

**TRAFFIC ORDINANCE
OF THE
TOWN OF MOUNT DESERT**

ENACTED APRIL 15, 1991

and as **AMENDED**

March 16, 1992, May 18, 1992, July 6, 1992, February 22, 1994, May 16, 1994, November 21, 1994, December 12, 1994, June 19, 1995, October 02, 1995, March 18, 1996, August 18, 1997, September 09, 1998, December 14, 1998, March 17, 1999, April 03, 2000, June 06, 2000, September 18, 2000, December 18, 2000, February 20, 2001, June 18, 2001, July 02, 2001, June 03, 2002, September 03, 2002, April 21, 2003, August 04, 2003, October 20, 2003, April 18, 2005, August 01 2005, October 03, 2005, September 04, 2007, March 31, 2008

REPEALED JUNE 17, 2013

AND THE FOLLOWING

ENACTED JUNE 17, 2013

**AMENDED:
April 17, 2018**

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ARTICLE A – GENERAL

SECTION A-1 TITLE and PURPOSE

- (a) This Ordinance shall be known and may be cited as the “Traffic Ordinance of the Town of Mount Desert”.
- (b) The purpose of this Ordinance is to regulate traffic and the use of the streets, ways and roads of the Town and to provide for the enforcement of traffic regulations.

SECTION A-2 STATE TRAFFIC LAWS ADOPTED

- (a) Statutes Adopted. The statutory provisions in Title 29-A and in Title 30, Section 3009, Maine Revised Statutes (M.R.S.), describing and defining regulations with respect to vehicles and traffic, are hereby adopted and by reference made a part of this Ordinance as if fully set forth herein. Any future amendments, revisions or modifications of the statutory regulations incorporated herein are intended to be made part of this Ordinance in order to secure to the extent legally practicable uniform regulations of vehicle traffic in the Town of Mount Desert.
- (b) General References. General references in this Ordinance to Maine statutory section or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Maine legislature describing or defining such procedures or authorities.
- (c) Definitions. Terms used in this section shall have the same definition as used in State statutes previously referenced unless specified herein

SECTION A-3 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (a) Duty to Erect and Install Uniform Traffic Control Devices. Whenever traffic regulations created by this Chapter, including a State traffic regulation adopted by reference in Section A-1, require the erection of traffic control devices for enforcement the Public Works Director or his designee and Highway Superintendent, with the cooperation of the Police Chief, shall procure, erect and maintain uniform traffic control devices, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply.

Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Police Chief or his designee, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the Town of Mount Desert.

- (b) Prohibited Signs and Markers in Highways. No person other than an officer authorized by this chapter to erect and maintain official traffic control devices or his or her designee shall place within the limits of any street or highway maintained by the Town any sign, signal, marker, mark or monument unless permission is first obtained from the Police Chief, or where applicable, the Department of Transportation. The Town may remove any sign, signal, marking or other device which is placed maintained or displayed in violation of this Chapter or State law.
- (c) The Selectmen may authorize directional, restrictive, cautionary and other similar signs on roadsides which may be necessary to advise the public of traffic restrictions and to assist the flow of traffic.

SECTION A-4 HEAVY TRAFFIC ROUTES

- (a) Definition. For purposes of this Section, heavy traffic shall be defined as:
 - (1) all vehicles not operating completely on pneumatic tires; and
 - (2) all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 6,000 lbs.
- (b) Prohibited Routes. Heavy traffic is prohibited from using any Town street or highway not designated as a heavy traffic route. This section shall not act to prohibit heavy traffic from using a street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this Section will not act to prohibit heavy traffic from using any Town streets over which are routed state trunk highways.
- (c) Liability. Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Town streets or highways in violating this Section shall be liable and required to pay the Town the cost of repair or replacement of the damaged street or highway.

ARTICLE B – CONTROLLED INTERSECTIONS and STREET TRAFFIC REGULATIONS

SECTION B-1 OPERATORS TO OBEY TRAFFIC CONTROL DEVICES

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Ordinance shall obey the direction of such Device as required by the Statutes incorporated by reference in Section A-2 of this Ordinance.

SECTION B-2 CONTROLLED INTERSECTIONS: VEHICLES REQ'D TO STOP

In the interest of public safety, traffic shall be required to stop at the intersections listed in the attached **Appendix A**.

