



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL


Date: April 22, 2024
Order: 2024-35

Amending the Code of Ordinances Chapter 117, *Bicycles*, and Chapter 310, *Vehicles and Traffic*


That the Westbrook City Council hereby amends the Code of Ordinances Chapter 117, *Bicycles*, and Chapter 310, *Vehicles and Traffic*, to update language, amend parking lot requirements, and to include new parking standards for the Westbrook Downtown Parking Garage, as outlined in the attached exhibit.

First and Final reading April 22, 2024

Attest:



City Clerk



Mayor



CITY OF WESTBROOK, MAINE

IN CITY COUNCIL

REQUEST FOR COUNCIL ACTION

PROPOSED TITLE: Amending the Code of Ordinances Chapter 117, *Bicycles*, and Chapter 310, *Vehicles and Traffic*

REQUESTED BY: Jennie Franceschi
Chance Gagne
Steve Goldberg
Eric Dudley

DATE: 4/22/2024

SUMMARY:

This Ordinance amendment provided to the City Council is a bundle of Parking and Traffic amendments that were recommended by the departments of Police, Engineering, Planning, Fire, Economic Development and Clerks.

The majority of the amendments are related to the new parking garage and the regulations needed to operate the garage. Other amendments are to incorporate new traffic/vehicular terminology, such as for motorized bikes, or electric vehicles. Many edits are to outdated language that is no longer applicable, and to remove old references to the Mechanic Street lot that is now the Parking Garage.

With the opening of the garage, the parking requirements for timed parking will go back into effect and enforcement of these standards will resume. Minimal changes in the regulations for the surface lots are proposed to occur with the opening of the garage, which are as follows:

1. Church Street West Lot (Termed Lot B in the Schedule) will become all 2 hour parking vs a portion of it being 2 hr and all day to afford more turnover parking to our downtown businesses. This impacts 22 spaces.
2. Snow Bans - All downtown snow ban parking will be located in the new parking garage. Therefore, the Church Street lots (both east and west), Ash Street and Temp Lot on Main St will no longer be snow ban lots. They will be treated the same as the rest of the surface lots in the downtown to reduce the conflict in plowing the surface lots by placing those vehicles in the parking garage during snow events.

Attached to the amendment package is an overview summary of the changes for reference. The amendment document is long, but additional sections were left in the document to provide the City Council context for some of the changes, thus the lengthy size of the amendment document.

Chapter 117 Bicycles

§ 117-1 Applicability of regulations; parental responsibility.

- A. It is a civil violation ~~misdemeanor~~ for any person to do any act forbidden or fail to perform any act required in this chapter.
- B. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.
- C. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.
- D. These regulations applicable to bicycles shall apply to “electric bicycles” meaning a 2-wheel or 3-wheel bicycle with fully operable pedals and an electric motor of less than 750 watts that is a Class 1 electric bicycle, a Class 2 electric bicycle or a Class 3 electric bicycle as defined in this subsection.

(1) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

(2) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that is capable of being used exclusively to propel the bicycle but is not capable of propelling the bicycle at a speed of 20 miles per hour.

(3) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

§ 117-4 Lamps and other equipment; use of helmet.

- A. Bicycles shall be outfitted with equipment as outlined in 29-A M.R.S.A. § 2084. A person under 16 years of age who is an operator or a passenger on a bicycle shall wear a helmet as required by 29-A M.R.S.A. § 2323. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. ~~No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.~~
- C. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

Chapter 310 Vehicles and Traffic

Article I General Provisions

§ 310-2 Definitions.

The following words and phrases, when used in this chapter, shall for the purpose of this chapter have the meanings respectively ascribed to them in this section:

ALLEY or ALLEYWAY

A narrow way between buildings generally giving access to the rear of buildings.

AUTHORIZED EMERGENCY VEHICLE

Vehicles of the Fire & Rescue Department, Police Department and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

BICYCLE

~~Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 20 inches in diameter.~~

"Bicycle" means a device primarily propelled by human power, operated by a person usually seated on a seat and driven on the ground on wheels by the operator.

BUSINESS OR RESIDENCE DISTRICT

"Business or residence" shall mean the territory of any municipality contiguous to any way which is built up with structures which are less than 150 feet apart for a distance of at least 1/4 of a mile.

