine,” and shall be referred to herein as “this Ordinance” or “this chapter”.

SECTION 102. PURPOSE AND AUTHORITY

This ordinance is enacted to provide for the establishment of uniform rules governing the flow of traffic on Chebeague Island, and to regulate the parking of vehicles on the roads and public facilities of the Town of Chebeague Island. It is intended to ensure safety to persons and property, to promote availability and use of public facilities, to encourage and protect traditional maritime and commercial activities, to make provision for commercial maritime activities and to create a fair and efficient framework for administration of those regulations. It supersedes the similar provisions of the Town of Chebeague Island Coastal Waters Ordinance, except those sections of the same, which may be incorporated herein.

This ordinance is adopted pursuant to the Home Rule Powers as provided for in Article VII-A of the Maine Constitution and Title 30-A M.R.S.A, Chapter 187, Subchapter IV. This ordinance shall be subordinate to existing Federal and State Laws governing the same matters and is not intended to preempt other valid laws.

SECTION 103. DEFINITIONS

- a) The definitions contained in Title 12-A M.R.S.A. for terms not otherwise defined in this chapter shall govern the construction of words contained in this Ordinance. Any words not otherwise defined therein shall be given their common and ordinary meaning.
- b) Compact Vehicle - Any vehicle that is less than 15’ in overall maximum length.

SECTION 104. TOWN ROADS

- a) Speed Limits - The Maine Department of Transportation has established the speed limit on the Town Roads of Chebeague Island to be 30 MPH. The Board of Selectmen may, from time to time, petition the Department to change the posted speed limit.
- b) Plowing of Snow – Title 29-A M.R.S.A. Chapter 21, Subchapter 2396 prohibits any person from placing in the public way snow or slush that has not accumulated there naturally. A violation of this section and 29-A M.R.S.A. Subchapters 103 and 104 state that the exclusive penalty for which is a fine of not less than \$25, nor more than \$500, suspension of license, or both.

- c) Winter Parking – It shall be unlawful to park a motor vehicle within the right-of-way of any town road so as to impede or create unsafe conditions for snow plowing and other winter road maintenance.
- d) Event Parking – Event parking on specified town roads shall only occur in compliance with other provisions of this ordinance and as follows (see Attachment B):
  - a. North Road - Restricted to the right-hand side only from its origin toward the West End.
  - b. Cottage Road - Restricted to the right-hand side only from its origin toward the West End
  - c. South Road - Restricted to the right-hand side only from its origin toward the West End.

#### SECTION 105. STONE WHARF AREA

It shall be unlawful to park a motor vehicle so as to block or restrict access to the Stone Wharf landing, ramp or pier.

- a) Bicycles shall be parked only at a rack placed in a location on the Stone Wharf as determined by the Harbormaster.
- b) Motor vehicles shall be parked for no more than twenty-four (24) hours on the Stone Wharf or on the Wharf Road.
- c) A pedestrian safety zone six (6) feet wide is hereby established on the west face of the Wharf, as shown on the Stone Wharf Parking Plan. (Attachment A)
- d) Five (5) parking spaces on the ~~west-east~~ face of the wharf shall be reserved for the use of handicapped persons.
- e) Two (2) parking spaces shall be reserved for the captain and crew of the Chebeague Transportation Company on the south face of the wharf. (Attachment A)
- f) Two (2) parking spaces shall be reserved for compact vehicle use on the ~~east-west~~ face of the wharf. (Attachment A)
- g) No vehicle shall be left parked and unattended in any area that is not identified in Attachment A as a regular or reserved parking space. Parking shall be permitted on the South shoulder of Wharf Road, and no parking shall be permitted on the North shoulder.
- h) Police, fire, rescue and other emergency vehicles and equipment shall be exempt from this ordinance during times of emergency or official duties.
- i) The areas shown on the Stone Wharf Parking Plan designated as “Loading and Unloading Area” shall be reserved for loading and unloading only. No cars may be left parked and unattended in this area.

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- j) During the months of June and November, the Loading and Unloading Areas as shown on the Stone Wharf Parking Plan shall be limited to temporary use to allow fishermen access to load and unload gear. The five (5) spaces north of the barge ramp shall be “No Parking – June and November” as depicted on Attachment A.
- k) No person shall leave any commercial fishing equipment standing for a period in excess of forty-eight (48) hours anywhere on the Stone Wharf.

SECTION 106. CHANDLER’S COVE WHARF AREA

- a) Motor vehicles shall not be parked for more than twenty-four (24) hours in either of the two town-owned parking lots, except for vehicles owned by public utility companies.
  - a. One space, if necessary, shall be reserved for employees of the U.S Postal Service.
  - b. One space, if necessary, shall be reserved for employees of the Island Commons.
  - ~~cccc) One space, if necessary, shall be reserved for employees of the U.S Postal Service.~~

SECTION 107. INDIAN POINT AREA

- a) Five (5) spaces shall be designated at the end of Indian Point Road on the inner hook side (Attachment C).
- b) No vehicle shall be left parked and unattended in any area on Indian Point Road other than the spaces identified in SECTION 107 a) of this ordinance.

SECTION 108. ADMINISTRATION AND ENFORCEMENT

This ordinance shall be administered by any duly sworn law enforcement officer and / or Parking Enforcement Attendant or any other person so designated by the Town Administrator.