SECTION B-3 CONTROLLED INTERSECTIONS: VEHICLES REQ'D TO YIELD

When yield right-of-way signs are installed, the operator of a vehicle proceeding in the specified direction on the following specified streets shall yield the right-of-way to other traffic:

- (a) traffic on Summit Road shall be required to yield to traffic on Main Street (Northeast Harbor);
- (b) on Neighborhood Road to yield to traffic on Main Street at its intersection with Kimball Road (Northeast Harbor);
- (c) on County Road to yield to traffic on Steamboat Wharf (Seal Harbor); and
- (d) travelling southwest on Indian Point Road to yield to traffic on Pretty Marsh Road (Route 102) (Pretty Marsh).

SECTION B-4 VEHICLE AND WEIGHT RESTRICTIONS

No person owning or having control of any truck in excess of 10,000 lbs., trailer, truck power unit, tractor, bus, camper, or recreation vehicle shall operate the same upon any highway, street or road designated below:

- (1) Sargeant Drive, in its entirety;
- (2) Rock End Road, in its entirety;
- (3) Cooksey Drive, in its entirety;
- (4) Whitney Farm Road, in its entirety; and
- (5) Ripples Road, in its entirety.

However, Town owned trucks and delivery trucks having business on the above streets are exempt for purposes of providing required services.

SECTION B-5 ONE WAY STREETS

The following streets and parts thereof are declared to be one-way streets, and no person shall operate any vehicle thereon except as indicated.

- Traffic on Main Street, in Northeast Harbor, from its intersection with Old Firehouse Lane south to its intersection with Neighborhood Road, is one-way southbound beginning on the first Monday in April and returns to two-way on the first Monday in November. In addition, parking during the “summer” is diagonal and in the “winter”, parallel. (In this section, the term “summer” shall mean the period from the first Monday in April through the first Monday in November and “winter” shall mean the period between the first Monday in November through the first Monday in April of the succeeding year.)

ARTICLE C – SPEED LIMITS

Speed limits shall be as posted pursuant to criteria set in state law for state roads and town ways.

ARTICLE D – PARKING REGULATIONS

SECTION D-1 RESTRICTIONS ON PARKING; POSTED LIMITATIONS

- (a) Twenty-four (24) Hour Limitation. No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the Town for a period of twenty-four (24) or more consecutive hours in the same location at any time, except that where other parking limits have been specifically established in this ordinance the other limits as established and posted shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this Section the law enforcement officer may cause said vehicle to be removed to a proper impoundment and storage area within the Town where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.
- (b) Other Limitations.
- (1) The Board of Selectmen may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Town shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Maine Statutes.
- (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by State law or elsewhere by this Ordinance.
- (3) The Chief of Police, or her or his designee, is hereby granted the authority within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict or allow the stopping, standing or parking of vehicles beyond the provisions of this Ordinance to respond to temporary and/or emergency conditions.

SECTION D-2 PARKING RESTRICTIONS DURING STREET MAINTENANCE OR TEMPORARY SNOW REMOVAL

- (a) **Temporary Parking Restrictions** Pursuant to authority granted to municipalities, the Chief of Police is empowered to make and enforce temporary regulations relating to emergency, snow or special conditions and to prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles beyond the prohibitions, limitations or restrictions imposed by the Statutes or by this Chapter on highways, streets or alleys within the Town. However, no prohibition, limitation or restriction on parking imposed under this Section is effective unless official traffic signs or markers have been placed or erected indicating the particular prohibition, limitation or restriction, or the owner of a vehicle has been notified to move the vehicle. The owners or operators of all motor vehicles parked thereon shall be subject to such regulations
- (b) **Snow Removal** During the periods when snow has accumulated and requires removal from highways, streets and alleys of the Town, parking may be prohibited thereon in order to facilitate such snow removal; in such case, police officers shall attempt to give notice to the owner or operator of any motor vehicle so parked to remove the same as soon as it is possible to do so. If such owner cannot be located after reasonable attempts or fails to remove such motor vehicle within a reasonable time of receiving such notice, he shall be subject to penalty as provided in Article E of this Ordinance, and any Police Officer is authorized to remove the vehicle or cause it to be removed from the highway, street or alley. The owner of said vehicle shall be responsible for all costs associated with removal and storage of said vehicle.