COMMERCIAL VEHICLE

~~Every vehicle designed, maintained or used primarily for the transportation of property.~~

COMMERCIAL MOTOR VEHICLE

"Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- a. Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit or units with a gross weight rating of more than 10,000 pounds;
- b. Is a bus;
- c. Is of any size and is used in the transportation of any materials that have been designated as hazardous under 49 United States Code, Section 5103 and require placarding under the federal Hazardous Materials Transportation Act and related regulations in 49 Code of Federal Regulations, Part 172, Subpart F or any quantity of a material listed as a select agent or toxin in 42 Code of Federal Regulations, Part 73; or
- d. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds.

CONTROLLED-ACCESS HIGHWAY

Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

CROSSWALK

- ~~A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalk on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edge of the traversable roadway.~~
- ~~B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.~~

"Crosswalk" means the portion of a way:

- a. At an intersection that is included within extensions of the lateral lines of the sidewalks on opposite sides of the way beginning at the curbs or, in the absence of curbs, from the edge of traversable ways;

or

- b. At an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the way surface.

CURB

"Curb" means the edge of a sidewalk nearest to a way or either edge of the wrought or usually traveled part of a way.

CURB LOADING ZONE

A space adjacent to the curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER

Every person who drives or is in actual physical control of a vehicle.

ELECTRIC VEHICLE.

"Electric vehicle" or EV is a type of vehicle:

- a. Powered solely powered by an electric motor with a battery (a Battery Electric Vehicle or BEV); or
- b. Powered by a combination of both an electric motor and a gas engine (a Plug-in Hybrid Electric Vehicle or PHEV)

ELECTRIC VEHICLE CHARGING STATION.

"Electric Vehicle Charging Station" refers to an individual parking space designated for the active charging of an electric vehicle.

FLEET MOTOR VEHICLES.

"Fleet Motor Vehicles" or Fleet Vehicles means 3 or more of one company's vehicles with or without logos or branding.

HIGHWAY or ROADWAY

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

HOLIDAYS

"Public holidays," as used in this chapter, are those provided by 4 M.R.S.A. § 1051.

INDIVIDUAL PARKING SPACE

A portion of the paved surface of the street of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked as shall be specified and marked off by the Chief of Police.

INTERSECTION

The area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of the two highways which join one another, or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

MOTORCYCLE

"Motorcycle" means a motor vehicle that has a seat or a saddle for the use of the rider and is designed to travel with only 2 or 3 10-inch or larger diameter wheels in ground contact and has a motor with a cylinder capacity of more than 50 cubic centimeters or an electric motor with a capacity of not less than 1,500 watts.

MOTOR VEHICLE

Every vehicle which is self propelled, including motoreycles.

MOTORIZED SCOOTER/ TOY VEHICLE

“Motorized Scooter or Toy Vehicle” means a mechanical conveyance that is ineligible to be registered as a motor vehicle for highway use, that an operator can stand or sit upon or in, to include but not limited to: motorized scooters, motorized skateboards, go-karts, minibikes, and pocket motorcycles.

MOTOR VEHICLE

"Motor vehicle" means a self-propelled vehicle not operated exclusively on railroad tracks, but does not include:

- a. A snowmobile as defined in M.R.S.A Title 12, section 13001.
- b. An all-terrain vehicle as defined in M.R.S.A Title 12, section 13001.
- c. A motorized wheelchair, an electric personal assistive mobility device or an electric bicycle.

MUNICIPAL PARKING GARAGE

A Municipal Parking Garage, or otherwise stated as a parking garage or municipal garage, is a designated structure within the jurisdiction of the City that is owned and regulated by the City for the purpose of providing parking spaces for vehicles.

MUNICIPAL PARKING LOT

A Municipal Parking Lot, or otherwise stated as a parking lot or municipal lot, is a designated area within the jurisdiction of the municipality that is owned and regulated by the City for the purpose of providing parking spaces for vehicles.

OFFICIAL TIME STANDARD

Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in the City.

OFFICIAL TRAFFIC CONTROL DEVICES

All signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

OPERATE

“Operate” means to operate, drive, or use a vehicle in any manner, whether or not the vehicle is moving.

PARK or PARKING

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers.

PEDESTRIAN

Any person ~~afœet~~ on foot or an operator of a wheelchair or a 4-wheeled or 3-wheeled motorized wheelchair.

PERSON

Every natural person, firm, copartnership, association or corporation.

POLICE OFFICER

Every officer of the ~~municipal~~ **Westbrook** Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

~~**PRIVATE ROAD OR DRIVEWAY**~~

~~Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.~~

PRIVATE WAY

"Private way" means a way privately owned and maintained over which the owner may restrict use or passage and includes a discontinued way even if a public recreation easement has been reserved.

