

CHAPTER 17
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CHAPTER 17. VEHICLES AND TRAFFIC

ARTICLE 1. GENERAL PROVISIONS.

Sec. 17-1. Definitions.

(a) As used in this Chapter, unless the context otherwise indicates, the following words shall be ascribed the following meanings:

(1) **All-terrain vehicle ATV** a motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel or low pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this definition, an "all terrain vehicle" does not include an automobile, personal assistive mobility device, a truck, a snowmobile, an airmobile, a construction or logging vehicle used in performance of its common functions, a farm vehicle used for farming purposes, or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

(1A) **Authorized Emergency Vehicle** shall mean those vehicles, such as ambulances, as are designated or authorized by the City Manager as emergency vehicles, and shall specifically include vehicles of the Fire Department and the Police Department.

(2) **Business District** shall mean the territory contiguous to and including the highway when fifty per cent or more of the frontage thereon, for a distance of three hundred feet or more, is occupied by buildings in use for business.

(3) **Crosswalk** shall mean that portion of a roadway at an intersection included within the connections of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edge of the traversable roadways; or any portion of a roadway at an intersection or elsewhere distinctly marked or indicated for pedestrian crossings by lines or other markings on the surface.

(4) **Driver or Operator** shall mean every person who is in actual physical control of a motor vehicle on a highway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(5) **Intersection** shall mean the area embraced within the prolongation or continuation of the lateral side line of two highways which join one another at, or approximately at, right angles, or the area within which the vehicles traveling upon different highways joining at any other angle may come in conflict; or where a highway includes two roadways thirty or more feet apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection and in the event such intersecting highway also includes two roadways thirty or more feet apart, then every crossing of two roadways of such highway shall be regarded as a separate intersection.

(6) **Motorbike** shall include any motor driver vehicle designated to travel with not more than three wheels in contact with the ground and including but not limited to a motorcycle, motorbike, moped, trail bike or motor scooter.

(7) **Motor Vehicle** shall mean every vehicle which is self propelled and not operated upon rails.

(8) **Operate** and all its moods and tenses, when it refers to a vehicle as defined, shall mean the use of that vehicle in any manner whether or not said vehicle is under way.

(9) **Operator** shall mean every person who drives or is in actual physical control of a motor vehicle, or who is exercising control over such a motor vehicle.

(10) **Park** shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading.

(11) **Pedestrian** shall mean any person on foot.

(12) **Police Officer** shall mean every officer of the Police Department of the City of Bath, including Parking Patrol Officers, and any other officer authorized to direct or regulate traffic, or to make arrest for violation of traffic regulations, within the jurisdiction of the City of Bath.

(13) **Person** shall mean any individual, corporation, firm, partnership, joint venture, association, fiduciary trust, estate, or any other legal or commercial entity.

(14) **Private Road or Driveway** shall mean every way or place in private ownership used for vehicular traffic by the owner and those having expressed or implied permission from the owner, but over which the general public has no right of use.

(15) **Right of Way** shall mean the privilege of immediate use of the roadway.

(16) **Roadway** shall mean that portion of a street which is improved, designed or ordinarily used for vehicular traffic.

(17) **Safety Zone** shall mean the area or space officially set aside within a roadway for the exclusive use of pedestrians, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(18) **Sidewalk** shall mean that part of a street between the curb lines, or the lateral lines of the roadway, and the adjacent property line intended for the use of pedestrians, and excludes the use of motor vehicles.

(18A) **Snowmobile:** Snowmobile shall mean any vehicle propelled by mechanical power that is primarily designed to travel over ice or snow supported in part by skis, belts or cleats.

(19) **Standing** shall mean any stopping of a vehicle, whether the vehicle is occupied or unoccupied.

(20) **Stop** shall mean a complete cessation of movement.

(21) **Street or Highway** shall mean the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for traffic purposes.

(22) **Traffic** shall mean pedestrians, ridden or herded animals, vehicles, or any other conveyances, either singly or together, while using any street or highway for purposes of travel.

(23) **Traffic Control Device** shall mean all signs, signals, markings and devices, whether immovable, or whether manually, electrically, or mechanically operated, placed or erected by the authority of a public body or public official having jurisdiction within the City of Bath, by which said device traffic is alternately directed to stop and/or to proceed, or for the purpose of regulating, warning or guiding traffic.

(24) **Vehicle** shall mean every device in, upon, or by which any person or property is or may be transported or drawn on a highway, including bicycles but excepting such devices as skate boards and roller skates, and excepting snowmobiles as defined in M.R.S.A. 1971. (Ord. 11/18/81.)

