

Minutes
Bar Harbor Town Council
April 16, 2019
Neighborhood Meeting – Town Hill Fire Station/VIS

I. CALL TO ORDER – 6:00 P.M. - In attendance were Councilors: Gary Friedmann, Matthew Hochman, Stephen Coston, Paul Paradis, Joe Minutolo, Judie Noonan, Erin Cough; and Town Manager Cornell Knight.

A. Excused Absence(s) – *all present.*

II. Town Hill Neighborhood Requested Topics of Discussion.

A. Questions and Answers Session – Town Manager Cornell Knight summarized the questions provided and gave an overview of upcoming parking meter installation, different types of parking permits, and how parking will be enforced. An update of the status of the ferry terminal property was also provided.

The following residents spoke:

Diane Greeley, Dessa Dancy, Brian Schaper, Amanda Schaper, Lilea Simis, Anne Damm, Lauren Donnelly, Chris Strout

The following issues were raised:

Request for more attention to landscaping in Town Hill

Request for a new crosswalk or pedestrian crossing light across State Highway 102

Speed monitoring on State Highway 102

The 40 acre parcel of land in Town Hill currently owned by Acadia National Park

A potential bicycle lane on the Crooked Road.

Several low utility lines on the Crooked Road.

Bridge Street maintenance (not Town Hill related.)

Following resident comments, the regular business portion began at 6:40 pm.

III. APPROVAL OF MINUTES – April 2, 2019 Regular Meeting

Mr. Paradis, with second by Mr. Hochman, moved to approve the minutes from the April 2, 2019 Regular Meeting as presented. Motion passed 7-0.

IV. ADOPTION OF AGENDA – Mr. Paradis, with second by Mr. Hochman, moved to adopt the agenda as presented. Motion passed 7-0.

V. FINANCIAL REPORT - *Review and possible adoption of a motion to accept the financial statements as presented.* – Following a summary by Finance Director Stan Harmon, Mr. Paradis, with second by Mr. Hochman, moved to accept and file the

Financial Statements as presented in the Finance Director's memo dated April 9, 2019.
Motion passed 7-0.

VI. CONSENT AGENDA - *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*

A. Vehicles for Hire – *Police Department approved and proof of insurance provided.*
Possible motion to approve:

- 1. At Your Service Tours** request for 11 taxi license renewals as submitted by Clare Bingham.
- 2. Bar Harbor Coastal Cab** request for 1 taxi license renewal as submitted by Craig Wood.
- 3. Oli's Trolley** request for 6 bus license renewals as submitted by Denise Morgan.
- 4. Amy's Taxi & Tours** request for 3 taxi license renewals as submitted by Amy Walton.

B. Annual Town Meeting June 2019 – *Possible motion to sign and post:*

- 1. Notice of Public Hearing** for May 21, 2019.
- 2. Annual Town Meeting Warrant.**

C. Property Tax Write Offs – *Possible passage of a motion to grant the Tax Collector and Treasurer the discretionary authority to write off any residual tax balances up to \$10.00.*

Mr. Paradis, with second by Mr. Hochman, moved to approve all items on the consent agenda as published. Motion passed 7-0.

VII. PUBLIC HEARINGS

A. Special Amusement Permit Renewals

- 1. Kebo Valley Golf Club**, 136 Eagle Lake Rd, request for Class 3ad, three or more musicians with mechanical amplification and dancing, as submitted by David Closson. There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit renewal as advertised. Motion passed 7-0.
- 2. ImprovAcadia**, 15 Cottage St 2nd floor, request for Class 4, other entertainment or amusement, as submitted by Larrance Fingerhut. There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit renewal as advertised. Motion passed 7-0.
- 3. Lompoc Cafe**, 36 Rodick St, request for Class 3ad, three or more musicians with mechanical amplification and dancing, as submitted by James Pike. There being no public comment, Mr. Paradis, with second by Mr. Hochman,

moved to approve the Special Amusement Permit renewal as advertised.
Motion passed 7-0

B. New Special Amusement Permit

- 1. **Jack Russell’s Steakhouse, 102 Eden St, request for Class 3ad, three or more musicians with mechanical amplification and dancing, as submitted by Nina St. Germain.** Diane Greeley had a question about parking. Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit as advertised. Motion passed 7-0.

C. Vehicles and Traffic Ordinance Amendment #2019-06 – Public comment and possible adoption of the ordinance amendment. The following residents spoke: Ed Damm, Patricia Samuel, Chris Strout, Lilea Simis, Heather Sorokin, Anne Damm, Robert Collier, Art Blank, Diane Greeley, Dessa Dancy, Terry Anderson, Jim Alfred.

Mr. Paradis, with second by Mr. Hochman, moved to adopt the amendments to Chapter 194 Vehicles and Traffic Ordinance as presented. Motion passed 7-0.

Vehicles and Traffic Ordinance Amendment
Town of Bar Harbor
#2019-06

An Amendment to accommodate the Parking Meter System.

The Town of Bar Harbor hereby ordains that Chapter 194, Vehicles and Traffic, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 194 – VEHICLES AND TRAFFIC

[HISTORY: Adopted by the Town Council of the Town of Bar Harbor 10-2-1990 as §§ 14.01 through 14.07 of the 1990 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Parking and Traffic Committee — See Ch. 31, Art. VI.

Vehicles on beaches — See Ch. 25.

Buses, limousines, taxicabs and ~~pedicabs~~Pedi cabs— See Ch. 40.

Noise — See Ch. 139.

Parks and public places — See Ch. 147.

A. Authority. This Vehicles and Traffic Ordinance is adopted pursuant to 30-A M.R.S. § 3009 and the Town of Bar Harbor’s home rule authority articulated in 30-A M.R.S. §§ 3001 et. seq.

B. Purpose. This Ordinance is designed to protect the public health and welfare and ensure the orderly flow of pedestrian and vehicular traffic by regulating the parking of motor vehicles.

Article I
Terminology

§ 194-1 Definitions and word usage.

- A. Words and phrases defined. For the purposes of this chapter, the words and phrases

listed below shall have the meanings respectively ascribed to them by this section. Words and phrases which are not defined herein but are defined in the laws of Maine which regulate the operation of motor vehicles shall have the meaning set forth in said state laws.

- B. General References. General references in this Ordinance to Maine statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic and/or parking regulations shall be deemed to refer to the most recent enactments of the Maine legislature describing or defining such procedures or authorities.

ALLEY

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

AUTHORIZED EMERGENCY VEHICLE

Vehicles of the Fire Department, police vehicles, public traffic emergency repair vehicles, ambulances, and such emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Police Chief, and consistent with 29-A M.R.S. § 2054. A privately owned vehicle commandeered by the Fire or Police Chief or owned or used by fire or police personnel shall have the same status under this chapter as a publicly owned authorized emergency vehicle while actually engaged in or responding to a call for public emergency service.