Moreover, and notwithstanding the foregoing, starting the first Monday in November and ending the first Monday in May of each year, the parking of vehicles at all times between the hours of midnight and 6:00 a.m. is prohibited on all Town roads.

SECTION D-3 STOPPING OR PARKING PROHIBITED IN CERTAIN PLACES

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
- (1) within an intersection;
 - (2) on a crosswalk;
 - (3) on a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers. "Terrace or Sidewalk Area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk four (4) feet beyond the curb line;

- (4) alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway;
 - (5) on the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers;
 - (6) within twenty (20) feet of the driveway entrance to a fire station;
 - (7) upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing;
 - (8) in any place or manner so as to obstruct, block or impede traffic;
 - (9) upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs;
 - (10) upon any bridge;
 - (11) upon any terrace or sidewalk in the Town at any time;
 - (12) in a loading zone;
 - (13) within four (4) feet of the entrance to an alley, private road or driveway; or
 - (14) in an area within eight (8) feet from a point on the nearest curb or roadside to a line perpendicular from the curb or roadside to a fire hydrant.
- (b) **Vehicles Not to Block Private Drive, Alley or Fire Lane.** No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle other than owner's vehicle is parked within four (4) feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the Chief of Police may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- (c) **No Parking on Private Property.** No person shall, without the permission of the owner or lessee of any private property, leave or park any vehicle thereon if there is in plain view on such property a "No Parking" sign or a sign indicating limited or restricted parking. The Police Department is authorized to enforce all provisions of this Subsection and upon complaint can tow any motor vehicle or vehicles found in violation of "No Parking" and unauthorized parking as set forth above. Any charges or expenses for towing or otherwise removing vehicles under this Section shall be borne by the owner thereof.

SECTION D-4 ANGLE PARKING

- (a) Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Town, except where vehicle parking markers indicate that angle parking is permissible.

All vehicles shall park parallel to, and within one (1) foot of the curb except where streets and parking lots are so marked for angle parking.

- (b) No person shall at any time angle park any vehicle:
- (1) in any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings;
 - (2) backwards into angle parking spaces so designated and provided by appropriate markings; or
 - (3) with a trailer attached or any vehicle longer than twenty (20) feet on any street where angle parking is so provided and allowed.

SECTION D-5 PARKING AND STORAGE PROHIBITED

- (a) Parking Prohibited except When Unloading or Vehicle is attended. No person shall stop or leave any vehicle standing on any portion of the following highways at the following locations except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic at any place on any of the streets and highways in the Town at which "No Parking" signs shall be posted by the Chief of Police or any police officer. Such signs may be placed whenever the Chief of Police or any police officer on duty deems it necessary for the safety of the traffic at any point within fifty (50) feet of any intersection of two (2) or more highways or streets within the Town or where free space is necessary for the turning of buses or other vehicles, or when the open traveled portion of the highway is narrowed by excessive snow, or whenever hazardous conditions are created by construction operations, fire or other casualty, or whenever any celebration or other cause for the assembly of crowds, or the orderly handling of large amounts of traffic, may require limitation upon parking within any area on the streets and highways in the Town.
- (b) Storage Prohibited. No person owning or having custody of any partially dismantled, non-operable, wrecked, unregistered, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, public parking lot or public ramp longer than twenty-four (24) hours after notification thereof by the Police Department. Any vehicle which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section D-7, below.

SECTION D-6 UNLAWFUL REMOVAL OF PARKING CITATIONS

No person other than the owner or operator thereof shall remove a Town Parking ticket from a motor vehicle.

SECTION D-7 REMOVAL OF ILLEGALLY PARKED VEHICLES

- (a) Hazard to Public Safety. Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this Ordinance is declared to be a hazard to traffic and public safety.
- (b) Removal by Operator. Such vehicle shall be removed by the operator in charge, upon request of any Police Officer, or by a Police Officer at the owner's expense, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) Removal by Police Officer. Any Police Officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle at the owner's expense to a position where parking is permitted.

SECTION D-8 WINTER REGULATIONS

During the period between the first Monday in November through the first Monday in May of the succeeding year, the time or permit requirements specified in the below named Sections of this Ordinance shall be suspended: Section D-9 (d) (2) to (4); (e) (3) & (4); and (f) (1) & (4). During the period between the first Monday in November through the first Monday in April of the succeeding year, the time or permit requirements specified in Section D-9(1), below, shall be suspended.