(25)

(26) **Sec. 17-2. Powers of the City Manager over Traffic.**

(a) Without resort to Council action the City Manager is hereby authorized to:

(1) Establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(2) Mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic ordinances of this City, and to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at intersections.

(3) Establish a permanent zone of quiet upon any street where there is a hospital or convalescent home when requested to do so by the proper authorities of the hospital or convalescent home, such zone of quiet to embrace the territory adjacent to the hospital or convalescent home as the City Manager deems necessary.

(4) Establish temporary zones of quiet upon any street where a person is seriously ill, if requested to do so by the written statement of at least one registered physician certifying to its necessity. The temporary zone of quiet shall embrace all territory within a radius of 200 feet of the building occupied by the person named in the request or the physician. The zone of quiet provided in this Subsection and Subsection (a)(6) hereof shall be designated by the City Manager by placing in a conspicuous place in the street a sign or marking bearing the words "Quiet Zone."

(5) Determine upon what streets angle parking shall be permitted and shall mark or sign such streets.

(6) Designate, by causing lines to be painted, areas within municipal and public parking lots and on the streets and ways of the City, within which vehicles will be parked.

(a) At the direction of the City Council, and upon appropriate Council action either by Resolution or Ordinance, the City Manager shall

1. Establish bus stops for passenger common carrier motor vehicles on such public street, in such places and in such manner, as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop shall be designated by appropriate signs.

2. Erect such signs as would properly reflect traffic control and parking control ordinances as determined by this Chapter.

3. To close any street, sidewalk or public way or portion thereof as so directed by Resolution of the council.

(b) The within designated powers of the City Manager over traffic are subject to the provisions of this Chapter. However, the City Manager shall have the authority to alter, waive, amend or otherwise modify the provisions of this Chapter for a period of time not to exceed three days. In all such instances where said provisions are waived, altered, amended or otherwise changed, such shall be duly posted.

(c) The Police Chief shall have the authority to waive, for a temporary and specific purpose, any no parking restriction or any timed parking restrictions contained in this Chapter or to impose temporary no parking restrictions for a temporary and specific purpose. Said restrictions may be waived or imposed only in those instances where in the opinion of the Police Chief danger to the public safety will not be created or must be relieved. (Ord. 11/18/81)

Sec. 17-3. Applicability of Chapter.

(a) **General.** This Chapter shall apply to all persons who are engaged in the operation of any vehicle upon the public ways within the jurisdiction of the City of Bath.

(b) **Public Employees.** This Chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, or any State, County, City or Town, and no such driver shall violate any of the provisions of this Chapter except as otherwise permitted in this Chapter, or by State or Federal statute.

(c) **Emergency Vehicles.** The provisions of this Chapter shall apply to authorized emergency vehicles except that, when operating any such vehicle in an emergency, and unless otherwise directed by a Police Officer, that driver may:

1. Park or stand notwithstanding the provisions of this Chapter.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be deemed necessary for safe operation.
3. Exceed the prima facie speed limits so long as he does not endanger life or property.

4. Disregard regulations concerning direction of movement or turning in specific directions so long as he does not endanger life or property.

This provision regarding emergency vehicles shall not protect the driver of any such vehicle from the consequences of his reckless disregard for the safety of others.

- (d) **Pushcarts and Animal-drawn Vehicles.** This Chapter shall apply to all persons propelling any pushcart, riding an animal upon a roadway, or driving any animal-drawn vehicle. (Ord. 11/18/81, as amended)

ARTICLE 2. ACCIDENTS.

Sec. 17-51. Duty to Report Accidents; use as evidence.

The driver of a vehicle involved in an accident resulting in an injury or death to any person, or property damage shall, in addition to the reporting requirements established by 29 M.R.S.A. ' 891, and within twenty-four hours after such accident, forward a written report of such accident to the Bath Police Department. Such report may be a copy of the accident report required under ' 891 to be filed with the Secretary of State. Any officer of the Bath Police Department may require any driver of a vehicle involved in an accident to file a supplemental report or reports whenever the original report is insufficient in the opinion of that officer. Witnesses to accidents may also be required when deemed appropriate, to render reports to the department. Whenever a driver of a vehicle is physically incapable of making the required report, he shall be required to make the report at such time as the physical incapacity is removed. If there is another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make, or cause to be made, the required report. The fact that an accident report has been made shall be admissible in evidence solely for the purpose of proving compliance with this section. No report, nor any part thereof, nor any statement contained therein, shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents. (Ord. 11/18/81)

ARTICLE 3. IMPOUNDING VEHICLES

Sec. 17-101. Authority to Impound.