BICYCLE

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. 29-A M.R.S. § 101(9)

CROSSWALK

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.
- (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB

The outer edge of a defined sidewalk or either edge of the wrought and usually traveled part of a street.

CURB LOADING ZONE

A space adjacent to a 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.

FIRE LANE

Has the same meaning as marked fire apparatus access road as defined in NFPA 1 Chapter 18.2.3 (NFPA 1 Chapter 18.2.3.5.2). Fire lanes specifications and marking should refer to the most recent enactments of the Nation Fire Protection Association Fire Code (NFPA 1) describing or defining such procedures or authorities.

IDLE or IDLING

When the engine of a motor vehicle is running but not engaged in a gear to power the drive train.

[Added 6-17-1997]

INDIVIDUAL PARKING SPACE

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

INTERSECTION

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

MOPED

Shall have the same meaning as defined in 29-A M.R.S. § 101(36).

MOTORCYCLE

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. 29-A M.R.S. § 101(38).

MOTOR VEHICLE

Any self-propelled vehicle, but not including motorized wheelchairs or snowmobiles. "Motor vehicle" includes, but is not limited to, automobiles, motorcycles, trucks, and buses. 29-A M.R.S. § 101(42).

[Amended 6-17-1997]

PAID PARKING DEVICE

Either a parking meter or multi-space pay station or kiosk.

PARK

When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

PARKING CONTROL OFFICER

A person, sworn or unsworn, charged with the enforcement of established, codified parking regulations within a designated municipality.

PEDESTRIAN

Any person afoot.

PERMIT PARKING AREA

Parking on streets so designated for vehicles with permits only.

PERSON

Includes a human being, corporation, partnership, association, trust, estate, joint venture, or any other legal or commercial entity.

[Amended 6-17-1997]

POLICE OFFICER

Every officer of the municipal Police Department or any other 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.

RIGHT-OF-WAY

The privilege of the immediate use of the roadway.

ROADWAY

That portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

SEGWAY

A two-wheeled, electric personal assistive mobility device consisting of a platform for the feet mounted above an axle and an upright post surmounted by handles, controlled by the way the rider distributes their weight. 29-A M.R.S. § 2063(A).

SIDEWALK

That 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.

STOP

When required means complete cessation of movement.

STOP, STOPPING or STANDING

When prohibited means any stopping or standing 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.

STREET or HIGHWAY

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

THROUGH STREET

Every street or portion thereof at the entrance to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided by this chapter.

TRAFFIC

Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC CONTROL DEVICE

All signs, signals, markings, and devices, whether immovable or whether manually, electrically or mechanically operated, placed or erected by authority of the Town Council or the Police Chief by which traffic is alternately directed to stop and to proceed or for the purpose of regulating, warning or guiding traffic.

VEHICLE

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

- B. Holidays, public. Public holidays, as used in this chapter, are those designated as holidays for financial institutions by 9-B M.R.S.A. § 1445.
- C. Time. Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in this Town.

Article II

Required Obedience to Traffic Regulations

§ 194-2 Public employees.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this state, county or Town, and it shall be unlawful for any said driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by federal or state statute.

§ 194-3 Drivers of authorized emergency vehicles.

The provisions of this chapter shall apply to drivers of authorized emergency vehicles, ~~except as provided by 29 M.R.S.A. §§ 946 and 946-A, § 2054 (1)(B).~~

§ 194-4 Persons propelling pushcarts, riding animals or driving animal-drawn vehicles.

Every person propelling any pushcart or riding any animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.

Article III

Traffic Control Devices

§ 194-5 Authority to install traffic control devices.

The Police Chief and/or the Director of Public Works, with the approval of the Town Council, shall place and maintain, or cause to be placed and maintained, traffic control signs, signals, and devices required or authorized under this chapter and may place and maintain such additional traffic control devices as he or she may deem necessary to regulate traffic under this chapter or under state law or to guide or warn traffic, including angle parking signs and markings, turning markers, and signs prohibiting left, right or U-turns, the location of which he or she is authorized to determine. All signs or signals required or authorized hereunder shall, so far as practical, be uniform as to type and location throughout the Town. All traffic control signs, signals and devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

§ 194-6 Obedience to official traffic control devices.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable to that vehicle and placed in accordance with this chapter, unless otherwise directed by a police officer, subject to the exceptions granted to the driver of an authorized emergency vehicle in this chapter. No provision of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

§ 194-7 Obedience to no-turn signs and turning markers.

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign, and, when authorized marks or other indications are placed within an intersection indicating the course to be traveled by vehicles turning, no driver of a vehicle shall disobey the directions of any such indication.

§ 194-8 Designation of crosswalks and traffic lanes.

The Police Chief and/or the Director of Public Works, with the approval of the Town Council, is hereby authorized:

- A. Crosswalks. To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his or her opinion there is particular danger to pedestrians crossing the roadway and at such other places as he or she may deem necessary.
- B. Lanes. To mark lanes for parking and for traffic on street pavements at such places as he or she may deem advisable consistent with this chapter.
- C. Bikeways. To designate and maintain bikeways by appropriate signs, devices, marks or lines upon the surface of the roadway.

§ 194-9 Stop intersections.

- A. Authority to erect.
 - (1) The Police Chief and/or the Director of Public Works shall place and maintain a stop sign at each location designated by this section.
 - (2) Every such sign shall bear the word "Stop" in letters not less than six inches in height and shall be located as near as practicable to the line of the crosswalk furthest from the intersection or, if no crosswalk exists, at the point nearest the intersecting roadway.
- B. Stop required. When stop signs are erected as provided by this section, every driver of a vehicle shall stop such vehicle at such sign, or at a clearly marked stop line, before entering the intersection, except when directed to proceed by a police officer or traffic control signal.
- C. Enter through street. After the driver of a vehicle has stopped in obedience to a stop sign at the entrance to a through street, such driver shall then proceed cautiously, yielding the right-

of-way to vehicles which have entered the intersection from said through street or which are approaching so closely on such through street as to constitute an immediate hazard.

