

## CHAPTER 48 TRAFFIC AND PARKING ORDINANCE

### ARTICLE I DEFINITIONS

**Section 48-101** The word "stopped" as used herein shall mean allowing a vehicle to remain stationary in a way or street, with or without a driver, with or without the engine operating.

**Section 48-102** The word "standing" as used herein shall mean allowing a vehicle to remain stationary in a way or street with a driver in the vehicle and with the engine operating.

**Section 48-103** The word "parked" as used herein shall mean allowing a vehicle to remain stationary in a way or street without a driver in the vehicle and without the engine operating.

**Section 48-104** The term "double parking" as used herein shall mean allowing a vehicle to be stopped on the roadway side of any vehicle stopped upon a highway or at the edge of the curb of a street.

### ARTICLE II GENERAL TRAFFIC PROVISIONS

**Section 48-201** No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

1. on a sidewalk
2. in front of a public or private driveway;
3. within an intersection
4. on a crosswalk;
5. within five (5) feet of a fire hydrant;
6. on a bridge;
7. at any place where a police officer prohibits stopping;
8. within twenty (20) feet of a street corner;
9. within a travel lane where it is defined by a white line at the outside edge.

**Section 48-202** Whenever a vehicle is stopped, standing or parked at a marked crosswalk or at any intersection, to permit any pedestrian to cross the roadway, no operator of any other vehicle approaching from the rear shall overtake and pass such stopped, starting or parked vehicle.

**Section 48-203** No vehicle shall stop or park with its left-hand side to the curb. This rule shall not apply on one-way streets where parking is permitted on the left-hand side.

**Section 48-204** No vehicle shall be allowed to double park on Maine and Bow Streets.

**Section 48-205** All vehicles standing, stopped, or parked in any street or way shall be placed parallel and close to the edge of the street or roadway, except where otherwise designated

**Section 48-206** Rules restricting the time shall not apply to a physician while making a professional call, provided the vehicle of a said physician bears the distinguishing mark of a green cross on a white background conspicuously displayed.

**Section 48-207** No person shall break, deface, or move any official sign post or signaling devise placed on a highway for the direction of traffic.

**Section 48-208** Parking is prohibited on all town streets from 11:00 P.M. to 7:00 A.M. from November 1 to April 15. This provision shall be in effect all year on both sides of Harraseeket Road between Main Street and Dixon Road, and on both sides of South Freeport Road between Main Street and Park Street.

**Section 48-209** 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 by plowing or loading and hauling. The Police Department may cause any vehicle so parked on any street or way so as to interfere with or hinder the removal of snow by the Town by plowing or loading and hauling to be removed from the street and placed in a suitable parking space off the street, at the expense of the owner of such vehicle.

**Section 48-210** The driver of a vehicle entering or emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk or into sidewalk area.

**Section 48-211** The driver of any vehicle other than one upon official business shall not follow closer than five hundred (500) feet to any fire or emergency apparatus, traveling in response to a fire alarm or other emergency signal, or attempt to pass such apparatus while so traveling.

**Section 48-212** No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street or private driveway to be used at any

fire or alarm of fire without the consent of the Fire Department Official in command.

**Section 48-213** No vehicle shall stand, stop or park within ten (10) feet of a railway grade crossing.

**Section 48-214** No U turn shall be made by any vehicle on Main Street between West Street and Maple Avenue except the square, so called.

**Section 48-215** Vehicles shall pass in but one direction as indicated in the following named streets: Mill Street southeasterly from Main Street to the entrance and exit of the parking structure of Freeport Village station; Grove Street southeasterly from Main Street to Depot Street; Mechanic Street southeasterly from Main Street to Middle Street.

**Section 48-216** Any person riding upon a motorcycle, bicycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle on any roadway.

**Section 48-217** The operator of a motorcycle or bicycle, when upon a street, shall not carry any other person upon the handlebar, frame, or tank of any such vehicle, nor shall any person so ride upon such vehicle.