(a) Members of the Police Department are authorized to cause to be removed any vehicle from a street or highway, or any public way, to the nearest garage or other place of safety, or to an area designated or maintained by the City, in the following instances:

1. When any vehicle is left unattended upon any bridge or causeway where such vehicle constitutes an obstruction to traffic.

2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are incapacitated to such an extent as to be unable to provide for its custody or removal.
3. When any vehicle is left unattended upon any street or highway and is so parked illegally as to constitute a definite hazard to life or property or obstruction to the normal movement of traffic; or
4. When any vehicle is left unattended upon any street or highway and is so parked as to interfere with or hinder snow removal operations by the City.
5. When any vehicle is parked in violation of the provisions of this Chapter, including being parked in excess of the time period specified herein.
6. When a vehicle is found on a street, highway or public way within the jurisdiction of the City of Bath; when such vehicle has three or more outstanding parking citations, whether or not said vehicle is at that place and time in violation of any of the provisions of this Chapter.
(Ord. 11/18/81)

Sec. 17-102. Records.

- (a) **Towing.** When a vehicle is caused to be removed by a Police Officer, the Police Department shall keep and maintain a record of the vehicle towed, listing its owner as reflected by registration records, the owner's address, the make, year of manufacture and color of the vehicle, the registration number and state of registration, the date and hour of tow, the location towed from, the location towed to, the reason cited for towing, and the name of the officer authorizing the tow.

A copy of this notice shall be given to the operator of the vehicle conducting the towing and impounding activities, and to the operator of the facility where the vehicle is impounded. (Ord. 11/18/81)

Sec. 17-103. Costs.

The owner of any vehicle removed from a street, highway or public way, pursuant to this ordinance, shall be responsible for all towing costs. (Ord. 11/18/81)

Sec. 17-104. Reclaiming Vehicle.

- (a) The owner of any vehicle removed from a street or highway under this Article, may reclaim the vehicle by:

1. Furnishing satisfactory evidence of his identity and of his ownership of the vehicle to the officer in charge at the Police Department.
2. Paying the reasonable charges for the towing and storage of the vehicle; and
3. Paying all outstanding fines, fees and assessments for parking violations outstanding against the vehicle, if any.
4. Signing a receipt for the return of the vehicle. (Ord. 11/18/81)

Sec. 17-105. Alternative to Towing and Impounding.

In instances where the registered owner of a vehicle has three or more outstanding parking citations, is found on a street, highway, or public way, as an alternative to the towing and impounding of said vehicle, the officer shall have the option of attaching a device designed to immobilize the vehicle and prevent its operation through the use of devices such as the "Denver Boot". In order to reclaim the vehicle and cause the removal of the immobilization device, the owner shall follow the procedures set forth in Section 17-104. Any tampering with or attempt to disengage the immobilization device shall be deemed a violation of this section, and shall be punishable as designated in Section 17-352. Use of an immobilization device shall subject the owner to the penalties set forth in Section 17-351. (Ord. 11/18/81; 8/25/93) (Ord.5/6/09)

ARTICLE 3A. TOWING OF VEHICLES

Sec. 17-121. Statement of Necessity.

During the course of performing law enforcement functions, including but not limited to criminal investigations and inquiries, control and abatement of circumstances arising from motor vehicle accidents, and the enforcement of traffic and safety Statutes and Ordinances, there will be situations which require the removal of motor vehicles from both private and public ways. In addition, the City of Bath, in Chapter 17, Article 3, provides authority for the Bath Police Department to remove and impound vehicles from public ways under certain circumstances (See Code Section 17-101). This Ordinance is intended to address those circumstances which may arise where the City of Bath Police require the removal of vehicles.

Since the City of Bath does not have the resources or equipment to effect the removal of vehicles when necessary, the City must depend on the availability of private contractors to effectuate the removal and, if necessary, storage of a vehicle. This Ordinance is intended to provide for the quick and efficient removal of vehicles where required and for the preservation of any evidentiary value that may be necessary in regard to related future court actions.

Sec. 17-122. Applicability.

This Ordinance shall apply in all instances where the removal of vehicles is ordered by the Bath Police Department under circumstances where the vehicle is being impounded or where the vehicle must be removed and the owner/driver is unavailable. It shall not apply to instances, other than impoundment, where the owner or driver is available and requests a particular towing operator, provided that that operator so designated is able to respond in a timely fashion and would not represent an interference with legitimate police functions. Where police contact a towing operator at the request of an owner/driver it shall not be considered a removal ordered by the Bath Police Department. Any final decision in this matter, however, shall always be with the investigating officer on the scene.

Sec. 17-123. General Requirements.