- D. Stop signs or flashing red light locations. Stop signs or flashing red lights shall be erected and maintained on the entering street(s) at the following intersections in accordance with the following schedule:

Through Way	Entering Street
Atlantic Avenue	Elbow Lane
Cottage Street	Bridge Street
	Federal Street
	Greeley Avenue
	High Street
	Holland Avenue
	Maple Avenue
	Rodick Street
Cromwell Harbor Road	Glen Mary Road
	Harden Farm Road
	Kebo Street
	Rockwood Avenue
	Spring Street
Crooked Road	Knox Road
	<u>Gilbert Farm Road</u>
	Old Norway Drive
Eagle Lake Road	Cleftstone Road
	Cromwell Harbor Road
	Cross Street
	Forest Street
	Norway Drive
	Prospect Avenue
	Public School Driveways
	Woodbury Road
Eden Street	Bowles Avenue
	Brewer Avenue
	First Highbrook Road
	Harbor Lane
	Michigan Avenue
	Prospect Avenue
	Second Highbrook Road
First South Street	Des Isle Avenue
Forest Street	Pine Street
Glen Mary Road	Park Street
Ledgelawn Avenue	Cromwell Harbor Road
	Park Street [Added 8-15-2017 by Ord. No. 2017-04]
	Pleasant Street
	Waldron Road

Through Way

Main Street

Mount Desert Street

Park Street

Route 3

Routes 198 and 102

Entering Street

- Albert Meadow
- Atlantic Avenue
- Center Street
- Cottage Street
- Cromwell Harbor Road
- Derby Lane
- Edgewood Street
- Firefly Lane
- First South Street
- Hancock Street
- Livingston Road
- Mount Desert Street
- Newport Drive
- Newton Way
- Oliver Street
- Park Street
- Pleasant Street
- Rodick Place
- Schooner Head Road
- ~~Second South Street~~
- Stanwood Place
- ~~Stephens Lane~~
- ~~The Field~~
- Wayman Lane
- Holland Avenue
- Kennebec Street
- Ledgelawn Avenue
- Roberts Avenue
- School Street
- ~~Shannon Road~~Way
- Spring Street
- Ash Street
- School Street
- Bayview Drive
- Breakneck Road
- Crooked Road
- Hadley Point Road
- Hamor Avenue
- Knox Road
- Ledgewood Road
- Loring Street
- Norway Drive (Old Route 3)
- Sand Point Road
- Gilbert Farm Road

Through Way	Entering Street
	Indian Point Road
	Knox Road
School Street	<u>Cedar Street</u>
	Edgewood Street
	Second South Street <u>Pleasant Street</u>
	Slant Road
	Wescott Avenue
Waldron Road	Glen Mary Road
	Shannon Road
	Spring Street
West Street	Billings Avenue
	Bridge Street
	Holland Avenue
	Main Street
	Rodick Street
West Street Extension	Cleftstone Road
	Prospect Avenue
	Woodbury Road

E. Three-way stop intersections. Stop signs shall be erected at the following intersections on the enumerated entering streets:

School Street, Cedar Avenue, Newton Way

School Street, Pleasant Street, First South Street

Bloomfield Road (both sides), Champlain Road [**Amended 8-15-2006 by Ord. No. 2006-6**]

Cleftstone Road, Highbrook Road at Howe's Park [**Added 8-15-2006 by Ord. No. 2006-6**]

F. Four-way stop intersections. Stop signs shall be erected at the following intersections on the enumerated entering streets:

Ledgelawn Avenue, Lower Ledgelawn Avenue, Cromwell Harbor Road

Ledgelawn Avenue, Park Street [**Added 8-15-2017 by Ord. No. 2017-04**]

§ 194-10 Yield intersections.

A. Authority to erect.

(1) The Police Chief and/or the Director of Public Works shall place and maintain a yield sign at each location designated by this section.

(2) Every such sign shall bear the word "Yield" in letters not less than six inches in height. Signs shall be located as near as practicable to the line of the crosswalk furthest from the intersection or, if no crosswalk exists, at the point nearest the intersecting roadway.

B. Yield required. The driver of any vehicle approaching a yield sign shall slow down to a speed reasonable for existing conditions and shall yield the right-of-way to any vehicles in the intersection or approaching on another roadway so closely as to constitute a hazard during the time such driver is moving across or within the intersection.

C. Yield sign locations. Yield signs shall be erected and maintained on the entering streets at the following intersections in accordance with the following schedule:

Through Way

Entering Street

Crooked Road
Eden Street
West Street

Norway Drive
Mount Desert

§ 194-11 Display of unauthorized signs, signals or markings.

- A. Signs, signals and markings. No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device, and no person shall place on any official traffic control device any commercial advertising, nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- B. Public nuisance. Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove or cause to be removed each such sign, signal or marking without notice.

Article IV

Stopping, Standing and Parking

[Amended 2-5-1991; 5-12-1991; 8-13-1991; 7-6-1993; 9-7-1993; 8-2-1994; 11-15-1994; 10-1-1996; 6-3-1997; 6-1-2004 by Ord. No. 2004-3; 9-7-2004 by Ord. No. 2004-07; 4-5-2005 by Ord. No. 2005-03]

§ 194-12 Stopping, standing or parking prohibited in specified places.

- A. 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 a police officer or traffic control device, in any of the following places or manners:
 - (1) On a sidewalk.
 - (2) In front of a public or private driveway or alley.
 - (3) Within an intersection.
 - (4) Within 10 feet of a fire hydrant.
 - (5) On a crosswalk.
 - (6) Within 15 feet of the near corner of the curbs at an intersection.
 - (7) Within 15 feet upon the approach to any stop sign located at the side of a roadway.
 - (8) ~~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 20 feet of said entrance (when properly sign posted);~~ In a marked Fire Lane (NFPA 1 Chapter 18.2.4.1.1).
 - (9) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - (10) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (11) Upon any bridge.
 - (12) At any place where official signs or curb painting (yellow or red) so prohibit.
 - (13) ~~On Cottage Street, West Street, Ledgelawn Avenue and on Main Street from Park Street to West Street in~~ In any manner other than headed in the general direction of travel for the side of the street on which the vehicle is parked.

- B. No person shall move a vehicle lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

§ 194-13 Handicapped parking.