PUBLIC WAY

"Public way" means a way, owned, and maintained by the State, a county, or a municipality, over which the general public has a right to pass. The following interchangeable terms of street, road, way, or another acceptable suffix are applicable to this definition.

PUBLICLY OWNED PROPERTY

Every parcel of land owned or controlled by any of the departments of the City or any quasi-municipal department.

RAILROAD

A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD TRAIN

A steam engine, electric or other motor, with or without car coupled thereto, operated upon rails.

RIGHT-OF-WAY

The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

SAFETY ZONE

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK

The portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

STAND or STANDING

The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

STOP

When required means complete cessation from movement.

STOP or STOPPING

When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

THROUGH HIGHWAY

Every highway or portion thereof on which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign when such signs are erected as provided in this chapter.

TRAFFIC

Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using the highway for purpose of travel.

TRAFFIC CONTROL SIGNAL

Any device, whether manually, electrically or mechanically operated, by which one is alternately directed to stop and permitted to proceed.

VEHICLE

~~Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.~~

"Vehicle" means a device for conveyance of persons or property on a way. "Vehicle" does not include conveyances propelled or drawn by human power or used exclusively on railroad tracks, snowmobiles, or an electric personal assistive mobility device.

§ 310-11 Immediate notice of accidents required.

- A. The driver of a vehicle involved in an accident resulting in injuries to or the death of any person or property damage to the estimated amount of \$1002,000 or more shall immediately by the quickest means of communication give notice of such accident to the Police Department if such accident occurs within the City.

§ 310-14 ~~Clinging to vehicles prohibited.~~ Reserved.

~~No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.~~

§ 310-64 Regulation of motorized scooters, motorized skateboards and toy vehicles.

- A. It shall be unlawful to operate a "motorized scooter" or "toy vehicle" ~~(defined to mean a mechanical conveyance that is ineligible to be registered as a motor vehicle for highway use, that an operator can stand or sit upon or in, to include motorized scooters, motorized skateboards, go karts, minibikes and pocket motorcycles)~~ as defined in §310-2 on a public way, sidewalk, Municipal Parking Lot, Municipal Parking Garage or boardwalk within the City. Anyone operating in violation of this section commits a traffic infraction covered by the penalty provisions set forth in **§310-3**.
- B. Any police officer or other duly authorized law enforcement officer within the City, when satisfied that a person under the age of 18 had operated any motorized scooter, motorized skateboard or toy vehicle in violation of this section, may impound the vehicle for a period not to exceed five days. The release of said conveyance shall be to the violator's parent or legal guardian. Any individual 18 years or older who violates this section commits a traffic infraction covered by the penalty set forth in **§ 310-3**.

§ 310-65 Skateboards and roller skates prohibited on roadways, sidewalks and other public places.

- A. No person riding upon a skateboard in a public place shall travel within 100 feet of a notice posted conspicuously in the public place that forbids the use of skateboards. Persons found in violation of this section shall be subject to the penalty provisions set forth below.
- B. No person may ride upon a skateboard, roller skates, or in-line roller blades in or on any municipally owned or controlled property, including parking lots, posted conspicuously to prohibit such riding.
- C. No person riding upon a skateboard, roller skates, or in-line roller blades shall ride on or upon any public way in such a manner as to interfere with any pedestrian thereon.
- D. A person riding upon a skateboard, roller skates, or in-line roller blades shall observe all traffic vehicular signs, stop at all stop signs, and observe all traffic rules and regulations applicable thereto and cross the street only when safe to do so, without interference with the normal flow of vehicular traffic.
- E. All persons riding upon a skateboard, roller skates, or in-line roller blades on a public roadway shall ride single file.
- F. ~~No person riding upon a skateboard, roller skates, or in-line roller blades may attach the same or himself/herself to any vehicle upon a public way.~~

~~G-~~ Penalties.

- (1) Persons 17 years or older. A person who is 17 years of age or older and commits a violation of this section may be issued a civil summons that will order the violator to appear at Maine District Court. If found to have violated this section, the violator will be fined as set forth in Chapter A401, Master Fine Schedule. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (2) Persons under 17 years. A person who is under 17 years of age and commits a violation of this section shall, on the first offense, be given a warning, unless the area is posted conspicuously prohibiting such conduct; on a first offense, where the area is posted conspicuously to forbid the use of skateboards, roller blades, in-line skates, or any other similar device, a police officer may impound the skateboard, roller blades, in-line skates or other similar device for a period of three days. On a second or subsequent offense, the skateboard, roller blades, in-line skates or other similar device shall be impounded for five days, and 10 days for any subsequent offense. A juvenile who is charged with a violation of this section may request a hearing with the Police Department's **Municipal Court Hearing** juvenile ~~O~~ officer. Such hearing shall be scheduled **within 10 working days** ~~for the juvenile officer's next working day.~~

Article III

Stopping, Standing and Parking

§ 310-71 Vehicle actions prohibited in certain places.