Law Enforcement Officers of the Town of Chebeague Island, the Parking Enforcement Attendant or other person so authorized by the Town Administrator, shall have the authority to enforce this ordinance.

The Town Administrator shall cause fines to be collected via legal methods of collection. Any fines not collected after thirty (30) days of the issuance of a notice of violation shall be either turned over to a collection agency, prosecuted in Small Claims Court, or collected by other means such as prosecution by the Sheriff in conjunction with the District Attorney.

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The Town Administrator shall have the authority to hear appeals of the issuance of the Notice of Violation. Any person aggrieved by the decision of the Town Administrator shall appeal, in writing, to the Board of Selectmen, who shall hold a hearing on the grievance at their next scheduled regular meeting.

SECTION 109. PENALTIES

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$20 and not more than \$500. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or related structure and reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

Any person found in violation of the following parking provisions of this ordinance shall be subject to a fine as listed below:

- \$20 Parking in a no parking area
- \$20 Overtime parking (more than 24 hours)
- \$50 Parking in a handicapped parking space
- \$20 Parking in a loading zone

SECTION 110. AMENDMENTS

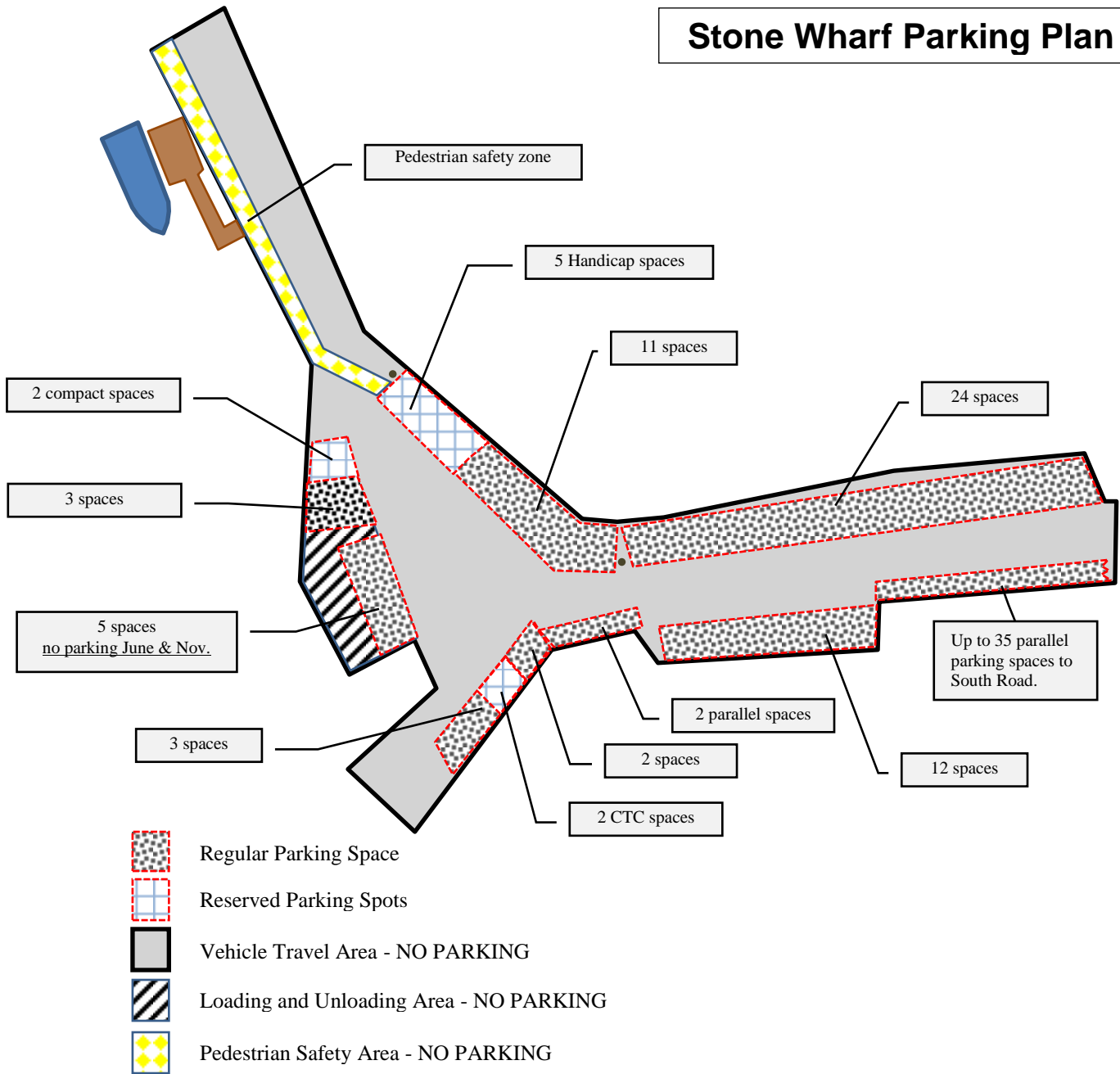
Subsequent to adoption of this Ordinance at a Town Meeting, and after a duly noticed hearing, the Board of Selectmen have the authority to make amendments, deletions and additions to this Ordinance as they deem to be in the best interest of the Town of Chebeague Island.

SECTION 111. SEVERABILITY

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

**ATTACHMENT A**

**Stone Wharf Parking Plan**



**ATTACHMENT B**





**ATTACHMENT C**