**Section 48-218** No person shall operate a motor vehicle upon any street or way so as to make any loud, unusual or unnecessary noise by spinning tires, racing engines, or blowing horns within the Town of Freeport.

**Section 48-219** No person shall direct or operate any vehicle on any street or way within the built-up portion of Freeport Village and South Freeport Village at a rate of speed greater than twenty-five (25) miles per hour and fifteen(15) miles per hour in school zones and Holbrook Street and School Lane (Howard Place) in conformance with Maine Revised Statutes Annotated Title 29, Section 1252.

**Section 48-220** The Police Department may cause any vehicle parked for a period of twenty-four (24) or more consecutive hours on a public way in violation of the parking provisions of the Traffic Ordinance to be removed from the street at the expense of the registered owner of such vehicle(s).The twenty-four (24) hour provision will not apply to sections of this Ordinance which state, "illegally parked vehicles will be towed."

**Section 48-221** The Chief of Police or his designee shall have the authority to close streets, driveways, parking lot entrances, etc. in cases where an emergency situation is deemed to exist.

**Section 48-222** No vehicle shall make a left turn onto Mill Street from Main Street.

**Section 48-223** Mill Street will be open only to traffic traveling north on Main Street.

**Section 48-224** Commercial vehicles making deliveries are prohibited from accessing Howard Place between 9 a.m. and 9 p.m. Before 9 a.m. and after 9 p.m. commercial vehicles shall enter Howard Place only from the south on Main Street and shall exit Howard Place only to the north on Main Street.

**Section 48-225** No vehicles shall make a left turn onto Main Street from Howard Place after 9:00 a.m. and before 9:00 p.m.

**Section 48-226** Perpendicular parking shall be allowed on the east side of Independence Drive from a point 25 feet south of CMP pole #26.1 (near the intersection with the unnamed connector road to U.S. Route 1 near Double L Street) for a distance of 207 feet to the south.

**Section 48-227** Perpendicular parking shall be allowed on the east side of South Freeport Road from a point 185 feet south of Main Street for a distance of approximately 210 feet, ending at the boundary with the Soule School property.

**Section 48-228** Only Motorcycles are allowed to park on the southern side of Bow Street from a distance of 40 feet west of Depot Street for the next 20 feet to where regular vehicle parking begins.

### **ARTICLE III PARKING PROVISIONS**

**Section 48-301** No Parking Zones

No vehicle shall stand, stop, or park at any time in any of the following specified locations. Any vehicle stopped, standing, or parked in a designated "no parking" area shall be considered a hindrance to the normal movement of traffic and will be removed from the way and placed in a suitable parking place, at the expense of the person in whose name such vehicle is registered.

1. On the western most side of Main Street from the northern corner of Tax Assessor Map 11, Lot 40-ETC in a northerly direction for a distance of ninety (90) feet.

2. On the western most side of Main Street from the opening of Morse Street to the opening of Holbrook Street.
3. On the western and eastern most side of U.S. Route 1 opposite the Tri-Town Little League Ball Park between Central Maine Power Company poles number J22 and 37.1, a distance of approximately three-tenths of a mile.
4. On the southern most side of Mill Street from Main Street to Depot Street.
5. On the western most side of Depot Street for one hundred (100) feet south of Mill Street within 25 feet of Grove Street, for 45 feet north of the driveway from Town Hall, and between the Town Hall driveway and West Street.
6. On the eastern most side of Depot Street from Mill Street to West Street.
7. On the southwestern most side of Bow Street from Main Street to and including the first driveway on Bow Street.
8. On the southern and eastern most sides of Bow Street from Depot Street towards the northwest for a distance of 60 feet, from Depot Street to the railroad tracks, and from South Street to and including the property referenced to Freeport's Assessment Map 13, Lot 84.
9. On the western and northern most side of Bow Street from and including the properties located by referenced to Freeport's Assessment Map 13, Lot 40 to, but not including Lot 81A.
10. On the northern most side of Bow Street from Main Street to Middle Street.
11. On the eastern most side of Park Street in Freeport Village from Bow Street to Spring Street.
12. On the western most side of Middle Street from Mechanic Street to School Street.
13. On the northern most side of School Street from Park Street to Main Street.
14. On the southern most side of School Street from Middle Street to the railroad tracks.

