NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on May 5, 2015, at 7:00 p.m. to consider the following:

Be it hereby ordained, by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that Chapter 54,Traffic and Vehicles, Sections 54-1 (Definitions), Section 54-37 (Penalty), Section 54-142 (Parking at expired meters and overtime parking), Section 54-154 (All-Night Parking), Section 54-114 (Milliken Street parking lot), and Section 54-115 (Memorial Park parking lot), of the Town of Old Orchard Beach Traffic Ordinance is amended by adding the underscored language, and deleting the strikethrough language :

Sec. 54-1. - Definitions.

Parking meter means a device which shall indicate thereon the length of time during which a vehicle may be parked in a particular place, having as a part thereof a receptacle or chamber for receiving and storing coins of the United States money, a slot or place in which such coins may be deposited; a timing mechanism to indicate the passage of the interval of time during which parking is permissible with an appropriate signal to indicate when the interval of time shall have elapsed, and brief instructions as to its operation. Parking meter as used herein shall also include a multi-space parking meter which may accept coins and other forms of payment such as debit and credit cards, and provide a timed receipt permitting parking in any multi-space or single space parking during such time.

Parking space means any space adjacent to a parking meter and which is duly designated for the parking of a single vehicle by painted lines or other durable markings. Parking space shall also include a space controlled by a multi-space meter.

Prolonged parking shall mean parking, without moving the vehicle out of the space and making the space available for use by another person, at a meter or a designated parking space in excess of the maximum limit of parking designated for such space.

Receipt shall mean the paper receipt dispensed from a multispace meter showing the date purchased with the time during which it permits parking in a multi or single meter parking space.

Sec. 54-37. - Penalty.

(14) ~~Parking at expired meter~~ Expired Meter or receipt/no receipt/receipt face down….25.00

(26) Prolonged Parking—Feeding Meters…25.00

(27) No parking That Takes More Than One Metered Space…25.00

Sec. 54-142. - Parking at expired meters and overtime parking.

(a) Parking of vehicles in parking spaces; (a) Single space meter. Except as provided herein, where a parking meter has been installed, every person shall park a vehicle, or motorcycle, adjacent to the curb and either immediately in front of or behind a single space meter and shall deposit the required amount of United States money in the meter or obtain and properly display a receipt issued by a multi-space meter. (b) Multi-space meter. Except as provided herein, where a multi-space meter has been installed, every person shall park a vehicle adjacent to the curb and in a space controlled by a multispace meter or in a space controlled by a single meter and shall deposit the required amount of payment for the time the person intends to park, up to the maximum time limit available. The foregoing shall apply from 10:00 a.m. to 11:00 p.m. from the Friday before Memorial Day to Labor Day of each year.

~~Between the hours of 10:00 a.m. and 11:00 p.m., no person shall park a vehicle in a metered parking space without first depositing a coin into the adjacent parking meter in the amount indicated on the parking meter for the appropriate time. No person shall allow a vehicle to remain in a metered parking space when the time signal on the adjacent parking meter indicates that the time for parking has expired (parking at expired meter). No person shall allow a vehicle to remain in a parking space for a period of time longer than the maximum time limit for that parking space posted on a sign or indicated on a parking meter (parked overtime). Parking shall be allowed in metered spots without first depositing a coin into the adjacent parking meter in the amount indicated on the parking meter between the hours of 11:00 p.m. and 10:00 a.m.~~

(b)~~No person shall park or stand any vehicle having fewer than four wheels at or in a metered parking space which is designated by a sign or by notice posted on or near the parking meter as restricted to parking of automobiles only.~~ No person shall park or stand any vehicle other than a motorcycle at or in a metered parking space which is designated by a sign or by notice posted on or near the parking meter as restricted to parking of motorcycles only.