The City will only utilize the services of towing operators who:

- 1) Are prompt, reliable and capable of moving cars safely.
- 2) Have the capability of storing vehicles in a location which is reasonably safe from pilferage and further damage.
- 3) Agree to a schedule of maximum fees for services.
- 4) Conduct themselves and have employees who conduct themselves in a professional and courteous manner in order to avoid conflict and maintain the image and integrity of law enforcement.

Sec. 17-124. Rotation List.

There shall be a rotation list of up to six (6) qualified operators maintained by the Chief of Police or his designee. Should an operator voluntarily or involuntarily be removed from the list, the Chief of Police, after consultation with his staff, will determine whether to add another qualified operator to the list.

The list shall be maintained at the Sagadahoc County Communications Center and will rotate among the operators on the list according to the log maintained. Dispatchers shall move down the list from top to bottom and then back to the top of the list in assigning calls, with each call being assigned to the next available operator on the list. If a particular operator does not respond to a call, then they shall be passed by in favor of the next available operator, and shall not be eligible for another call until that operator appears in the normal continuing rotation.

Sec. 17-125. Conditions Precedent.

Towing operators shall demonstrate to the Chief of Police that they have met the following standards and requirements prior to being considered for placement on the rotation list:

- 1) Equipment. Service wreckers will be equipped with a qualified 4-ton boom and winch with hydraulic wheel lift. Wreckers must also be equipped with qualified protective equipment, and other equipment necessary for AAA affiliation. All equipment must be in good working order. Wreckers must meet State inspection standards. Each service wrecker shall have permanently affixed to the wrecker in a prominent location(s) a logo or lettering of a size and color to make it readily identifiable, a logo or lettering that identifies the business entity operating the service wrecker.
- 2) Shall be properly licensed as required by State Law, all vehicles used in the towing operation shall be properly licensed and inspected and carry valid inspection stickers. In addition, the wrecker service business, storage area and any other business activity shall comply with all City of Bath land use requirements, if located within the City.
- 3) Availability. The wrecker service must provide service twenty-four (24) hours seven (7) days per week and demonstrate that there are sufficient levels of personnel and equipment on-duty or on-call to respond to calls.
- 4) Storage Requirements. The towing operator shall have access to and maintain storage facilities for towed vehicles. These storage facilities for impounded vehicles shall be reasonably secure, either fenced-in locations or inside storage, in order to preserve evidence and prevent damage or vandalism to stored vehicles. Vehicles removed for snow removal or other reasons other than impoundment, will be stored in locations protected from damage or pilferage. Staff shall be available at these facilities or on call for the retrieval of vehicles from 8 a.m. to 8 p.m. The existence and adequacy of storage facilities shall be verified by inspection of the Chief of Police. All impound and storage areas will be within a radius of six (6) miles of the Bath Municipal Building.
- 5) Snow Removal. The towing operator must have access to a storage area for at least ten (10) vehicles.
- 6) Business Location/Response. Qualified operators must be located within eight (8) road miles of the Bath Police Department located at 250 Water Street in Bath. They shall provide evidence satisfactory to the Chief of Police that they will be able to provide a normal response time of not more than Thirty (30) minutes after accepting a call for service under normal road and weather conditions.

Sec. 17-126. Indemnification.

The operator shall defend, indemnify and hold harmless the City of Bath, its employees, officials, and agents from and against all claims, charges, losses and expenses including attorney's fees arising out of or resulting from the performance of services initiated by the City of Bath and provided by the operator under City Ordinances, Guidelines and Policies.

Sec. 17-127. Insurance.

The operator must carry a commercial automobile liability insurance policy in a Combined Single Limit policy, or its equivalent, of at least \$500,000. The policy shall be in a form and with an insurance carrier acceptable to the City of Bath and the City of Bath shall be named as an additional insured on the policy. Certification of having the policy in effect shall be a condition precedent to an operator being placed on the rotation list and shall be in full force and effect at all times while the operator is on the list. Failure to maintain insurance shall be cause for removal from the list. A certificate of insurance shall be provided by January 1st of each year.

Sec. 17-128. Protection of Evidence.

There will be instances where vehicles will be impounded and removal from the scene initiated by the Bath Police Department. In those instances, it is imperative that the integrity of the evidence be preserved and each towing operator shall be responsible for taking all reasonable precautions required by the Police Department to avoid any damage to or degradation of any evidence. When required, the towing operator or the operator's employee involved in the call will be required to appear in court. The towing operator shall not, by State Law, assist any vehicle involved in an accident before notifying the Police.

Sec. 17-129. Maximum Rates.

Maximum fees for City ordered towing with minimal waiting period, shall conform to the following schedule:

Seventy-Five Dollars (\$75.00)	Daytime
Eighty-Five Dollars (\$85.00)	Nighttime

Inside storage shall not exceed Fifty Dollars (\$50.00) per day and outside not to exceed Thirty-Five Dollars \$35.00 per day.