15. On the southern most side of Elm Street from Main Street in a westerly direction for a distance of three hundred feet (300').
16. On the northern most side of Elm Street from Main Street in a westerly direction to Guptil Avenue.
17. On both sides of Justin's Way from Main Street to the end of Justin's Way. Illegally parked vehicles will be towed.
18. On both sides of Howard Place from Main Street to the parking lot.
19. On the northwestern most side of Harraseeket Road from Main Street in South Freeport Village in a southerly direction for a distance of one hundred feet (100').
20. On the southwestern most side of Main Street in South Freeport Village for a distance of one hundred feet (100') south of Harraseeket Road in a southerly direction to and including the first two driveways on the hill leading to the Municipal Wharf, a total distance of three hundred and ninety feet (390').
21. On the northeastern most side of Main Street in South Freeport Village from a distance of one hundred feet (100') south of the intersection of Main Street and Harraseeket Road in a southerly direction to and including the first driveway on the hill leading to the Municipal Wharf, a total distance of three hundred and seventy feet (370').
22. On the northwestern most side of the Wolf's Neck Road from the entrance to the Wolf's Neck State Park in a northerly direction for a distance of six hundred and fifty feet (650').
23. On the south side of School Street for fifty (50) feet west of Middle Street.
24. On the northern most side of Bow Street from Main Street to the railroad tracks.
25. On the southerly most side of Bonney Street from Route 1 to the end of the street.
26. On the north side of Morse Street from Cross Street to the end of Morse Street and on the south side of Morse Street from Cross Street to the bus entrance to the Morse Street School. Illegally parked vehicles will be towed.

27. On the west side of Main Street from Independence Drive to the Desert Road.
28. On the east side of Main Street from Grove Street to Pine Street.
29. On the west side of Main Street from Mallet Drive extending 210 feet in a southerly direction.
30. On the west side of Main Street from Mallet Drive to Maple Avenue.
31. On the east side of Main Street from Davis Avenue to Chapel Street.
32. On the east side of Main Street from Davis Avenue to School Street.
33. On the north side of Mill Street from Main Street to Depot Street.
34. On Lavers Road, the sharp bend located near the Lincoln driveway from Pole #1 to Pole #16.
35. On the south side of Holbrook Street from Main Street to the High School parking lot.
36. On the north side of Grove Street east from Main Street for 140 feet
37. On both sides of West Street from Main Street to the railroad tracks.
38. On the north side of Holbrook Street from Main Street to the Freeport High School property line.
39. On the south side of Mallet Drive from McDonald's driveway to Main Street.
40. On the north side of Mallet Drive from the first driveway to Main Street.
41. On both sides of Chapel Street from Main Street for a distance of three hundred and seventy-five feet (375').
42. On Wolf's Neck Road from the park entrance in a southerly direction to the end of the park.
43. On Nathan Nye on both sides of the entire street. Illegally parked vehicles will be towed.