SECTION D-9 PARKING LOTS AND PARKING SPACES – APPLICABLE TO NORTHEAST HARBOR ONLY

- (a) Parking Prohibited at All Times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
 - (1) on Huntington Road from Kimball Road to Harbor Road;
 - (2) on Sea Street, Northeast Harbor except 3 stalls in front of the Town Hall;
 - (3) on Harbor Drive and Huntington Road, starting from Harborside Road and terminating at South Shore Road, except for four spaces near and south of the entrance to the Tennis Court Parking Lot on the east side of Harbor Drive;

- (4) from 9 Harborside Drive to 27 Harborside Drive;
 - (5) on the north side of Summit Road beginning one-hundred and eighty (180) feet west of the entrance to Municipal Lot # 2;
 - (6) on the south side of Summit Road in the first sixty (60) feet west of the intersection with Main Street;
 - (7) on either side of Route 3 between the intersection of Route 3 and Route 198 and the intersection of Route 3 and the Asticou Hill Trail;
 - (8) on the southerly side of Joy Road from its intersection with Gilpatrick Lane to its intersection with Lookout Way;
 - (9) campers and trailers shall not park on the northerly side of Joy Road from its intersection with Gilpatrick Lane to its intersection with Lookout Way;
 - (10) on the easterly side of Lookout Way from its intersection with Joy Road to the church right-of-way; and
 - (11) on the south side of Route 3 on Peabody Drive from utility pole 91 extending easterly to utility pole 102.
- (b) **Half Hour Parking.** No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than one half hour in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m. in those spaces designated as “Municipal Business” at or near the Town Office Building in Northeast Harbor.
- (c) **One Hour Parking.** No person shall park or leave standing any vehicle on any portion of all stalls on the waterfront (Bulkhead, between the Harbormaster’s Office and the ramp) in the parking lot adjacent to the Northeast Harbor Municipal Pier for a period of more than one hour in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.
- (d) **Two Hour Parking.** No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than two (2) consecutive hours in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.:
- 1) all of Main Street, Northeast Harbor – angle parking only while street is one-way – included are the two handicap spaces (one handicap space is located at the west side of Main Street south of the exit from the parking lot south of Bar Harbor Banking and Trust Co., and one handicap space is located on the west side of Main Street south of the fire hydrant located between 151 Main Street and John Madonna’s residence);

- 2) all of the area in Municipal Lot # 1, surrounding the old Municipal Building in Northeast Harbor (about 21 stalls);
 - 3) all of the stalls in Municipal Lot # 2, near the Knowles Building in Northeast Harbor (about 12 stalls);
 - 4) all of the stalls in the Village Improvement Society lot behind / beside the Bar Harbor Bank in Northeast Harbor (about 9 stalls);
 - 5) on the north side of Summit Road from its intersection with Main Street to its intersection with Joy Road; and
 - 6) 6 stalls in front of the Northeast Harbor Library.
- (e) **Parking by Permit.** No person shall park or leave standing any vehicle on any portion of the following parking lots without the indicated permits:
- 1) parking area south of Municipal Building, generally known as the Cranberry Lot (approximately 123 stalls – permit fee set by language contained in the contract with the Town of Cranberry Isles);
 - 2) parking area east of Municipal Building reserved for municipal business (14 stalls – no fee);
 - 3) parking area east of Municipal Building for temporary parking by permission of Police Office or Dispatchers (25 stalls - \$10/day fee);
 - 4) all stalls in the Seasonal Lot at the Marina – all such permits are available at the Harbormaster’s Office;
 - 5) all stalls in the Northeast Harbor School Parking Lot – reserved for school use or by permission of school officials;
 - 6) one stall in the Lot immediately adjacent to the Municipal Pier – reserved for the U.S. Postal Service (one stall — no fee); and
 - 7) for the Tennis Court Lot the Harbormaster may issue overnight parking permits.
- (f) **No Overnight Parking.** No person shall park or leave standing any vehicle on any portion of the following highways, parking lots or streets in the Town overnight:
- 1) the Tennis Court Parking Lot the near the Northeast Harbor Marina, except with specific written permission of the Harbormaster (written permit required);