Daytime and nighttime shall be defined as follows:

Daytime	7 a.m. to 7 p.m.
Nighttime	7 p.m. to 7 a.m.

Day is defined as: A day is considered to be a 24-hour period from time of tow. (Ord. 4/6/11)

Charge will be based on the time the call is initiated as recorded by the Police Communications Officer. Reasonable extra charges may be assessed for service which requires dollies, winching, long waiting periods or other unforeseen services depending on the situation. Any additional charges, above standard fees, shall be listed and specified on bills.

Vehicle release fees shall not exceed \$15.00 for requested releases during non-business hours.

Business Hours are defined as: Business Hours shall be defined as being 8 a.m. to 5 p.m. Monday through Saturday.

In the event that an operator has been requested for service and upon arrival the situation has changed and services are no longer required, the owner or driver must pay the wrecker the amount of one-half (1/2) of the towing charge. If the wrecker has hooked onto the vehicle then the vehicle's driver or owner must pay a full service wrecker fee as authorized by this Ordinance and Bath Police Department policy.

For purposes of application of the maximum rates set forth in this Section, City ordered towing shall be limited, and these maximum rates shall be limited, to instances where the towing is ordered by the Bath Police Department for the impoundment of a vehicle or removal of a vehicle where the owner/operator is unavailable. In instances where the owner/operator is available but requests the Bath Police to provide a towing operator, these maximum rates shall not apply.

Sec. 17-130. Condition of the Roadway.

The operator will be responsible for removing all broken glass and other vehicular debris from the roadway resulting from an accident. Normal clean-up procedures are considered part of the towing operator's duties and are not chargeable to the involved parties.

Sec. 17-131. Unclaimed Vehicle.

Contact shall be made by wrecker companies to all vehicle owners, or other responsible parties, who have not claimed a vehicle within 48 hours of towing. This contact is for the expressed purpose of obtaining a name and address of the responsible party and to explain the fee structure of the wrecker company for the disposition of said vehicle. The Police Department will assist the wrecker companies who are unable to make effective contact. It is also suggested that wrecker companies keep a log of who and when these parties are contacted for future reference in the event a dispute arises over towing and/or storage.

Sec. 17-132. Disqualification.

A towing operation will be disqualified at any time if it is not in compliance with the standards of these regulations. To become re-qualified, the towing operation must correct any discrepancies, at which time it will be scheduled into the rotation in the same manner as a newly qualified operation.

Sec. 17-133. Additional Service.

In the event a situation is beyond the capability of the towing operator called, the police will attempt to obtain additional assistance from among the other qualified operators. If special equipment is needed that none of the on-call services possess, then assistance can be obtained from any wrecker service that has the needed equipment.

Sec. 17-134. Grievance.

In the event a complaint arises due to services, additional charges, or violations of these guidelines, the Chief of Police or his designee, shall investigate the matter and initiate a final resolution. The final resolution alternatives available to the Chief of Police or his designee, shall include any one or more of the following: administrative warning, suspension from the rotation list, termination from the wrecker list permanently. In the event formal disciplinary action is taken against a wrecker company, said company shall have a right to an administrative review by the City Manager's office by filing a written request within ten (10) days of notice of said action. The City Manager decisions in such matters shall represent final resolution, subject to Statutory rights of appeal pursuant to Rule 80B of the Maine Rules of Civil Procedure.
(Ord. 8/01/01)

ARTICLE 4. PEDESTRIANS

Sec. 17-151. Pedestrians Subject to Traffic Control Signals.

Pedestrians shall be subject to traffic control signals at intersections as provided in this Chapter and Section 17-202, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as stated in this Article.
(Ord. 11/18/81)

Sec. 17-152. Right of Way at Crosswalks.

(a) Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this Article.

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle, approaching from the rear, shall not overtake and pass such stopped vehicle. (Ord. 11/18/81)

Sec. 17-153. Restrictions on Pedestrians.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk, or within an unmarked crosswalk at an intersection, shall yield the right of way to all vehicles upon the roadway.

(b) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(c) Notwithstanding the provisions of this section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (Ord. of 11-18-81)

Sec. 17-154. Crosswalks.