44. On the east side of Main Street in a southerly direction (described as Map 11, Lot 91 of the Freeport Property Maps) for a distance of sixty feet (60').
45. U.S. Route 1, southbound from the Old County Road overpass to Pole #116 and northbound from Pole #116 to Pole #106.
46. At the end of Holbrook Street, the high school driveway except in the area designated "Visitor Parking" on the east side of the driveway.
47. On the east side of Main Street from West Street to Chapel Street except where permitted by other sections of this Ordinance. Illegally parked vehicles will be towed.
48. On the west side of Main Street from West Street to Mallet Drive except where permitted by other sections of this Ordinance. Illegally parked vehicles will be towed.
49. On Cross Street both sides of the entire street. Illegally parked vehicles will be towed.
50. On either side of West Street Extension from Main Street to the end of the street. Illegally parked vehicles will be towed.
51. On U.S. Route 1 on both sides from CMP Pole #139 to CMP Pole #131. Violators will be towed.
52. On South Freeport Road on both sides from U.S. Route 1 to Old South Freeport Road. Violators will be towed.
53. On the east side of Royal Avenue from School Street to the end of the street.
54. On the north side of Mechanic Street from Main Street to Middle Street.
55. On both sides of School Street from Park Street to the end.
56. On the south side of School Street from Main Street to extend one hundred feet (100') in an easterly direction, and from Middle Street for fifty feet (50') in a westerly direction..
57. On the west side of Cottage Street from West Street to Forest Street.

58. On the east side of Depot Street from West Street to Mill Street.
59. On the both sides of Varney road beginning at Lower Main Street for a distance of 210 feet.
60. On the west side of Dennison Avenue from 10:00 a.m. to 4:00 p.m.
61. No vehicle shall park within ten feet (10') of pavement placed in front of the apartment building located on Tax Map 18, Lot 43.
62. No vehicle shall park on the northside of Holbrook Street from the entrance of Freeport High School in an easterly direction to the boundary of the Freeport High School property line from 7 a.m. to 3 p.m. daily.
63. On the easterly side of Depot Street from Bow Street extending southerly 135 feet.
64. On the Town-owned property known as Dunning Boatyard except as allowed pursuant to the Rules for Dunning Boatyard, Chapter 18 of the Freeport Code.
65. On both sides of the Snow Road beginning from the southerly most side of the access road to the athletic field, proceeding in a northerly direction to Justin's Way. The signs shall indicate that violators will be ticketed.
66. On the west side of Main Street from the northerly corner of West Street extending north 120 feet.
67. On the Northeastern-most side of Harraseeket Road from Main Street in South Freeport Village in a southerly direction for a distance of two hundred and ten feet (210').
68. On the westerly side of Main Street beginning at Maple Avenue and continuing north for 100 feet.
69. On the west side of Depot Street from Bow Street to Mill Street.
70. On the south side of East Street for 300 feet east of Main Street.
71. On the south side of Pownal Road for about 700 feet from Hedgehog Mountain Road to CMP pole #47.

72. On the west side of Hedgehog Mountain Road from the intersection with Pownal Road for a distance of 80 feet.
73. On the western side of South Freeport Road from Pine Street south for 210 feet, and from Church Road north for 280 feet.
74. On the eastern side of South Freeport Road within 45 feet of Park Street and Main Street.
75. On the west side of Hedgehog Mountain Road from the landfill gate (approximately 1400 feet from Pownal Road) to the north for a distance of 250 feet.
76. On the south side of Old Freeport Road, for a distance of 80 feet east of the YMCA driveway, and from the YMCA driveway to US Route 1.
77. On the north side of Old Freeport Road, starting 140 feet east of Route 1, running east for a distance of 330 feet (to the end of the guard rail).
78. On both sides of Maple Street from Main Street for a distance of 135 feet.
79. On the north side of east Street, starting 360 feet east of Maine Street (just east of the nursing home driveways,) running east for a distance of 60 feet, from December 1 to March 31.
80. On both sides of Old County Road Extension starting 500 feet from the beginning of the street to the end, from November 1 to April 15.
81. On both sides of Davis avenue, from November 1 to April 15.

**Section 48-302** Three-Hour Parking Zones

No vehicle shall stop, stand or park for a longer period than three (3) hours from 9:00 a.m. to 6:00 p.m. in the following specified locations:

1. On the south side of Grove Street from a point 70 feet south of Main Street to Depot Street, and on the north side of Grove Street from a point 140 feet south of Main Street to a point 85 feet north of Depot Street.
2. On the east side of Independence Drive where perpendicular parking is allowed under Section 48-228.