- 2) all stalls in the Lot immediately adjacent to the Municipal Pier in Northeast Harbor, except with a specific written permission of the Harbormaster (written permit required);
 - 3) all stalls on Harbor Drive; and
 - 4) all stalls at Municipal Lot # 3 (upper Gray Cow lot – Gray Cow parking spaces are color coded).
- (g) Loading and Unloading Areas. No person shall park or leave standing any vehicle on any portion of the Northeast Harbor Marina Pier (3 stalls) for a period of more than 15 minutes and then only when attended and for the purpose of loading and unloading.
- (h) Restricted Parking. Beginning sixty (60) feet from the current location of the STOP sign at the intersection of Joy and Summit Roads, Northeast Harbor, there shall be eight (8) parking spaces reserved for exclusive use by patrons of the Northeast Harbor Library on the Library side of Joy Road; one of these spaces, located between the Library Harris and Mellon Room crosswalks, shall be designated for “Handicapped Only”.
- (i) Seasonal Parking. Between the first Monday in May and the first Monday in November of each year, parking of boat trailers, individually or when attached to a vehicle, is prohibited in any municipal parking lot, except in designated areas near the boat ramp at the marina and except in the Seasonal Lot near the marina with the specific written permission of the Harbormaster (written permit required).

SECTION D-10 PARKING LOTS AND PARKING SPACES – APPLICABLE TO SEAL HARBOR ONLY

- (a) Parking Prohibited at All Times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
- (1) on either side of Route 3, Main Street, in the village of Seal Harbor between Dodge Point Road and Clement Way;
 - (2) on the south side of Route 3, starting at a point 535 feet west of the junction of Route 3 and Little Long Pond Road (opposite and 60 feet west of NET Pole 9/95) in Mount Desert and extending easterly to a point 495 feet east of the junction of Route 3 and Little Long Pond Road (opposite NET Pole 103) – a total distance of 1,020 feet;
 - (3) on the north side of Route 3, starting at a point 410 feet west of the junction of Route 3 and Little Long Pond Road (65 feet west of NET Pole 96) in Mount Desert and

extending westerly to a point 640 feet westerly of the junction of Route 3 and Little Long Pond Road (adjacent to NET Pole 9/92) – a total distance of 230 feet; and

- (4) on the north side of Route 3, starting at a point 485 feet east of the junction of Route 3 and Little Long Pond Road (adjacent to NET 103) in Mount Desert, and extending westerly to a point 50 feet east of the junction of Route 3 and the Little Long Pond Road (adjacent to NET 99) – a total distance of 435 feet.
- (b) **Ten Minute Parking.** Parking at the Seal Harbor Post Office is restricted to ten minutes.
- (c) **No Overnight Parking.** No person shall park or leave standing any vehicle on any portion of the following highways, parking lots or streets in the Town overnight:
- (1) all stalls on Main Street, Seal Harbor (about 20 stalls);
 - (2) all stalls at the Seal Harbor dock (about 22 stalls – no fee), including handicap spot;
 - (3) all stalls at the Seal Harbor Beach, including handicap spot;
 - (4) all stalls at the parking lot on the Jordan Pond Road in Seal Harbor, located across from the Seal Harbor Fire Station; and
 - (5) all stalls at the dirt parking lot located just above the former Village Market – except with specific written permission of the Harbormaster (written permit required).

SECTION D-11 PARKING LOTS AND PARKING SPACES – APPLICABLE TO SOMESVILLE ONLY

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle on either side of the Pretty Marsh Road (Route 102) from the driveway at 131 Pretty Marsh Road to the intersection of the Pretty Marsh Road with the Northern Neck Road.
- (b) **Two Hour Parking.** No person shall park or leave standing any vehicle on any portion of the following highways or parking lots or streets in the Town for a period of more than two (2) consecutive hours in the same location at any time between the hours of 6:00 a.m. and 6:00 p.m.:
- in front of the Somesville Library.

SECTION D-12 PARKING LOTS AND PARKING SPACES – APPLICABLE TO PRETTY MARSH ONLY

- (a) Parking Prohibited at All Times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle on the southeasterly side of the Bartlett Island Landing Road (*i.e.*, the right hand side of the road when traveling northeastward from the Landing), except for that area on the southeasterly side of the Bartlett Island Landing Road from a point that is sixty-seven feet northeasterly from Pole #18 northeastward to a point that is seventy-five feet northeasterly of (*i.e.*, beyond) Pole # 16.
- (b) No Restrictions. There shall be no time limits for use of all those stalls at Bartlett's Landing, Pretty Marsh (including the handicap parking space), except that:
 - i) obviously abandoned, unregistered or unserviceable vehicles may be removed by the police as per Section D-7 of this Ordinance; and
 - ii) no person shall park or leave standing any vehicle on any portion of the Bartlett Island Landing parking lot overnight without specific written permission of the Harbormaster (written permit required).