Crosswalks shall exist, whether marked or unmarked, at all intersections. Crosswalks at areas other than at intersections shall be designated by Resolution of Council, with a list of all such areas to be placed on record at the City Clerk's Office, with these areas to be appropriately marked. At all such areas, whether at intersections or at marked areas other than at intersections, pedestrians shall have the right-of-way. (Ord. of 11-18-81)

Crosswalk on Centre Street, east of Bluff Road (leading to Elmhurst Center)
Crosswalk on Commercial Street near Waterfront Park
Crosswalk on Commercial Street near Casco Bank
Crosswalk on Front Street at Wellby's
Crosswalk on High Street at Hyde School (north and south bound)
Crosswalk on High Street at Morse High School (north and south bound)
Crosswalk on High Street at York Street
Crosswalk on High Street at Wright Drive
Crosswalk across Richardson Street, at the intersection of Western/Redlon and Richardson Street (Ord. 5/3/2017)
Crosswalk on Washington Street near B.I.W. South Gate (Ord. 10-19-94)
Crosswalk on Washington Street from West Gate Area to the corner of South Street (Ord. 10-19-94)

Crosswalk on Washington Street just below Weeks Street
Crosswalk at Washington Street at the north side of South Street
Crosswalk at Washington Street adjacent to Wesley Church
Crosswalk at Washington Street near the Post Office
Crosswalk at Washington Street near Washington House
Crosswalk on Washington Street leading from the Union Office Building at 722 Washington Street and running to the gate in the B.I.W. main parking lot. (Ord.1/4/2008)
Crosswalk on Winship Street from the sidewalk near the Mid Coast Hospital Winship Street entrance to the employees' parking lot.

Sec. 17-155. Loitering, discharging passengers on portion of Old Brunswick Road right-of-way.

It shall be unlawful for any person to stand, sit or otherwise stay in or about the portion of the right-of-way known as the Old Brunswick Road located beginning at the easterly entrance of the Bath Junior High School, and extending along the northerly side of the Old Brunswick Road to Judkins Avenue. The discharge of passengers from motor vehicles, in this area, shall likewise be prohibited. (Ord. No. 83-23, 9-21-83)

Secs. 17-156-17-200. Reserved.

ARTICLE 5. OPERATION

Sec. 17-201. Obedience to police officer, traffic-control devices; signing.

(a) The driver of any vehicle and any pedestrian shall comply with any lawful order or direction of a police officer.

(b) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of this City, unless otherwise directed by a police officer.

(c) 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 of 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 without signs being erected to give notice thereof. (Ord.of 11-18-81)

Sec. 17-202. Traffic-control signal legend.

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively, the following colors only shall be used and shall indicate as follows:

(1) Green alone or "Go":

- a. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic shield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.
- b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Yellow or "Caution":

- a. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
- b. Pedestrians facing such signals are thereby advised that there is insufficient time to cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) Red alone or "Stop":

- a. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone. Traffic at such signal may turn right and proceed subsequent to a complete stop, and after having yielded to all other traffic and pedestrians, except where such turn is specifically prohibited.
- b. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(4) Red in combination with yellow:

- a. Vehicular traffic facing the signal shall stop.
- b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(5) **Red with green arrow, illuminated or otherwise denoted by an appropriate sign:**

- a. Vehicular traffic facing such signal may turn in the direction indicated on red, but shall not interfere with other traffic.
- b. No pedestrian, facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.
(Ord. of 11-18-81)

Sec. 17-203. Flashing signals.

When flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(1) **Flashing red (stop signal).** When the red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) **Flashing yellow (caution signal).** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Ord. of 11-18-81)

Sec. 17-204. Location of traffic-control signals.

a. An automatic traffic light control signal shall be installed at the following intersections:

- 1. Washington and Centre Streets
- 2. Washington and School Streets
- 3. Washington and Vine Streets
- 4. Washington Street and Leeman Highway
- 5. Washington Street and Leeman Highway Extension

Turning right on red, in accordance with state regulations, shall be permitted at each of these intersections.

b. an automatic traffic-control signal, consisting of flashing red lights, shall be installed at the following intersections:

- 1. High and Court Streets
- 2. High and Centre Streets
- 3. High and Oak Streets
- 4. High and North Streets

These are for the purpose of indicating a fire lane, and when in operation shall cause all traffic to yield to fire apparatus proceeding through those intersections.

c. An automatic traffic control signal, consisting of flashing red and/or yellow lights, shall be installed at the following intersections:

1. High and Oak Streets
2. High and North Streets

d. A pedestrian activated warning system, shall be installed in the following intersection:

- (1) Congress Avenue and Centre Street (Ord. 10-19-94)

These are for the purpose of indicating a hazardous intersection, and shall cause all traffic to reduce speed and proceed through the intersection in accordance with Section 17-203 (2). (Ord. of 11-18-81; Ord. No. 84-9, 5-30-84)

Sec. 17-205. School crossing stop signs.