- A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:
 - (1) Stop, stand, or park a vehicle in the following places:
 - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (b) On a sidewalk.
 - (c) Within an intersection.

- (d) On a crosswalk, or within 20 feet of a crosswalk on Main Street in the City Center District. **[Amended 10-7-2019 by Ord. No. 2019-164]**
 - (e) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the Chief of Police indicates a different length by signs or markings.
 - (f) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
 - (g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
 - (h) On any railroad tracks.
 - (i) At any place where official signs prohibit stopping.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- (a) In front of a public or private driveway.
 - (b) Within 15 feet of a fire hydrant.
 - (c) Within 25 feet of the near corner of the curb at an intersection, except where otherwise designated by the Chief of Police and the Public Safety Committee of the Council.
 - (d) Within 30 feet upon the approach of any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
 - (e) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance when properly signposted.
 - (f) At any place where official signs prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged or unloading merchandise or passengers:
- (a) Within 50 feet of the nearest rail of a railroad crossing.
 - (b) At any place where official signs prohibit parking.
- B. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.
- C. Any vehicle parked in a parking space designated as a ~~handicapped~~ handicap accessible parking space, that does not bear a special registration plate or placard issued under 29-A M.R.S.A. § 521, or similar plate issued by another state, shall be cited for a penalty in accordance with Chapter A401, Master Fine Schedule. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- D. Any vehicle parked in a parking space designated as an Electric Vehicle Charging Station that is not an electric vehicle and is not actively charging shall be fined in accordance with Chapter A401, Master Fine Schedule.

§ 310-72 Prohibited and limited parking schedules.

The prohibited parking and limited parking schedules are listed in Article VI of this chapter.

§ 310-88 Abandoned vehicles; removal.

- A. No person shall abandon any vehicle of any kind on any street, Municipal Parking Lot, or Municipal Parking Garage of the City.
- B. The Chief of Police is hereby authorized to remove at the owner's expense any such abandoned vehicle from any street or Municipal Parking Lot and to store such vehicle at the owner's expense. For the purpose of this chapter, a vehicle shall be deemed abandoned after it has been parked on any street or Municipal Parking Lot in Westbrook for a period of over 24 hours.
- C. Vehicles in Municipal Parking Garages are deemed abandoned if left in the garage for more than 3 consecutive days without permission from the Constable as defined in §68-18 or other City Official.

§ 310-91 Violations and penalties.

- A. Any person violating any parking provision of this chapter shall be subject to the general penalty provisions in § 310-3; however, such person may elect, in lieu of such penalty, to pay the sum for each type of parking violation referred to in § 310-90. Such payment shall in no event be construed to be an amount which an offender may voluntarily contribute towards the cost and expense alternative method of regulating and administering traffic law violations.
- ~~B. If such payment is not made at the police station within 48 hours after notice of such violation is served, by traffic ticket or otherwise, this alternative method is not available or applicable, and the penalty provided in § 310-3 shall be imposed.~~
- B. Payment for a parking violation under § 310-90 is due within 10 days after the notice of the violation is issued. After the expiration of the 10-day period, the general penalty amounts set forth in § 310-3 shall apply.

§ 310-94 Fire lanes.

- A. Established. Fire lanes are established for the purpose of promoting the public health, safety, and welfare by recognizing that there exist and will in the future exist buildings and other areas within the City within which and to which the public will be invited, served or housed. These buildings or other areas must be provided prompt adequate emergency services, including access by firefighters and firefighting equipment and other emergency personnel and equipment, in order to accomplish said purposes and effect the saving of life and property in emergency situations.
- B. Definitions. As used in this section, the following terms shall have the meanings indicated:

FIRE LANE

A designated unobstructed passageway at least 20 feet in width with an outside turning radius of 50 feet and constructed and maintained in a manner to permit free passage of fire apparatus and other emergency equipment and personnel from a public way to all necessary areas, regardless of season of year or weather conditions, around buildings, in areas or in developments or subdivisions as may be required elsewhere in this section.