- A. Designation of spaces. The Police Chief, with the approval of the Town Council, shall designate, or cause to be designated, public parking spaces specifically reserved for handicapped persons.
 - (1) Adjacent to and visible from each designated handicapped parking space shall be posted:
 - (a) A sign consisting of a profile view of a wheelchair with an occupant in white on a blue background with a printed inscription. The inscription shall read "Handicapped Parking: Special Plate Required. Unauthorized vehicles are subject to a fine"; or
 - (b) A sign consisting of a profile view of a wheelchair with an occupant in white on a blue background which may bear an inscription.
 - (2) Any new sign erected or any sign replaced after April 11, 1983, must conform to the signs described in Subsection **A(1)(a)** and **(b)**. Any existing signs posted that do not comply with such sections and which were erected before April 11, 1983, are valid for enforcement purposes.
- B. Parking prohibited. No person shall park in any clearly marked parking space designated under this section as a handicapped parking space any vehicle that does not bear a special registration plate or placard issued under 29-A M.R.S.A. §§ 521 and 523 or a similar plate issued by another state.
- ~~C. Private parking. Owners of off street parking shall arrange for private enforcement or shall enter into written agreements with the Police Department to police any spaces clearly marked parking spaces dedicated for handicapped persons' vehicles. Under such agreements, Town police may exercise their vested authority to ensure that parking spaces designated for the handicapped are utilized appropriately by handicapped persons, irrespective of whether the designated handicapped parking spaces are located on public or private lots open to the public, and the prohibition set forth in the preceding subsection shall apply to all parking spaces so designated.~~
- ~~D.~~ D. Clearly marked. For purposes of this section, "clearly marked" includes signs painted on pavement, vertical standing signs, or barriers, any of which are visible under existing weather conditions.
- D. Permit Parking Area. Except as provided in subparagraph (E), vehicles parked in permit parking areas are required to have a permit for the area.
- E. Vehicles that exhibit a permanent placard, a temporary placard or a disability registration plate issued under 29-A § 521, may park at a handicapped parking space within a permit parking area and a parking area with a paid parking device without a charge. Such vehicles may remain parked for a length of time that does not exceed twice the limit otherwise allowed. (30-A § 3009(C)(4)).

§ 194-14 Parking prohibited at all times on certain streets.

- A. Parking prohibited. When signs are erected, curbs are painted or pavement is marked giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets described herein. **[Amended 6-16-2009 by Ord. No. 2009-03]**
- B. Designated areas. Parking shall be prohibited at all times upon the following streets or parts thereof:

Name of Street	Location
<u>Access Alley</u>	<u>Both sides</u>

Name of Street	Location
Agamont Lane [Added 11-21-2006 by Ord. No. 2006-07]	Both sides, for the entire length
Albert Meadow	North side <u>Both sides</u>
Albert Meadow	South side, except from a point 30 feet from Main Street to a point 200 feet from Main Street
Ash Street	East side
Atlantic Avenue	North side
<u>Barberry Lane</u>	<u>Both sides</u>
Billings Avenue	From the southeasterly corner of Lot 3-4-12, 40 feet northerly and 40 feet westerly, always following the sideline of said lot, and from the southwesterly corner of Lot 3-4-14, 45 feet northerly and 45 feet easterly, always following the sideline of said lot
<u>Bowles Avenue</u>	<u>Both sides</u>
Brewer Avenue	North side
Bridge Street	East side
Bridge Street	West side from Cottage Street to Summer Street <u>and from West Street to the end</u>
<u>Cedar Street</u>	<u>Both sides</u>
Center Street	South side
Cottage Street	From the intersection of Bridge Street easterly for 30 feet
Cottage Street	From the west end of Federal Street easterly for 40 feet
Cottage Street	North side from Main Street to a point 30 feet from Main Street
Cromwell Harbor Road	Both sides from Eagle Lake Road to 1,150 feet southwest
Derby Lane [Amended 6-16-2009 by Ord. No. 2009-03]	North side from Main Street to a point 150 feet easterly thereof
Derby Lane [Amended 6-16-2009 by Ord. No. 2009-03]	North side from a point 318 feet easterly of Main Street to a point 40 feet easterly thereof
Derby Lane	South side
Des Isle Avenue	East side <u>Both sides</u>
Des Isle Avenue	West side 30 feet from each end
Eagle Lake Road/233	North and south side except from a point 100 feet easterly from the Eagle Lake north side parking lot entrance to a point 654 feet east, except from a point 100 feet from the south side parking entrance to a point 181 feet east also known as "boat landing". <u>From the Boat Landing entrance, a distance of 80 feet easterly toward Bar Harbor.</u>
Eden Street	East side for a distance of 85 feet from Cottage Street
Edgewood Street	South side
<u>Elbow Lane</u>	<u>Both sides</u>
Federal Street [Amended 5-15-2018 by Ord. No. 2018-02]	Left side from eastern intersection with Cottage Street to the westerly leg of said street

Name of Street	Location
<u>Federal Street</u>	<u>Right side of westerly leg to Cottage Street</u>
First South Street	South side
Glen Mary Road	West side
Greeley Avenue	East side from Cottage Street southerly to the northerly leg of Greeley Square
Greeley Avenue	West side southerly from the northerly leg of Greeley Square
Greeley Square	Left side from southern intersection with Greeley Avenue
High Street	West side
Holland Avenue	Both sides between Mount Desert Street and West Street
Kavanaugh Place	West, south and east sides and within the extreme westerly 10 feet of the north side
Kennebec Street [Amended 5-15-2018 by Ord. No. 2018-02]	East side and no parking for 33 feet beginning 81 feet from the intersection with Cottage Street
<u>Laurel Court</u>	<u>Both sides</u>
<u>Lenox Place</u>	<u>Both sides</u>
Livingston Road	South side
Maine State Route 3 <u>Main Street</u>	North and south sides between Bangor Hydroelectric Pole No. 2 139 and Pole No. 2 134 <u>West side from the end of RV Parking to Cromwell Harbor Road. East side from Livingston Road to Cromwell Harbor Road intersection.</u>
Main Street	East side to a point 50 feet southerly of a private way known as "Cottage Way" to a point 120 feet northerly of said Cottage Way; and from Stephens Lane to a point 120 feet southerly thereof; and from a point 60 feet northerly of Albert Meadow to a point 80 feet southerly of Albert Meadow
Main Street	West side from a point 90 feet northerly of Cottage Street to point 60 feet southerly of Cottage Street; and from a point 240 feet southerly of Cottage Street to Rodick Place
Maple Avenue	West side
Michigan Avenue	South side
Mount Desert Street	South side from School Street, except from a point 350 feet from Main Street to a point 60 feet from Main Street (<u>North side from the West entrance of 51 Mount Desert Street to the intersection of Eden/State Highway 3</u>).
Myrtle Avenue	North side
Newport Drive	North side <u>Both sides</u>
Newton Way	North side from a point 138 feet from School Street to a point 168 feet from School Street
Newton Way	South side
<u>Norris Avenue</u>	<u>South side</u>
<u>Oliver Street</u>	<u>South side</u>

Name of Street	Location
Park Street	North side from Main Street to Ledge lawn Avenue
Pleasant Street	South side
Roberts Avenue	Both sides for a distance of 95 feet from Cottage Street <u>then west side to Mount Desert Street</u>
Roberts Square	Both sides
Rodick Place	Both sides <u>South side</u> , except in officially marked parking spaces
Rodick Place	North side from Main Street to a point 118 feet from Main Street <u>to Rodick Street</u>
Rodick Street	East side 40 feet northerly from Cottage Street
Rodick Street	West and east sides from Cottage Street to Kennebec Street
School Street	East side 37 feet from Mount Desert Street
School Street	West side
Second South Street	South side
<u>Shannon Road</u>	<u>North and East sides</u>
Shannon Road <u>Way</u>	West side 500 feet southerly from Mount Desert Street
Snow Street	West side
<u>Spring Lane</u>	<u>Both sides</u>
Spring Street	West side
Stanwood Place	South side
Summer Street	Both sides
Wayman Lane	South side
Wescott Avenue	Both sides
York Street [Amended 3-1-2011 by Ord. No. 2011-01]	Both sides

§ 194-15 Paid Parking Devices ~~time limited~~ on certain streets and in public parking lots.