The City Manager shall designate the time of placing of school crossing stop signs and the location thereof. Whenever traffic is controlled by a school crossing stop sign exhibiting the word "Stop" vehicular traffic facing the sign shall stop before entering the nearest crosswalk or at such other point as may be indicated by a clearly visible line, and shall then proceed with due caution having regard to the safety of the pedestrians crossing at that point. (Ord. of 11-18-81)

Sec. 17-206. 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. When authorized marks, or other indications are placed within any intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Ord. of 11-18-81)

Sec. 17-207. U-turns restricted.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not, upon any other street, so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (Ord. of 11-18-81)

Sec. 17-208. Obstructing free passage when traffic stopped.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians through that intersection, notwithstanding any traffic-control signal indication to proceed. (Ord. of 11-18-81)

Sec. 17-209. Speed Limits.

(a) A person operating a vehicle on any street, highway or public way within the jurisdiction of the City, shall operate that vehicle at a careful and prudent speed not greater than is reasonable and prudent under the conditions then existing, and not in excess of any posted speed limit, and having due regard to the traffic, surface and width of the way, and to the actual and potential hazards in any other conditions then existing.

(b) In accordance with the authority of the Commissioner of Transportation, pursuant to 29-A M.R.S.A. § 2073, and in view of the City of Bath’s election not to exercise its rights to set speed limits within the municipal limits of the City as permitted under 29-A M.R.S.A. § 2075(3)(E), all speed limits along the public ways within the City of Bath are as designated by the Commissioner of Transportation. Unless otherwise designated by the Commissioner, the speed of operation of vehicles within the City is limited to twenty-five (25) miles per hour. Designation of speed limits other than the twenty-five (25) miles per hour speed limit are indicated on lists at the Bath Police Department and the Bath City Clerk’s Office and by appropriate signage. (Ord. 1/4/2006)

(c) In all municipal and public parking lots, speed is limited to 10 miles per hour.(Ord. 1/4/2006)

Sec. 17-210. One-Way Streets.

(a) Upon those streets and parts of streets described herein, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(b) The following streets are designated as one-way streets:

STREET	DIRECTION
ACADEMY STREET	Easterly, from Lincoln Street to Maple Street
ARCH STREET	Westerly, from Commercial Street to Front Street
ANDREWS ROAD	Westerly, from Dike Road to former Huse School Property (7-5-2017)
BATH STREET	Westerly, from Washington Street to Middle Street (10-21-92)

STREET	DIRECTION
BOWERY STREET	Westerly, from Front Street to Washington Street (8-24-94)
BROAD STREET	Easterly, from Front Street to Commercial Street
CENTRE STREET	South of monument, one-way east from High to Centre Streets
COBB ROAD	Easterly, from the former Huse School Property to Dike Road (7-5-2017)
COMMERCIAL STREET	Easterly and northerly, from Water Street to Carlton Bridge. (10-12-94)
ELM STREET	Easterly, from Washington Street to Water Street
FRONT STREET	Northerly, from Centre Street to Elm Street Northerly, from Holly Street to Bowery Street (for commercial vehicles in excess of two axles only, except service vehicles) (8-24-94)
HIGH STREET AT WINNEGANCE	Southerly over the western most lane of traffic on High Street At Winnegance (west of the traffic island only), beginning at the North line of Lot 21 on Tax Map 45 and running southerly line of Lot 19-1 on Tax Map 45.*
LEEMAN HIGHWAY CONNECTOR	Easterly, from Leeman Highway Connector to Vine Street
LEEMAN HIGHWAY EXTENSION	Easterly, from Washington Street to Water Street
LINDEN STREET	Westerly, from Front Street to Washington Street
MAPLE STREET	Northerly, from Academy Street to Chestnut Street
RUSSELL STREET	Easterly, from Maxwell Street to Washington Street
SCHOOL STREET	Westerly, from Washington Street to Middle Street
SUMMER STREET	Easterly, from Washington Street to Front Street
UNION STREET	Easterly, from Union Street Court to Washington Street
VINE STREET	Westerly, from Water Street to Washington Street
WATER STREET	Southerly, from Centre Street to the north side of the Carlton Bridge on-ramp
WINTER STREET	Easterly, from High Street to Middle Street

(Ord. of 1981, 1983, 1984, 1991, 1992, 1994,*2015)

Sec. 17-211. Stop intersections.

(a) Except when directed by a police officer or a traffic-control signal to proceed, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall

stop at a clearly marked stop line or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the

intersection.

(b) Stop signs shall be placed at the following locations and shall cause the traffic flowing in the designated direction to stop at the designated intersections.