PARKING AREA

~~Lots, areas or other accommodations for the parking of motor vehicles off the street, alley or other way, which said lots, areas or other accommodations are available for use by the public either with or without charge.~~

**Article VI
Schedules**

§ 310-106 Schedule II: Parking Prohibited.

For ~~municipal parking lot~~ Municipal Parking Lots and Municipal Parking Garages regulations, see Schedule VIII.

Church Street Westerly side from William Clarke Drive to southerly end of Church Street 12-17-2012

William Clarke Drive to Main Street Both Sides

§ 310-112 Schedule VIII: Municipal Parking Lots and Municipal Parking Garages.

A. Municipal Parking Lot & Municipal Parking Garage identification key. The following ~~parking lots~~ shall be identified according to the letter/name indicated in the following table:

Lot <u>A-1</u> - Mechanic Street Lot (Including Lot A-1)	Located between the rear of 870 to 900 Main Street and north side of William Clarke Drive, including Lot A-1 located between 900 Main Street and Mechanic Street
Lot B - Church Street West Lot	Located on the west side of Church Street and to the rear of 838 to 850 Main Street
Lot C - Church Street East Lot	Located on the east side of Church Street and to the rear of 2 Church Street to 820 Main Street
Lot D - Ash Street Lot	Located at the end and on the east side of Ash Street
Lot E - Main Street Lot	Located between 835 and 849 Main Street
Lot F - Riverview Lot	Located between the south side of the Presumpscot River and the rear of 849 Main Street to 863 Main Street
Lot G - Valley-Vallee Square <u>Lot</u>	Located from the northerly end of Valley-Vallee Square around property of Map 32 Lot 117
City Hall Parking Lot	Adjacent parking lot to City Hall building at 2 York Street
Spring Street Parking Lot	Adjacent lot (Map 33 Lot 117) to the Walker Memorial Library at 800 Main Street
Lincoln Street Lot	Located at 58 Lincoln Street
Dunn Street Lot	Located in Riverbank Park, Map 33, Lot 192, on the west side by Dunn Street; parking lot surrounds 17 Dunn Street

Stevens Avenue Lots Located along Stevens Avenue; 2 lots on Map 39, Lot 4, beside Warren Field

Saccarappa Temporary Lot Located on the corner of Main Street and Bridge Street

Downtown Parking Garage Located at 7 Vertical Way

B. No parking zones –~~municipal parking lots.~~

~~Municipal Parking~~ Lot G - ~~Valley~~ Vallee Square No parking in locations hatched closest to the bridge and at the turnaround

Downtown Parking Garage Areas signed or painted with a diagonal hatch pattern.

C. Electric vehicle charging stations. Parking is limited to vehicles connected to the charging station and actively charging at the locations outlined below. (Municipal Vehicles are exempt from these rules when Electric Vehicle Charging Station is located at a municipal facility.)

~~Municipal Parking Lot A – Mechanic Street~~ ~~2 spaces facing Mechanic Street near the southwest corner of the lot~~

City Hall Parking Lot 2-hour maximum when signed –~~2 spaces facing the back wall of the building~~

Downtown Parking Garage As designated with signage or striping

All other public charging stations 2-hour maximum when signed

D. Loading zones –~~municipal parking lots.~~

~~Municipal Parking~~ Lot A-1, Mechanic Street ~~(Corner of Main and Mechanic Streets)~~ 15-minute truck loading zone: 2 spaces northeasterly corner of Lot A-1, nearest Main Street adjacent to No. 900 Main Street from 8:00 a.m. to 5:00 p.m.

~~Municipal Parking~~ Lot F - Riverview Lot 22 feet wide by 32 feet deep loading space at rear of 855 Main Street at westerly building corner

E. Thirty-minute parking - ~~municipal parking lots~~ (8:00 a.m. to 5:00 p.m.)

~~Municipal Parking~~ Lot F - Riverview Lot Parking row abutting businesses of 849 Main Street and 863 Main Street from 8:00 a.m. to 5:00 p.m., except Sundays.

F. Two-hour parking - ~~municipal parking lots~~ (8:00 a.m. to 5:00 p.m.). All vehicles shall be limited to two-hour parking between the hours of 8:00 a.m. and 5:00 p.m. each day except Sundays in the following portions of the ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages:

~~(1) Lot A: four rows directly behind, and running perpendicular to, 888 to 894 Main Street.~~

~~(2)~~ (1) Lot A-1: All spaces.

~~(3)~~ (2) Lot B: ~~All spaces in rows closest to William Clarke Drive and Main Street.~~ All spaces.