A. When signs are erected giving notice thereof and devices are installed, no person shall park a vehicle except in conformity with the following ~~provisions~~:

(1) Parking Meters.

~~Two hour parking. Parking time at the following locations is limited to two hours. Metered parking spaces will be enforced between 10:00:00 a.m. and 6:00:00 p.m., from Memorial Day to and including Columbus Day, except during the Independence Day celebration: May 15th to October 31st consistent with Bar Harbor Town Council Permit and Paid Parking Policy.~~

Locations and rates of metered parking spaces will be regulated in accordance with Bar Harbor Town Council Permit and Paid Parking Policy.

Name of Street	Location
Cottage Street	Both sides
Main Street	Both sides from Wayman Lane to West Street
Mount Desert Street	South side from Main Street to School Street and north side from Main Street to Kennebec Street
Fire Fly Lane	South side
West Street	From Main Street to the west end of Billings Avenue

(2) Multi-Space Pay Stations or Kiosks

~~Three hour parking. Parking time at the following locations is limited to three hours, from 10:00 a.m. to 6:00 p.m., from Memorial Day to and including Columbus Day, except during the Independence Day celebration: Multi-Space Pay Stations or Kiosks parking spaces will be enforced from 9:00 a.m. to 8:00 p.m. from May 15th to October 31st, consistent with **Bar Harbor Town Council Permit and Paid Parking Policy.**~~

~~Locations and rates of multi-space pay stations or kiosks parking spaces will be regulated in accordance with **Bar Harbor Town Council Permit and Paid Parking Policy.**~~

- ~~(a) Central Parking Lot (those public parking lots neighboring the police and fire stations);~~
- ~~(b) Newport Drive Parking Lot (the public parking lot adjacent to Newport Drive), except for the parking spaces abutting the easterly boundary; [Amended 11-21-2006 by Ord. No. 2006-07; 6-16-2009 by Ord. No. 2009-03]~~
- ~~(c) Harborview Parking Lot (the public parking lot adjacent to Harborview Park);~~
- ~~(d) Backyard Parking Lot (the public parking lot bounded by York Street, Lenox Place and Laurel Court);~~
- ~~(e) Municipal Pier Parking Lot;~~
- ~~(f) Grant's Park Parking Lot (the public parking lot adjacent to Grant's Park), the easterly row of parking.~~
- ~~(g) West Street, from the Municipal Pier to Main Street.~~
- (3) ~~(Reserved) Fifteen-Minute Parking~~
Parking spaces limited to 15 minutes; locations will be regulated in accordance with **Bar Harbor Town Council Permit and Paid Parking Policy.**
- (4) Long-term parking. No parking shall be permitted in any municipal parking lot for more than 72 continuous hours unless otherwise designated as long-term parking. ~~No long-term parking shall be permitted from the day after Columbus Day to the day before Memorial Day.~~
- (5) Municipal office parking lot. There shall be no parking between the hours of 2:00 a.m. and 5:00 a.m. daily in the parking lot to the east side of the Municipal Office Building. All parking permits shall be issued and regulated in accordance with **Bar Harbor Town Council Permit and Parking Policy.**
- ~~(6) Resident recreational boater permits. Notwithstanding the foregoing, the Harbor Master or Dispatch Division shall, upon request, on a daily basis, issue to resident recreational boaters permits which allow all day parking in the Newport Drive Parking Lot, subject to the following conditions: [Amended 11-21-2006 by Ord. No. 2006-07; 6-16-2009 by Ord. No. 2009-03]~~
 - ~~(a) Only 10 permits may be issued per day.~~
 - ~~(b) Permits shall be issued on a first come, first served basis.~~
 - ~~(c) A permit shall serve merely to exempt the vehicle(s) for which it is issued from the time limitations set forth in this section, shall only be valid on the day on which it is issued and shall not be construed so as to guarantee the holder thereof an available parking space in the Newport Drive Parking Lot.~~
 - ~~(d) A permit shall not be issued until the Harbor Master or Dispatch Division has been satisfied that the person who is requesting it actually intends to engage in recreational boating on the date of issuance. Any person to whom a permit is issued who does not engage in recreational boating on the date of issuance shall not be eligible to receive a permit for a period of six months thereafter.~~
 - ~~(e) Permits may only be requested in writing.~~

- ~~(f) Only one vehicle per boat trailer shall be issued a permit at any one time.~~
- ~~(g) For purposes of this subsection, a resident shall be defined as a person holding a Maine driver's license, a Maine motor vehicle registration and a Maine boat registration, all of which shall be current and show a physical address within the Town of Bar Harbor.~~
- ~~(7) Parking for commercial fishermen. Notwithstanding any other provision of this chapter to the contrary, the Harbor Master shall, upon request, on an annual basis, issue no more than 30 permits to individual resident commercial fishing vessel owners which shall allow permittees to exceed the posted parking time limit on the Municipal Pier, and in the public parking lot adjacent to Newport Drive, subject to the following conditions: **[Amended 9-17-2013 by Ord. No. 2013-04]**~~
- ~~(a) A permit shall be valid for any of the lots named above and shall not designate a particular lot.~~
- ~~(b) A permit shall serve merely to exempt the vehicle for which it was issued from the time limitations set forth in this section and shall not be construed as to guarantee the holder thereof an available parking space in any lot.~~
- ~~(c) With respect to the Municipal Pier, a permit shall only be valid when used for parking in the center, northern and western aisle parking spaces.~~
- ~~(d) Permits shall be issued on a first come, first served basis beginning May 15 of each year and shall expire on May 14 of the following year.~~
- ~~(e) Permits may only be requested in person.~~
- ~~(f) The Town Council shall, from time to time, establish the number of permits to be issued, the conditions under which permits may be issued, any limitations of issuance and the fee to be charged therefor, if any.~~
- ~~(g) Only one vehicle per boat used for commercial fishing shall be issued a permit at any one time.~~
- ~~(h) No permit shall be issued until the Harbor Master has been satisfied that the person requesting the same is actually a resident commercial fishing vessel owner.~~
- ~~(i) No permit shall be issued to any person who is not current in his or her payment of mooring fees, any license or permit required to be paid to the Town by commercial fishermen, or any personal property taxes related to his or her boat or fishing equipment.~~
- ~~(j) No vehicle displaying a permit issued under this section may be parked in any of the above-mentioned lots for more than 18 continuous hours in any twenty four hour period.~~
- ~~(k) No holder of a permit issued under this section shall park a permitted vehicle with its tailgate in an open position or in such a manner as to otherwise impede the orderly and efficient flow of traffic.~~
- ~~(8) Fifteen minute parking. Parking shall be limited to 15 minutes upon the following streets or parts thereof:~~
- ~~(a) A total of four spaces, two on the north side of Cottage Street and two on the south side of Cottage Street, at the curb cuts to Graves' Shop and Save and the Municipal Building.~~
- ~~(b) A total of five spaces in front of the Bar Harbor Post Office on the north side of Cottage Street between the east and west ends of Federal Street.~~
- B. Notwithstanding any other provision of this chapter to the contrary, parking shall not be permitted on any public street ~~or in any municipal parking lot~~ between the hours of 2:00 a.m. and 7:00 a.m. from November 15 to April 15.