3. On the west side of Depot Street from 25 feet north of Grove Street to a point one hundred (100) feet south of Mill Street, and from 25 feet south of Grove street to a point 45 feet north of the driveway from Town Hall.
4. On the south side of Mechanic Street from a point one hundred (100) feet south of Main Street to Middle Street.

**Section 48-303** One Hour Parking Zones

No vehicle shall stop, stand or park for a longer period than one (1) hour from 9:00 a.m. to 6:00 p.m. in the following specified locations:

1. On the southerly most side of Bow Street from the first driveway below Main Street to Depot Street.
2. On the south side of Mechanic Street from Main Street for a distance of one hundred (100) feet.
3. On the southern most side of School Street starting at 100' from the intersection with Main Street to a point fifty (50) feet west of Middle Street.
4. On the southerly most side of Main Street, South Freeport, from the Municipal Wharf for one hundred fifty feet (150') to the driveway entrance in a northerly direction between the dates of Memorial Day and Columbus Day each year.
5. On the easterly side of Depot Street from a point 135 feet south of Bow Street, to the parking lot entrance at Map 10, Lot 24.

**Section 48-304** No vehicle, except Freeport Department of Education vehicles, shall stop, stand or park between the hours of 8:30 a.m. to 3:30 p.m. in days when school is in session in the following specified locations:

1. On the south side of Morse Street north of the Morse Street School property unless otherwise allowed by Section 48-307.5.
2. On the northern side of Holbrook Street adjacent to the Freeport High School property.

**Section 48-305** Thirty Minute Parking Zones

No vehicle shall stop, stand or park for a longer period than thirty (30) minutes from 9:00 a.m. to 6:00 p.m. in the following specified locations:

1. On the south side of Bow Street from the railroad tracks to South Street.
2. On the western side of Middle Street from Bow Street to Mechanic Street.
3. On the east side of Middle Street from Bow Street to School Street except where designated as "Handicapped Parking".

**Section 48-306** Taxi Stand Parking Zone

One space on the western most side of Main Street from Justin's Way in an northerly direction shall be designated for a parking area for a vehicle providing a taxi service, said space to be so designated only at such time as a taxi service is operating in Town.

The Bus Loading and Unloading Zones identified in Section 48-312 will also be designated as Taxi Standing Zones, with a ten minute standing limit.

**Section 48-307** Fifteen Minute Parking Zones

No vehicle shall stop, stand or park for a longer period than fifteen minutes from 9:00 a.m. to 6:00 p.m. or as otherwise defined in the following specified locations:

1. On the east side of Main Street from the northerly corner of Mechanic Street and Main Street extending northerly 115 feet.
2. On the west side of Main Street from the northerly corner of Main Street and Justin's Way extending in a northerly direction 170 feet.
3. On the west side of Main Street from the Post Office driveway (Map 12, Lot 26) extending in a northerly direction 320 feet.
4. On the west side of Main Street from the end of the no parking zone north of West Street extending north 100 feet.
5. On the south side of Morse Street adjacent to the school, from the bus entrance to the end of Morse Street between the hours of 8:00 a.m. and 5:00 p.m., when school is in session.

**Section 48-308** South Freeport and Town Wharf

1. Night parking restrictions as described in Section 48-208 of this Ordinance shall be in effect at all times on both sides of Main Street, South Freeport from the Municipal Wharf in a northwesterly direction for a distance of three-hundred (300) feet.
2. Day parking shall be allowed at a diagonal angle on Main Street, South Freeport for one hundred and thirty (130) feet in a northwesterly direction from the Municipal Wharf on the southerly most side and for one-hundred (100) feet in a northwesterly direction on the northerly most side.
3. Parallel parking shall be allowed during the day for two hundred and twenty (220) feet in a northwesterly direction from the end of the diagonal parking on the northerly most side.
4. No vehicle shall be allowed to stop or park abutting to or on the Municipal Wharf.
5. One parking space at the northeast corner of the Municipal Wharf shall be reserved and designated for parking by the Harbormaster only.
6. The Harbor Master will monitor loading and unloading at the wharf and has the authority to limit loading and unloading time as needed to eliminate traffic congestion.