ARTICLE E – ENFORCEMENT AND PENALTIES

SECTION E-1 PENALTIES.

- (d) Violations of this Ordinance will be classified as civil violations and will be enforceable in accordance with 17-A M.R.S., Section 3.
- (e) Parking Violations – \$20.00.
- (f) Any vehicle ticketed three consecutive times (successive 2 hour periods) for the same violation may be towed after 24 hours of the first violation and towing and storage bill will be paid by the operator or owner of the vehicle after a tickets are paid.
- (g) Parking violations shall be considered delinquent if not paid within 30 days of issue.

SECTION E-2: OTHER VIOLATIONS

- (a) Any person who shall violate any provision of this chapter for which a penalty is not otherwise established by this section shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense.

- (b) Violation of “Handicapped Only” parking shall carry a fine of \$100.00. (Maine Motor Vehicle Statutes Title 29-A).
- (c) In addition, pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 6-A, Chapter 187, Subchapter 5 (30-A M.R.S. § 4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.

SECTION E-3: ENFORCEMENT

This Ordinance shall be enforced by the Town of Mount Desert Police Department, or by any other duly appointed agents of the Town.

SECTION E-4: INJUNCTION

In addition to any other remedies available at law or equity, the commission of acts prohibited by this Ordinance shall constitute a nuisance and the Town of Mount Desert, acting through its Town Manager, may apply to any court of competent jurisdiction to enjoin any planned, anticipated or threatened violation of this Ordinance and to prohibit further and continued violation thereof.

ARTICLE F – MISCELLANEOUS PROVISIONS

SECTION F-1 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION F-2 NOTICE

Adequate notice is presumed after notice is sent via regular mail to the vehicle owner’s address as listed in DMV records.

SECTION F-3 ENABLING PROVISION

This ordinance is adopted pursuant to the enabling provisions of the Maine Constitution, Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S. § 3001, *et seq.*), and specifically pursuant to 30-A, M.R.S. § 3009.

SECTION F-4 EFFECTIVE DATE AND EXPIRATION

- (a) The effective date of this Ordinance is: June 17, 2013.
- (b) This Ordinance shall expire and be of no force or effect on June 17, 2028.

APPENDIX A
(STOP Signs)

Traffic shall be required to stop at the following intersections:

In the village of Northeast Harbor:

- (1) traffic on Clifton Dock Road shall be required to stop before entering the intersection with Huntington Road;
- (2) on Cove End Road before entering Neighborhood Road;
- (3) on Cove End Road before entering South Shore Road;
- (4) on Gilpatrick Road before entering Joy Road;
- (5) on Gilpatrick Road before entering Neighborhood Road;
- (6) on Harbor Drive before entering Harborside Drive;
- (7) on Harbor Drive before entering Sea Street;
- (8) on Huntington Road before entering Kimball Road;
- (9) on Huntington Road before entering Huntington Road/Harbor Drive;
- (10) on Joy Road before entering Summit Road;
- (11) on Joy Road before entering Manchester Road;
- (12) on Kimball Road before entering South Shore Road;
- (13) on Lookout Way before entering Joy Road;
- (14) on Lookout Way before entering Summit Road;
- (15) on Main Street before entering Neighborhood Road;
- (16) on Manchester Road before entering Millbrook & Sargeant Drive;
- (17) on Maple Lane before entering South Shore Road;
- (18) on Maple Lane before entering Neighborhood Road;
- (19) on Maple Lane before entering Joy Road;
- (20) on Millbrook Road before entering Summit Road;
- (21) on Neighborhood Road before entering Manchester Road;
- (22) travelling westward on Peabody Drive (Route 3) before entering Harborside Road (Route 3 and Route 198);
- (23) on Pine Road before entering Millbrook Road;
- (24) on Pine Road before entering Spruce Road;