§ 194-16 Hazardous or congested places.

- A. Authority to designate. The Police Chief, with the approval of the Town Council, is hereby

authorized to determine and designate by proper signs areas, ~~not exceeding 100 feet in length,~~ in which the stopping, standing or parking of vehicles is prohibited as it would create an especially hazardous condition or would cause unusual delay to traffic.

- B. Stopping, standing and parking prohibited. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

§ 194-17 Parking not to obstruct traffic.

No person shall stop, stand, park or leave a vehicle on any street or bikeway in such a manner or under such conditions so as to obstruct the free passage of other vehicles in either direction, unless specifically permitted by a police officer, or so as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

§ 194-18 Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to an abutting property.

§ 194-19 Standing or parking close to curb.

No person shall stand or park a vehicle on Eden Street, Main Street or Mount Desert Street other than parallel to the edge of the roadway, headed in the direction of lawful traffic movement, and with the right-hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as follows:

- A. Backing to curb. When specifically authorized by a police officer, any person may back a vehicle to the curb for the purpose of loading or unloading merchandise or materials for a period not in excess of 30 minutes. No person shall so back a vehicle to a curb unless specifically so authorized by a police officer, and no person shall, in any event, back a vehicle onto any curb or sidewalk in this municipality.
- B. Angle parking. Angle parking shall be permitted only in those areas designated by signs.

§ 194-20 Places of assemblage.

The Police Chief is authorized to place temporary or permanent traffic control signs in front of entrances to places of assemblage or any other buildings in which entertainments, plays, shows, exhibitions and the like are given, either regularly or otherwise, for such periods as the Police Chief may deem wise under the circumstances.

§ 194-21 Large vehicles.

[Amended 12-6-2005 by Ord. No. 2005-08]

- A. No owner, driver, or person in charge of any vehicle which has a carrying capacity of more than 3,000 pounds or which, including load, is more than 20 feet five inches in length or which, including load, is more than eight feet in width or which, including load, is more than 12 feet six inches in height shall permit the same to stand upon any public street or public parking lot in the Town except in those areas where such parking is permitted as designated by signs which are erected and give notice thereof or unless specifically permitted by the Chief of Police.
- B. Vehicles pulling trailers not specifically restricted by A., above, are required to pay the meter/kiosk fee for all spaces actually occupied, wholly or partially by the vehicle and the trailer.

§ 194-22 Owner's liability.

The parking of any motor vehicle in violation of any provision of this chapter shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered.

§ 194-23 Parking adjacent to school areas.

The Police Chief is hereby authorized to cause temporary or permanent signs to be erected

indicating no parking adjacent to any school property when such parking would, in his or her opinion, interfere with traffic or create a hazardous situation. When official signs are erected indicating no parking adjacent to any school property, no person shall park a vehicle in any such designated place.

§ 194-24 Snow removal.

- A. No vehicle shall be parked at any time on any public street or way so as to interfere with or hinder the removal of snow from said street or way by the Town plowing or loading or hauling.
- B. For the purpose of facilitating the removal of snow, the Director of Public Works or Chief of Police may cause to be placed properly marked signs along any street or streets as either shall, from time to time, deem necessary. It shall be unlawful for the operator of any vehicle to enter upon, stop or park within the spaces indicated by such signs.
- C. When snow removal is needed in public parking lots, the Director of Public Works shall notify the Police Department of the planned removal. The Police Department will cause notice to be placed conspicuously in said lots, providing advance notice to vehicle owners to move their vehicle prior to the commencement of plowing operations (Reference §194-44.)

§ 194-25 Unlawful parking.

- A. No person shall park a vehicle upon any roadway for the principal purpose of advertising, displaying such vehicle for sale, or washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
- B. Public Safety Building Parking – Two perpendicular parking spaces reserved for Public Safety business. All spaces in the Public Safety Building parking lot (between Firefly Lane and Rodick Place) and four perpendicular parking spaces along Firefly Lane reserved for public safety vehicle and employee parking.

§ 194-26 Public utility vehicles.

Vehicles operated by the Town of Bar Harbor or by public utility companies, used for installation, repair and maintenance purposes, may be exempted by the Police Chief, upon notice to the Town Clerk, in each case temporarily for the period while actually at work at a definite location, from any of the requirements of this chapter, provided that during such exemption period, work will be conducted with all reasonable dispatch and that such precautions as the Police Chief may require in the interest of public safety shall be taken. The Police Chief is authorized to place temporary signs prohibiting parking in such places at the scene of work as he or she deems necessary to facilitate traffic and the work in progress. Subject to the necessary exceptions provided by this section, Article IV of this chapter shall nevertheless be observed insofar as practicable. Upon receipt of such notice, the Town Clerk shall notify the Police Chief, the Fire Chief, and the Director of Public Works of such operations.

§ 194-27 Time limit for on-street parking.

Notwithstanding any other provisions of this chapter to the contrary, no person shall park a vehicle on any street for a period of more than 72 continuous hours.

§ 194-28 Permit parking only.

- A. Parking prohibited except by permit.
From ~~Memorial Day through Columbus Day~~ May 15th through October 31st, it shall be unlawful and in violation of this article for any person to stop, stand or park any vehicle, other than a vehicle displaying a valid permit issued by the Police Chief or their designee under regulations to be prescribed by Council order, on those streets or portions of parking areas duly posted and which are described below:
- B. Service and delivery vehicles ~~excepted~~ exempted.
Non-permitted vehicles stopped, standing or parked within 200 feet of a building for the purpose of making deliveries or providing services to a building located on a street or portion of a street described or specified in this section shall not be required to display the permit otherwise required herein.