**Section 48-309 Parking at Leased Lot in South Freeport**

The Town may lease the parking lot located on land identified as Tax Map 2, Lot 52 between June 24 and October 1 each year. Under such a lease, the following parking restrictions shall be in effect:

1. Parking shall be restricted to Freeport residents only. Resident Parking Stickers shall be required annually for each vehicle registered in the Town of Freeport
2. No overnight parking is allowed unless a permit is obtained through the Town's Brewer Parking lot rules approved by the Town Council.
3. No commercial activities or uses are allowed.

**Section 48-310** Parking on both sides of Main Street from the Municipal Building (Map 9, Lot 16) to Mallett Drive will be restricted to "Auto's Only" except where other types of vehicles are specifically permitted..

**Section 48-311 Handicapped Parking**

The following locations shall be designated as handicapped parking:

1. On the east side of Main Street in the first parking space north of the intersection with Mechanic Street. (One space)

2. On the east side of Main Street beginning twelve and one half feet (12 1/2) north of the southerly property line of May 11, Lot 121 and continuing northerly for forty-four (44) feet (Two spaces).
3. For regular church services, handicapped parking will be allowed in front of church buildings. Hours will include from 5:00 p.m. to midnight on Saturdays and 8:30 a.m. to 1:00 p.m. on Sundays.
4. On the eastern side of Middle Street in front of the Pharmacy Building (Map 13, Lot 1).

**Section 48-312** Bus Loading and Unloading Zones

The following locations shall be designated as bus loading and unloading zones:

1. On the east side of Main Street from Bow Street to Mechanic Street.
2. On the west side of Main Street across from the Bow Street intersection to Justin's Way.

**Section 48-313** Parking for Church Activities

As long as churches remain located on Main Street, parking immediately in front of church buildings will be allowed for weddings, funerals and other special events. Church leaders will notify the police department at least twelve hours prior to the scheduled activity and will be allowed to use portable municipal signs to mark parking areas.

**Section 48-314** Tour Bus Parking Area

The following area shall be designated as Town Parking Areas:

1. South side of Mallet Drive from 30 feet east of the Masonic Hall driveway to the "Stop Sign Ahead" sign located west of MacDonald's driveway.

**Section 48-315** Fire Lanes

Fire lanes are established for the purpose of promoting public health,

safety, and welfare by recognizing that there exist, and will in the future exist, buildings and other areas within the Town in which the public will have use of. These buildings or other areas must be provided prompt emergency services including access by firefighters and fire fighting equipment and other emergency personnel and equipment in order to accomplish said purpose and effect the saving of life and property in emergency situations.

1. Maintenance and Identification of Fire Lanes

Fire lanes established under the National Fire Protection Code shall be kept free of ice and snow and rubbish containers or other obstruction by the owner, or agent, or occupant of any premises to which this article is applicable shall cause to be erected, installed and maintained by their own expense, permanent, adequate signs bearing the words "FIRE LANE - NO PARKING - VEHICLES WILL BE TOWED AT OWNER'S EXPENSE" in or adjacent to said fire lane. The painting and striping of fire lanes shall be installed and maintained regularly by owner, agent or occupant of premises.