- (25) on Rock End Road before entering Maple Lane;
- (26) on Rock End Road before entering Neighborhood Road;
- (27) on Sargeant Drive before entering Route 198;
- (28) on Schoolhouse Ledge Road before entering Millbrook Road;
- (29) on Sea Street before entering Harbor Drive;
- (30) on Sea Street before entering Main Street;
- (31) on Sinclair Road before entering Manchester Road;
- (32) on Sinclair Road before entering Millbrook Road;
- (33) on South Shore Road Extension entering South Shore Road;
- (34) on Spruce Road before entering Millbrook Road;
- (35) on Stanley Lane before entering Summit Road;
- (36) on Stanley Lane before entering Sylvan Road;
- (37) on Summit Road before entering Manchester Road;
- (38) on Sylvan Road before entering Millbrook Road;
- (39) on Tennis Club Road before entering Manchester Road;
- (40) on Tennis Club Road before entering Millbrook Road;
- (41) on Tracy Road before entering Neighborhood Road; and
- (42) traffic on Tracy Road shall be required to stop before entering the intersection with Summit Road.

In Somesville / Pretty Marsh / Sound:

- (6) traffic at the intersection of Route 102 & Route 3 will be required to follow direction of the traffic light;
- (7) traffic on Butler Road shall be required to stop before entering the intersection with Route 198 (north and south ends);
- (8) on Bartlett Island Landing Road before entering Indian Point Road;
- (9) on Indian Point Road (northbound) before entering Bartlett Island Landing Road;
- (10) on Ripples Road before entering Pretty Marsh Road;
- (11) on Beech Hill Crossroad before entering Beech Hill Road;
- (12) on Beech Hill Crossroad before entering Route 102;
- (13) on Beech Hill Road before entering Pretty Marsh Road;
- (14) on Indian Point Road (heading north) before entering Bartlett Island Landing Road;

- (15) on Indian Point Road (heading south) before entering Bartlett Island Landing Road;
- (16) on Pretty Marsh Road (travelling northward in the triangle) before entering Indian Point Road;
- (17) on Whitney Farm Road before entering Pretty Marsh Road;
- (18) on Whitney Farm Road before entering Oak Hill Road;
- (19) on Ikes Point Road before entering Route 102;
- (20) on Indian Point Road before entering Pretty Marsh Road (east);
- (21) on Oak Hill Road before entering Route 3;
- (22) on Ripples Road before entering Beech Hill Road; and
- (23) traffic traveling Southeast (towards Somesville from Indian Point Road) on the Oak Hill Road shall be required to stop before entering the intersection with Whitney Farm Road.

In Otter Creek:

- (1) traffic on Wall St. shall be required to stop before entering the intersection with Route 3;
- (2) on Grover Avenue before entering Route 3; and
- (3) traffic on Richardson Avenue shall be required to stop before entering with Route 3.

In Hall Quarry:

- (1) traffic on Easy Street shall be required to stop before entering the intersection with Grants Hill Road;
- (2) on Easy Street before entering Hall Quarry Road;
- (3) on Grants Hill Road before entering Hall Quarry Road; and
- (4) on Hall Quarry Road before entering Route 102 (north and south).

In Seal Harbor:

- (1) traffic on Cooksey Drive shall be required to stop before entering the intersection with County Road;
- (2) on Cooksey Drive (on either the west end or on the east end) before entering Route 3;
- (3) on County Road before entering Route 3;
- (4) on Dodge Point Road before entering Route 3;
- (5) on Jordan Pond Road before entering Route 3;
- (6) on Jordan Pond Road before entering Stanley Brook Road;
- (7) on Lower Dunbar Road before entering Route 3;

- (8) on Lower Dunbar Road before entering Wildwood Road;
- (9) on Rowland Road before entering Cooksey Drive;
- (10) on Rowland Road before entering New County Road;
- (11) on Rowland Road at triangle across from #45 Rowland Road;
- (12) on Seal Harbor Town Dock Road before entering Steamboat Wharf Road;
- (13) on Steamboat Wharf Road before entering Cooksey Drive;
- (14) on Steamboat Wharf Road before entering Route 3;
- (15) on Upland Road before entering on either end of Rowland Road;
- (16) on Upper Dunbar Road before entering Route 3; and
- (17) traffic on Wildwood Road shall be required to stop before entering the intersection with Jordan Pond Road.