C. Permit requirements:

- (1) ~~The Town Council may set permit fees from time to time. No permit shall be issued except upon payment of the applicable fee, if any.~~ All permits shall be issued and regulated in accordance with **Bar Harbor Town Council Permit and Paid Parking Policy**.
- (2) Permits shall be valid only for the current calendar year. The Town Council may set permit fees from time to time. No permit shall be issued except upon payment of the applicable fee, if any.
- ~~(3) There shall be two classes of permits: resident and employee.~~
- ~~(4) Applicants desiring to receive a resident permit shall submit the following:~~
 - ~~(a) Current Maine motor vehicle registration form showing a physical address within the Town of Bar Harbor.~~
 - ~~(b) A completed application form showing:
 - ~~[1] Name of registrant of motor vehicle.~~
 - ~~[2] Physical address of their current residence in the Town of Bar Harbor.~~
 - ~~[3] Mailing address, if different from physical address.~~
 - ~~[4] Vehicle description, including make, model, color, year of manufacture and plate number, all of which shall match the submitted vehicle registration form.~~~~
- ~~(5) Applicants desiring to receive an employee permit shall be a current employee of a business located in the Town of Bar Harbor, hold a position with that business which requires their physical presence in the downtown Bar Harbor area and submit the following:~~
 - ~~(a) Two valid paycheck stubs issued during the current year by an employer having a physical address within the Town of Bar Harbor.~~
 - ~~(b) A completed application form showing:
 - ~~[1] Name of registrant of motor vehicle.~~
 - ~~[2] Physical address of their current residence.~~
 - ~~[3] Mailing address, if different from physical address.~~
 - ~~[4] Vehicle description, including make, model, color, year of manufacture and plate number.~~~~
- ~~(6) Upon submittal of the required application materials as provided above and payment of the fee as set by the Town Council, the Police Chief or their designee shall issue the appropriate class of permit.~~
- ~~(7) The Police Department shall provide parking permits in the form of a sticker, which shall be consecutively numbered and show the year of issue.~~
- ~~(8) Permits shall be permanently affixed to the vehicle's front windshield on the passenger side lower corner and shall be clearly visible through the windshield. Permits not properly displayed shall be invalid.~~
- ~~(9) A permit shall not guarantee a parking space. Spaces shall be available on a first come, first served basis.~~
- ~~(10) No permit shall be issued for any vehicle having outstanding Town of Bar Harbor parking fines.~~
- ~~(11) No person shall furnish false information to the Town in connection with obtaining a permit authorized hereunder. Any permit issued upon false information shall be null and void and subject the applicant to additional penalties as provided by law.~~
- ~~(12) No person shall transfer any permit and any permit attempted to be transferred shall be null~~

~~and void and subject to confiscation by the Bar Harbor Police Department. Upon the disposal of a vehicle already permitted, a resident may apply for a new permit for the new vehicle. Residents surrendering the old permit shall receive the new permit at no charge.~~

~~(13) Whenever the conditions which qualified an applicant for a permit no longer exist, the owner of the vehicle so permitted shall immediately remove the permit sticker.~~

~~D. Any violation of this section shall be punishable by a fine not to exceed \$100, each day of violation being considered a separate offense.~~

~~§ 194-29 Recreational boater and boat trailer parking.~~

~~[Amended 11-21-2006 by Ord. No. 2006-07; 6-16-2009 by Ord. No. 2009-03]~~

~~There shall be no parking of any vehicles in the parking spaces abutting the easterly boundary of the Newport Drive Parking Lot, except as provided below:~~

~~A. Boat trailers, with or without motor vehicle or boat attached, but not to exceed 10 hours.~~

~~B. Vehicles of resident recreational boaters displaying permits as provided by § 194-15.~~

~~§ 194-29 (Reserved).~~

Article V

Operation of Vehicles

§ 194-30 Backing limitation.

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

§ 194-31 Bicycles.

- A. Parking. No person shall park a bicycle on any street ~~except in a standing position against a curb or edge of roadway or sidewalk.~~
- B. Sidewalks. No person shall ride a bicycle on any sidewalk or within any sidewalk area except at a permanent or temporary driveway or upon the following sidewalks which have been designated bikeways:

Name of Street	Location
Eden Street	East side, from West Street to College of the Atlantic <u>131 Main Street on Eden Path.</u>
Main Street	East side, from Park Street to Schooner Head Road

C. Traffic laws apply. Every person propelling or riding a bicycle upon any public street in this Town shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.

D. Obedience to traffic control devices. Any person operating a bicycle shall obey the instructions of official traffic control signs, signals, and other control devices, including signs indicating that no left, right or U-turn is permitted, applicable to vehicles, unless otherwise directed by a police officer.

§ 194-32 Entering traffic from curb.

The driver of a vehicle starting from a curb or roadway edge shall yield the right-of-way to all moving traffic on the roadway and shall not enter or attempt to enter such moving traffic until able to do so safely.

§ 194-33 Following fire apparatus.

The driver of any vehicle, other than one on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

§ 194-34 One-way streets.

- A. Traffic movement restricted. Upon those streets and parts of streets designated in this section, vehicular traffic shall move only in the direction indicated by directional signs erected and maintained at every intersection where movement in the opposite direction is prohibited. **[Amended 11-30-2010 by Ord. No. 2010-07]**
- B. Designation of one-way streets. Upon the following streets or parts thereof, traffic shall move only in the following specified direction: **[Amended 11-6-1990; 2-5-1991; 9-7-1993]**

Name of Street	Direction
Everard Court	South
Federal Street	Counterclockwise from eastern intersection with Cottage Street
High Street	North
Kennebec Street [Amended 5-15-2018 by Ord. No. 2018-02]	South
Lenox Place (between York Street and West Street) [Added 11-30-2010 by Ord. No. 2010-07]	South
Myrtle Avenue	East
Roberts Avenue <u>Roberts Square</u>	South <u>Westerly traveled entrance to easterly traveled exit onto Roberts Ave. (From entrance closest to Cottage St. to the exit closest to Mount Desert St.)</u>
Rodick Street (between Cottage Street and York Street)	North
School Street	South

§ 194-35 Vehicles not to be driven on sidewalk or bikeway.

The driver of a vehicle shall not drive or ride within any sidewalk area or within any designated bikeway except at a permanent or temporary driveway.

§ 194-36 Truck traffic routes.

Truck traffic routes, to be identified by signs and markings erected and maintained by the Police Department, as directed by the Town Manager, may be established within Town limits; when established and posted, all persons driving motor vehicles into the Town limits for the transportation of property through the Town shall drive such vehicle or vehicles over and along such established truck traffic routes.

§ 194-37 Curb loading zones.