2. Parking Prohibited

- A. No person shall park or be permitted to stand a motor vehicle in any fire lane established in accordance with this article (except when actually picking up or discharging passengers or actively engaged in loading or unloading a motor vehicle).
- B. Whenever any vehicle shall be found parking in violation of the regulations as established above, any Police Officer, Parking Ticket Officer, Fire Department Chief or officer in charge may attach to such a vehicle a notice (parking ticket) to the owner or operator thereof that such vehicle has been parked in violation of the regulations. Such owner or operator shall pay to the town a sum of thirty dollars (\$30), payment of which shall be due within five (5) business days of the issuance of the parking violation. For each subsequent violation the fine will double, not to exceed one hundred and twenty dollars (\$120). Any motor vehicle found parked or standing in a fire lane that has been established in accordance with this article, in addition to the foregoing, may be towed upon the direction of a Police Officer, Fire Chief or officer in charge; all expenses of such towing and any subsequent storage shall be borne by the registered owner or operator of such vehicle.

**Section 48-316** -Forty-Eight Hour Parking Zones

No vehicle shall stop, stand or park for a longer period than forty-eight (48) hours from November 1 to April 15 in the following specified locations.

1. The Municipal Park and Ride lot on U.S. Route One near Pine Street.  
Vehicles will be towed at Owner's Expense.

**Section 48-317 - No Nighttime Parking**

No vehicle shall park at any time between sunset to sunrise in any of the following specified locations.

1. At the end of Sandy Beach Road in the public waterfront access area.
2. At the end of Cove Road in the public waterfront access area.
3. At the Dunning Boatyard public-use areas.

**Section 48-318 - Commercial Loading Zones**

No vehicle shall stop, stand or park in the following locations except for the purpose of commercial loading and unloading, and for no longer than fifteen (15) minutes.

1. On the easterly side of Main Street in front of Derosier's Market (Tax Map 11, Lot 93 on the Freeport Property Maps) from the existing driveway entrance and continuing in a southerly direction for a distance of 30 feet south to a designated parking space.
2. On the easterly side of Main Street from the north side of the crosswalk that is about 70 feet north of Mill Street for a distance of 80 feet to a location that is about 20 feet south of CMP pole #13.
3. On the easterly side of Main Street beginning 56 feet north of the southerly property line of the lot at Tax Map 11, Lot 121 and continuing in a northerly direction for a distance of about 80 feet to the marked crosswalk.
4. On the easterly side of Main Street beginning 10 feet north of the southern driveway at the property referenced to Freeport Property Tax Map 13, Lot 19 and continuing in a northerly direction for a distance of 70 feet.

**ARTICLE IV TRAFFIC FEES AND FINES**

**Section 48-401** Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this Ordinance shall be punished by a fine of not more than one hundred dollars (\$200.00). Persons charged with violations of the following parking regulations may waive all court action by payment to the Town Treasurer of the following specified fees within ten (10) days of notice of the violation.

If, after ten (10) days and before a court summons is issued, an additional civil penalty of \$5.00 per offense will be paid to the Town of Freeport.

1. Vehicle on crosswalk	\$30.00
2. Vehicle on sidewalk	30.00
3. Obstructing driveway	30.00
4. Obstructing traffic	30.00
5. Parked to near intersecting street	30.00
6. Restricted place	30.00
7. Damaged traffic sign	30.00
8. Double parking	30.00
9. Parked on wrong side of street	30.00
10. Parked in loading zone	30.00
11. Overtime parking	30.00
12. Improperly parking according to white lines	30.00
13. All night parking	30.00
14. Parked too close to fire hydrant	30.00
15. Parking diagonally in a parallel zone	30.00
16. Other violation	30.00
17. Handicapped Area	200.00
18. Parking in Bus Zone	30.00
19. Tour Bus Violation	100.00
20. Commercial Vehicles entering or exiting Howard Place between 9 a.m. and 9 p.m.	100.00
21. Commercial Vehicles exiting Howard Place to the south on Main Street and entering Howard Place from the north from Main Street between 9 p.m. and 9 a.m.	100.00
22. Fire Lane Violation	30/60/120.00

The provisions of this section were adopted as an ordinance on August 21, 1973; subsequent amendments have been incorporated into the text.