~~(4)~~ (3) Lot C: The row parallel and closest to Main Street. Also, the last seven spaces (easterly corner) in the row along William Clarke Drive shall be two-hour only 8:00 a.m. to 5:00 p.m. on Thursdays from September 1 to April 30; outside of those parameters, these seven spaces are all-day spaces.

~~(5)~~ (4) Lot E: All spaces.

~~(6)~~ (5) Lot F: All spaces.

~~(7)~~ (6) Lot G: All spaces

(7) Downtown Parking Garage: As designated with signage or striping

G. All-day (eight-hour) employee parking - ~~municipal parking lots~~ (8:00 a.m. to 5:00 p.m.). All vehicles shall be allowed unlimited parking between the hours of 8:00 a.m. to 5:00 p.m. each day, in the following portions of the ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages:

~~(1) Lot A: All spaces not identified as two-hour parking.~~

~~(2)~~ (1) Lot B: None. ~~All spaces not identified as two-hour parking.~~

~~(3)~~ (2) Lot C: All spaces not identified as two-hour parking.

~~(4)~~ (3) Lot D: All spaces.

~~(5)~~ (4) Saccarappa Temporary Lot: All spaces.

(5) Downtown Parking Garage: All spaces, unless otherwise signed.

H. Regulations in ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages.

(1) Commercial vehicle parking overnight prohibited. This is intended to mean includes all fleet vehicles Fleet Motor Vehicles, as defined in this ordinance, owned by private businesses.

(2) Overnight parking in municipal parking lots during a declared snow emergency is prohibited except for temporary exemptions or in designated (signed) snow emergency parking areas. A "snow emergency" is defined as any storm event that generates enough snow to be plowed.

(3) The Public Services Director is authorized to designate snow emergency parking areas.

(4) The Chief of Police may ~~prohibited~~ prohibit parking in any ~~municipal parking lot~~ Municipal Parking Lot or Municipal Parking Garage for the purpose of repairs or snow removal.

- (5) Municipal Parking Lot access roads - parking prohibited.
- (a) ~~Both sides of access road through Lot A from Mechanic Street easterly and southerly to William Clarke Drive.~~
- (b)(a) Both sides of access drives through Lots F and G, except in designated/striped parking stalls.
- (e)(b) Both sides of access drives from Lot F, around Lot D and continuing through the Ash Street Spur.
- (6) City Hall Parking lot and Spring Street Parking lot.
- (a) Parking restricted for City Hall and Library business. All other vehicles shall be towed at owner's expense. Effective Monday to Friday from 7:30 a.m. to 5:00 p.m.
- (7) Snow emergency regulations in ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages (using lot designation letters).
- (a) ~~Mechanic Street Lot A-1. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 a.m. to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing).~~ Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (b) ~~Church Street West Lot B. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 a.m. to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing).~~ Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (c) ~~Church Street East Lot C. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 a.m. to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing).~~ Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (d) ~~Ash Street Lot D. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 a.m. to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing).~~ Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (e) Main Street Lot E. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (f) Riverview Lot F. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (g) Vallee Square Lot G. Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (h) Lincoln Street Lot parking. Parking prohibited between 12:00 midnight to 6:00 a.m. during

snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 midnight to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing). [Added 5-16-2022 by Ord. No. 2022-67]

- (i) Dunn Street Lot. Parking shall be allowed during snow emergencies. [Added 5-16-2022 by Ord. No. 2022-67]
- (j) Stevens Avenue Lots. Parking prohibited between 12:00 midnight to 6:00 a.m. during snow emergencies, except in designated/signed snow emergency parking areas. In snow emergency parking areas, cars may be parked from 12:00 midnight to 7:00 a.m. Cars must be removed from these designated areas by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing). [Added 5-16-2022 by Ord. No. 2022-67]
- (k) Saccarappa Temporary Lot. ~~During snow emergency parking areas, cars may be parked from 12:00 midnight to 7:00 a.m. Cars must be removed by 7:00 a.m. or enforcement actions shall be taken (ticketing/towing). [Added 5-16-2022 by Ord. No. 2022-67]~~ Parking prohibited between 12:00 a.m. to 6:00 a.m. during snow emergencies.
- (l) Downtown Parking Garage. Parking prohibited 12:00 midnight to 6:00 a.m. during snow emergencies on top floor of structure, ramp leading to top floor and non-covered area of 4th floor.
- (8) Vehicles parked in ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages must adhere to the following: Vehicles must be current in registration, currently insured and inspected, and operable, otherwise the Police Department is hereby authorized to have said vehicle removed immediately at the owner's expense. [Added 5-16-2022 by Ord. No. 2022-67]
- (9) No camping/sleeping/loitering permitted in ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages, and RVs are prohibited. [Added 5-16-2022 by Ord. No. 2022-67]
- (10) Only passenger-class vehicles are permitted in ~~municipal parking lots~~ Municipal Parking Lots and Municipal Parking Garages. Each vehicle must be contained within one parking stall. No trailers are permitted to be attached to vehicles, nor are trailers permitted to be parked detached in a parking stall ~~municipal parking lot~~. [Added 5-16-2022 by Ord. No. 2022-67]
- (11) The Constable, as defined in §68-18 shall conduct periodic inspections to ensure compliance with City parking regulations.