The Police Chief, with the approval of the Town Council, may designate spaces as curb loading zones on such public streets in such places and in such number as he or she shall determine to be of the greatest benefit and convenience to the public. The Police Chief shall cause such spaces to be designated by appropriate signs or curb markings or both. No person shall stop, stand or park a vehicle in any such space between the hours of 9:00 a.m. and ~~6:00~~8:00 p.m. on any day, ~~except Sundays and holidays~~, unless actually engaged in loading or unloading passengers for a period not to exceed three minutes, or in loading or unloading materials for a period not to exceed 30 minutes.

§ 194-38 Idling of motor vehicles.

[Added 6-17-1997]

- A. Five-minute limitation. No person may cause or allow a motor vehicle to idle for more than five consecutive minutes while that vehicle is parked in any of the downtown areas during the time from May 1st to Columbus Day.
- B. Exceptions. The limitation set forth in the preceding subsection shall not apply to:

- (1) Fire trucks, police cars, ambulances and other emergency vehicles while responding to an emergency call.
- (2) Utility vehicles, including contractor's equipment, while engaged in the construction, maintenance or repair of utility facilities.
- (3) Motor vehicles idling while in a traffic lane, as the result of congested traffic conditions beyond the driver's control (traffic jams).
- (4) Refrigeration units of delivery vehicles.
- C. Prima facie evidence. The fact that a parked motor vehicle is idling in violation of this section shall be prima facie evidence that the unlawful idling was caused or allowed by the person in whose name that vehicle is registered.

§ 194-39 Motorcycles.

More than one motorcycle or moped may occupy a parking space at any one time but violations of this chapter will be imposed on all motorcycles in the space. No motorcycle shall be parked in such a manner so as to inhibit the means of egress of another motorcycle currently parked in the same space.

Article VI

Pedestrian Rights and Duties

§ 194-3940 Pedestrians subject to traffic control signals.

Pedestrians shall be subject to traffic control signals as heretofore declared in § 194-8 of this chapter, but in all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter.

§ 194-4041 Pedestrians to use right half of crosswalks.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

§ 194-4142 Crossing at right angles.

No pedestrian shall cross a roadway at any place in the business district other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

Article VII

Enforcement

§ 194-4243 Violations and penalties.

Unless otherwise provided in this chapter, a violation of any provision of this chapter ~~shall be a traffic infraction which shall be adjudicated in the manner provided under state law and which shall be punished by a fine of not less than \$50 and not more than \$500 is a civil violation.~~ In addition to any fine imposed on a violator, the Town is entitled to recover all costs incurred in prosecution of a violation of this ordinance, including reasonable attorney's fees.

§ 194-44 Authority to remove vehicles.

- A. Any vehicle parked in a place, manner, or for a length of time prohibited by this ordinance or state statute is an obstruction in a public way and a safety hazard. Law enforcement officers may tow said vehicles to a suitable garage or storage space to be impounded thereon until all applicable towing and storage fees are paid.
- B. If any vehicle is towed pursuant to this section, they shall provide notification in accordance with 29-A M.R.S. § 1854.

§ 194-4345 Bicycle violations.

Any person of the age of 17 years or older who violates any provision of § 194-31 of this chapter shall, upon conviction, be punished by a fine of not more than \$10.

§ 194-4446 Parking in handicapped spaces.

Any person who violates any provision of § 194-13 of this chapter shall, upon conviction, be punished by a fine of not less than \$250.

§ ~~194-4547~~ Waiver of court action and payment of fees.

[Amended 5-21-1991; 6-17-1997; 2-20-2001; 6-1-2004 by Ord. No. 2004-3]

- A. Notwithstanding any other provision of this chapter to the contrary, any person who commits any of the following violations may waive all court action by payment to the Town of Bar Harbor of the appropriate fee as set forth below within ~~seven~~14 days of the violation:
- (1) Blocking hydrant, parking within 10 feet of a fire hydrant: \$50.
 - (2) Fire Lane – parking in a fire lane - \$50.
 - (~~2~~3) Handicapped space, unauthorized parking in a handicapped space: \$~~100~~250 (Consistent with 29-A, M.R.S. and §~~194-44~~, above.)
 - (~~3~~4) Other parking violations, parking at any other location at which parking is prohibited by this chapter: \$~~10~~30.
 - (5) Discount for early payment – payments made for violations pursuant to A(1), A(2) and A(4) are reduced by \$5 if paid within 14 days of issuance.
 - (6) Penalty for late payment – penalties for violations pursuant to A(1), A(2) and A(4) when payment is not made within 30 days of issuance will increase to \$50 per violation.
- B. ~~Persons failing to pay within seven days the fee shown in Subsection A, may waive all court action by payment to the Town of Bar Harbor of twice the fee set forth above.~~
- €B. Permit revocation. In addition to the penalty provided above, the Police Chief, or his designee, may revoke the parking permit of any person who violated any regulation prescribed by Town Council order pursuant to § **194-28**.

[End of Ordinance]

VIII. REGULAR BUSINESS:

- A. Permit and Paid Parking Policy** – *possible motion to approve.* Mr. Paradis, with second by Mr. Hochman, moved to approve the Permit and Paid Parking Policy dated 4/11/19 as presented with the exception of changing “Central” to “Center” on Page 3 item K, Hospital Permit, adding an item 2 on Page 4 II A to read “Parking enforcement on Sundays shall be from 12pm to 8pm.” Motion passed 7-0.
- B. Treasurer’s Warrant** - *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Hochman, moved to sign the Treasurer’s Warrants for paid bills. Motion passed 7-0.

IX. TOWN MANAGER’S COMMENTS – Mr. Knight explained that the parking meters are scheduled to be shipped April 26th.

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Ms. Cough – Mentioned the issues with staffing with increased vacation rentals and pushing out deadlines to avoid rushing. According to parking studies, problems increase exponentially when more spaces are added. Ride sharing and the bus service are both good options. Parking is a problem now and needs to be addressed.

Ms. Noonan – Noted that we have a wonderful free bus service that can be used as an alternative to driving downtown and hopes people will look at alternative ways of getting downtown. She also mentioned that the PSTF had worked hard on this plan for two years

and hopes that people will approach it with an open mind. No plan is perfect out of the gate but constructive suggestions are always welcome.

Mr. Minutolo – Thanked everyone for coming to the meeting in Town Hill and for their patience regarding the parking changes.

Mr. Hochman – Thanked everyone for coming out to Town Hill to voice their concerns on both the parking and Town Hill based issues.

Mr. Friedmann – Said that it is useful to hear local concerns and we will work on the sidewalk and highway crossing issues.

XI. EXECUTIVE SESSION: None

XII. ADJOURNMENT – Mr. Paradis, with second by Ms. Noonan, moved to adjourn at 8:18 p.m. Motion passed 7-0.

Jocelyn McLean, Deputy Clerk