## ARTICLE V LEASED PARKING STANDARDS

The Town of Freeport hereby orders that the Freeport Traffic and Parking Ordinance be amended by enacting the following new Article V:

**Section 48-501** The priorities, terms and conditions for leased parking spaces in the Village Commercial I District, as established by the Freeport Zoning Ordinance, are established by this Article.

The Town may lease parking spaces to applicants who require leased parking spaces from the municipality in order to satisfy the parking requirements of the Freeport Zoning Ordinance. The leased parking spaces shall be located either in a lot which is owned in fee by the Town of Freeport or owned in fee by a person or organization who has entered into a lease agreement with the Town to provide parking spaces as regulated by this Article. All parking lots regulated in this article shall be located in the Village Commercial I District.

**Section 48-502** Leased parking spaces shall be allocated according to the following priorities:

1. Applicants with existing buildings who want to expand or change their use within the existing footprint of the building;
2. Applicants with existing buildings who want to expand the footprints of the existing buildings, to create additional square footage for existing or changed uses.
3. Applicants who want to build a new building after the date of adoption of this Article.

**Section 48-503** The terms and conditions for all leased parking spaces shall include the following:

1. Non-Municipal owners of parking lots shall enter into a lease agreement with the Town which contains the following provisions:
  - a. Proof of adequate public liability insurance equal to that of the Town shall be submitted by the owner;

- b. Notarized agreement to maintain the parking lots, including but not limited to paving, striping, landscaping, signs, stormwater facilities and other amenities, shall be submitted by the owner;
  - c. Statement that the parking spaces offered for lease are not required to satisfy pending and/or approved development plans on the same or abutting lot;
  - d. Notice of termination of this lease shall be sent by registered mail to the Town and to all leaseholders of the premises a minimum of one year before the lease expires;
  - e. The Town may set any other provisions it deems appropriate.
- 2. Applicants for parking spaces shall be the owners and not the lessees of premises requiring parking spaces.
  - 3. The schedule of parking fees shall be established by the lot owner.
  - 4. The Town shall bill the leaseholder and charge the lot owner 5% of the yearly lease fee to cover its administrative costs.
  - 5. The Town shall decide, based on the priorities established by Section 48-502, which applicant is next eligible for a lease. The applicant may choose to lease whichever spaces are available. If the applicant chooses not to enter into a priority list becomes eligible for a lease and the previous applicant may remain on the list.
  - 6. Applicants for parking spaces shall provide a notarized statement which states that continued occupancy of part or all of the premises requiring leased parking spaces is contingent on continued leasing of parking spaces.
  - 7. Failure by the owner of a premises to continue to provide the required parking spaces shall result in the revocation of its Certificate of Occupancy.

## **ARTICLE VI PARKING CREDITS**

The Town of Freeport hereby orders that the Freeport Traffic and Parking Ordinance be amended by enacting the following new Article VI:

**Section 48-504** The requirements for parking in the Village Commercial Districts I-IV, are established by the Section 514 of the Freeport Zoning Ordinance. The Town may issue parking credits to property owners on a case by case basis. For the purposes of this Ordinance, a parking credit is in lieu of providing an actual parking space. Parking credits may be issued by the Town Manager if parking spaces are lost in situations when: two or more parking lots are connected, pedestrian or bicycle access or circulation is improved, if vehicular traffic or circulation is improved, or if a specialized parking need such as recreational vehicles or motorcycles will be met. Parking credits may be issued for other reason not listed if the request is reviewed and approved by the Town Council and the Town Council makes a determination that the loss of parking spaces results in a significant public benefit. In determining if a project results in a significant public benefit, the project must be consistent with the Vision Statement of the Comprehensive Plan.

A written record shall be maintained of all parking credits. A parking credit is in effect for the duration of the improvement that credit was issued for is in use. For example, if a parking credits were issued for spaces that were lost when two parking lots were connected and the parking lots are separated at a later date, the parking credit is removed. Parking credits go with the building they are associated with, not the owner. Parking credits cannot be leased or transferred to another building.

This Article shall apply to all previously approved parking credits.