 (c)It shall be unlawful for any person to cause, allow or permit any vehicle registered in the name of or operated by such person to:

(1) be parked in any parking space where a single space parking meter is installed unless a deposit of the coin or coins indicated by the single space meter is made as herein provided, except that, in the event a single space parking meter indicates that unused time has been left in the meter by a previous occupant of the parking space, any such person shall not be required to deposit any such coin or coins so long as his or her occupancy of the space does not exceed the indicated unused parking time; or

(2) remain in a parking space controlled by a multi-space parking meter or single space meter without displaying a valid receipt while so parked, or without displaying the receipt on the dashboard in such a manner as to be clearly visible and face up, showing the date and time available to park on the receipt;

(3) remain in a parking space beyond the period of legal parking time established for such parking space as provided in the traffic ordinance, or to deposit in the adjacent single-space parking meter or a multi-space meter any payment for the purpose of parking beyond the maximum legal parking time designated by the parking meter or multi-space meter ("prolonged parking" or "feeding the meter");

 (4) remain in any parking space adjacent to any single-space parking meter while the meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the maximum legal parking time designated for such parking space or the receipt has expired;

 (5) remain or be placed in any parking space controlled by a multi-space meter while failing to display a valid multi-space meter timed receipt for such parking, or displaying a receipt indicating that the vehicle occupying such parking space has already been parked beyond the maximum legal parking time designated for such parking space;

 (6) be parked across any line or marking of a parking space or in such position that the vehicle shall not be entirely within the limits of the parking space or such that the parked vehicle otherwise impedes or obstructs the flow of traffic; the minimum fine for a violation of this section shall be fifty dollars ($50);

<u>(7) Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions herein; to deposit or cause to be deposited in any parking meter any slug, device, metallic substance or any other substitute for a coin of the United States.</u>

<u>In the event of a violation of the provisions of subsections (c) (1-7) above, the fact that a vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered, and the fact that a vehicle is in a metered parking space when the time signal on the parking meter for such space indicates no parking permitted without the deposit of a coin or coins, or when the receipt from a multi-space meter has expired or no receipt is properly displayed, shall also be prima facie evidence that the vehicle has been parked in the parking space longer than the lawfully permitted period.</u>

Sec. 54-154 – All-Night parking.

Overnight parking shall be allowed on streets where on-street parking is allowed by the provisions of this Chapter except as follows:

From April 1st to September 15th , to allow for street sweeping activities overnight parking, <u>between the hours of 2 a.m. and 6 a.m.,</u> shall not be allowed in the following locations:

- Old Orchard Street
- The Square
- First Street from Old Orchard Street to Heath Street
- Heath Street
- Milliken Street to Imperial Street
- West Grand from the Square to Union Ave
- East Grand from the Square to Walnut Street
- Seavey Street
- Veteran's Square at Town Hall
- Staples Street
- Imperial Street
- Saco Ave, Rite-Aid to Old Orchard Street

Sec. 54-114. - Milliken Street parking lot

(a) No vehicle shall park in the Milliken Street parking lot without first obtaining a valid parking slip from a pay station or by obtaining a resident parking permit from the town clerk. The parking slip shall be displayed on the dashboard of the vehicle for the allotted time that was

paid for, <u>and the valid parking slip obtained at the pay station in the Milliken Street parking lot shall be valid only for the Milliken Street parking lot.</u> This section will be enforced between the Friday before Memorial Day and Labor Day.

Sec. 54-115. - Memorial Park parking lot.

(a) No vehicle shall park in the Memorial Park parking lot without first obtaining a valid parking slip from a pay station or by obtaining a resident or nonresident parking permit from the town clerk. The parking slip shall be displayed on the dashboard of the vehicle for the allotted time that was paid for<u>, and the valid parking slip obtained at the pay station in the Memorial Park parking lot shall be valid only for the Memorial Park parking lot.</u> This ordinance will be enforced between the Friday before Memorial Day and Labor Day.

Per Order of the Municipal Officers this 21ˢᵗ day of April, 2015.

A True Copy
Attest:

<u>s/Kim M. McLaughlin</u>
Kim M. McLaughlin, Town Clerk