§ 310-113 Schedule IX: Publicly Owned Property - Fire Lanes/Parking.

A. Fire lane/tow-away zones: see § 310-94.

- (1) The parking of any vehicle, except Fire & Rescue and/or Police Department vehicles, in any such signed fire lane/tow-away zone is prohibited, and the Police Department is hereby authorized to have said vehicle removed at the owner's expense.
- (2) When any such vehicle is towed away as directed by the Police Department, the registered owner of said vehicle shall be given a prompt notice, as stated in § 310-15, that their registered vehicle has been removed. Said owner shall give a right of appeal to the municipal officers as to any grievance related to said removal, provided said appeal is filed with the City Clerk within 30 days of the removal of said vehicle.

- B. Fire lanes on school property. Fire lane/tow-away zones shall be established on the following public school properties as shown on the plot plans of said property:
- (1) Canal School, Glenwood Avenue.
 - (2) Saccarappa School, Alphonse Street.
 - (3) Congin School, Cumberland/Bridge Street.
 - (4) Westbrook Middle School, Stroudwater Street.
 - (5) Westbrook High School, Stroudwater Street.
- C. Fire lanes on public streets and properties.
- (1) Giles Street.
 - (a) Fire lane established at 16 Giles Street (11-26-2007).
 - (2) Winslow Street.
 - (a) Fire lane. Both sides for a distance of 55 feet easterly from intersection with Bridge Street (11-17-1986).
 - (3) Westbrook Community Center.
 - (a) In accordance with the striping as placed on the premises along the front (southern) side of the structure as well as the easterly side of the structure up to the gymnasium area and including both emergency fire egress points out of the gymnasium area.
 - (b) No-parking/tow-away zone: entire north side of structure.
 - (4) Walker Memorial Library.
 - (a) Along the eastern side of Map 33 Lot 120 for approximately 165 feet starting at Main Street and along the southern side of the structure.
 - (5) Downtown Parking Garage
 - (a) Fire Lane Established at 7 Vertical Way.
 - (b) Tow-Away Zone in Snow Storage Area at Northwest Corner of Garage November 1 - March 31 or during a Snow Emergency.
- D. Parking prohibited - school parking lots.
- (1) On all school properties between 12:01 a.m. and 6:00 a.m. other than vehicles under control of the School Department.
 - (2) Within 25 feet of any entrance or exit of any school building.
 - (3) On all school property except in areas designated by the School Committee, from 6:00 a.m. to 12:00 p.m.
 - (4) Vocational Drive, from Stroudwater Street in a southerly direction on the westerly side for 500 feet, and on the easterly side from Stroudwater Street in a southerly direction for 1,350 feet
- E. Motorized vehicles prohibited.
- (1) On City bicycle/pedestrian paths and City recreation fields, except emergency and municipal vehicles. (7-2-1984)

Proposed Changes within each section

Chapter 117

- 117-1 D (pg 1) (Adds language on electric bicycles so that electric bicycles can be interpreted in with this section as well)
- 117-4, B (pg 2) (Removes language prohibiting people from operating a bicycle if it doesn't have a bell on it).

Chapter 310

- 310-2 (pg 2-6) (The goal was to refine, update, and fill in any gaps in language we may have had in our ordinances.)
 - Bicycle (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #9)
 - Commercial Motor Vehicle (M.R.S.A Definition from Capt. Goldberg)
 - Crosswalk (This definition was taken from M.R.S.A Title 29-A §101 Definitions, #18)
 - Curb (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #19)
 - Electric Vehicle (Referred to Efficiency Maine website: About Electric Vehicles - Efficiency Maine).
 - Electric Vehicle Charging Station (No reference points, had to derive based on best knowledge)
 - Fleet Motor Vehicles (Suggested from City Planner)
 - Motorcycle (This definition also incapsulates electric motorcycles do to the reference to wattage) (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #38)
 - Motorized Scooter or Toy Vehicle (This definition was previously defined in the ordinance but moved here for organization/clarity)
 - Motor Vehicle (This definition was taken from M.R.S.A Title 29-A §101 Definitions, #42)
 - Municipal Parking Garage (No definitions exist in state statutes or surrounding communities)
 - Municipal Parking Lot (No definitions exist in state statutes or surrounding communities)
 - Operate (Comes from City of Portland code. We use the word operate within our code but do not have it formally defined)
 - Private Way (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #58)

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- Public Way (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #59) (This definition was adapted with recommendations from Jennie)
- Vehicle (This definition was taken from M.R.S.A or the state statutes, Title 29-A §101 Definitions, #91)
- 310-11, (pg 6)(the amount needs to be changed per the request of Captain Goldberg in order to reflect state law)
- 310-14 (pg 6) (Improving older language here that mimics the City of Portland’s similar ordinance)
- 310-64, A (pg 6) (This is refining the language to refer to the definition of toy vehicle in 310-2 as well as add two terms to give the authority in municipal parking lots and municipal parking garages).
- 310-65, F (pg 6)(Recommended for removal as this was just defined in 310-64)
- 310-71, D (pg 7)(Uses similar language to C in this section to allow for the enforcement, if applicable.)
- 310-88, (pg 9)(This is updating our abandoned vehicle policy to support the parking garage and our preexisting rules) (Capt Goldberg recommended)
- 310-91B, (pg 9)(Updated to reflect the current process of how this is handled)(Capt. Goldberg recommended).
- 310-94 (pg 9)(Recommended for removal as the term “parking area” is not utilized anywhere in the section)
- 310-106 (pg 10)(Omission addressed related to current regulations for On-street Parking on Church St)
- 310-112 (pg 10-14) (Adding language that will support to the parking garage and ensuring Municipal Parking Garages are included in the schedule & addressed wording/spelling clarifications, eliminate old references to Mechanic St lot where the Garage now exists)
- 310-112 (pg 12) (Amending timed parking for old Mechanic St Lot and Church St West Lot)
- 310-112 (pg 13-14) (Amend Snow Emergency Parking lots language)
- 310-113 (pg 15) (Added to acknowledge the existence of the fire lane)

See reverse side for changes to downtown parking rules.



**DOWNTOWN
PARKING
GUIDE**

ALL DAY
 1. Saccarappa Temp Parking Lot
 6. Ash St. ★ 13. Garage (24 Hrs)
 10. Church St. E.

2 HOUR (8AM-5PM)
EXCEPT SUNDAYS
 2. Vallee Sq. 7. Church St. W.
 3. Riverview 8. Church St. E.
 5. Main St. 9. Church St. W.
 11. Church St. W.

30 MIN (8AM-5PM)
EXCEPT SUNDAYS
 4. Riverview

2 HR (8AM-5PM)
THURSDAYS FROM SEPT. 1ST - APRIL 30TH
 12. Church St. E.

Hours stated represent the hours when enforcement of timed parking occurs.



With the opening of the garage, the timed parking requirements in downtown will go back into effect and enforcement of these standards will start. Additionally a few changes to our surface lots are proposed to occur with the opening of the garage. Those changes are:

1. CHURCH STREET WEST lot - **#9 on reverse side map** (Termed Lot B in the Ordinance Parking Lot Schedule) will become all 2 hour parking vs a portion of it being 2 hr and all day.
2. Snow Ban parking areas - The CHURCH STREET lots (both east and west), ASH STREET and Temp Lot on MAIN STREET will no longer be snow ban lots. They will be treated the same as the rest of the surface lots in the downtown to allow for reduced conflict in getting our lots plowed and open for the public by placing those vehicles in the parking garage during snow events. The top floor/uncover area of the parking garage will be off-limits to parking during snow events.

Reminder on current parking rules:

Commercial vehicle parking overnight is prohibited in all Parking lots and Garages. This is intended to mean Fleet Motor Vehicles, as defined in this ordinance, owned by private businesses. The definition of Fleet Motor Vehicles is 3 or more of one company's vehicles with or without logos or branding. This is in effect in all lots and garages and is cumulative in all lots (meaning you cannot place 2 commercial vehicles in the garage and 2 commercial vehicles in a surface lot, as that would be 4 vehicles total and in excess of what is permitted in all Parking lots and garages.) Ticketing and or towing of vehicles in violations will occur.