STREET	DIRECTION
ACADEMY STREET	Eastbound at Lincoln Street; Westbound at Lincoln Street
ADAMS COURT	Southbound at Denny Road
ALLEN LANE	Northbound at Grove Street; Southbound at North Street
ALLEN STREET	Northbound at Academy Street; Southbound at Centre Street
ANCONA AVENUE	Westbound at High Street; Southbound at Harward Street
ANDREWS ROAD	Eastbound at Dike Road; Westbound at Dike Road; Eastbound at Lincoln Street
ARCH STREET	Westbound at Front Street
ASPEN LANE	Aspen Lane at Judkins Ave.
BAILEY STREET	Southbound at North Street
BARQUE ROAD	Northbound at Harward Street
BATH STREET	Westbound at High Street
BEACON STREET	Eastbound at Washington Street; Westbound at High Street
BEDFORD ROAD	Eastbound at Lincoln Street
BEDFORD STREET	Eastbound at High Street Westbound at Lincoln Street
BERNARD STREET	Northbound at Denny Road
BLUFF ROAD	Northbound at Centre Street
BOWERY STREET	Eastbound at Washington Street; Westbound at Drummond Street
BOWMAN STREET	Eastbound at Denny Rd.; Westbound at Noble Avenue
BRIDGE STREET	Northbound at Bridge Street
BROAD STREET	Eastbound at Commercial Street
BROWN STREET	Southbound at Tallman Street
BRUCE STREET	Eastbound at Washington Street
CARLTON BRIDGE OFF-RAMP	Westbound at Vine Street
HOLLY STREET	Eastbound at Front Street; Westbound at Washington
CENTRAL AVENUE	Southbound at Lark St.; Northbound at Drayton Rd.
CENTRE STREET	Eastbound at High St.; Westbound at Congress Ave.
CENTRE STREET EXTENSION	Eastbound at Congress Avenue

CHARLES STREET	Northbound at Centre Street
CHERRY STREET	Northbound at Weeks St.; Southbound at Rose St.
CHESTNUT STREET	Eastbound at High Street; Westbound at Maple Street; Westbound at Lincoln Street
CLIFTON STREET	Northbound at Pine Street
COBB ROAD	Eastbound at Lincoln Street; Eastbound at Dike Road; Westbound at Dike Road
CONGRESS AVENUE	Southbound at Old U.S. Route No. 1
CORLISS STREET	Eastbound at Washington St.; Westbound at High St.
COTTAGE STREET	Northbound at Leeman Hghwy; Southbound at Western Ave.
COURT STREET	Eastbound at High St.; Southbound at U.S. Rt. No. 1
COURT STREET EXTENSION	Westbound at Shopping Center Drive
CRAWFORD DRIVE	Westbound at Oak Grove Avenue
CRESCENT STREET	Southbound at York Street
CRESCENT STREET COURT	Westbound at Crescent Street (both locations)
CROOKER STREET	Eastbound at Middle Street
CUMMINGS STREET	Westbound at Washington Street
DAVENPORT CIRCLE	Eastbound at Washington Street
DIKE STREET	Northbound at North Street; Southbound at Bedford St.
DRAYTON ROAD	Northbound at Centre Street
DRUMMOND STREET	Southbound at Washington Street
DUMMER STREET	Southbound at York Street; Southbound at Beacon Street; Northbound at Oliver Street; Southbound at Oliver Street
DUMMER STREET COURT	Eastbound at Dummer Street (Both locations)
EAST BRUNSWICK ROAD	Westbound at Ridge Road
EAST LANE	Westbound at Washington Street
EDGETT STREET	Southbound at Centre Street
EDWARD STREET	Eastbound at Washington Street; Westbound at Dummer Street
EDWARD STREET COURT	Southbound at Edward Street
ELM STREET	Eastbound at Front Street; Eastbound at Water Street
ELSINORE AVENUE	Northbound at Leeman Highway; Southbound at Western Avenue

FARRIN STREET	Northbound at Richardson Street
FISHER COURT	Eastbound at Washington St.; Westbound at Middle Street
FITTS STREET	Southbound at North Street
FLORAL STREET	Southbound at Court St. Ext.; Northbound at Centre St.
FREMONT STREET	Eastbound at Front Street; Westbound at Washington Street
FRONT STREET	Northbound at Oak Street; Southbound at Oak Street; Northbound at Centre Street
GARDEN STREET	Southbound at Oak St.; Eastbound at Washington Street
GRAFFAM WAY	Northbound at Riverview Rd.; Westbound at High St.
GRANITE STREET	Westbound at High Street
GREEN STREET	Eastbound at High Street; Westbound at Lincoln St.
GROVE STREET	Eastbound at Front Street; Westbound at Washington Street
HARVEY STREET	Southbound at Prospect Street
HARWARD STREET	Eastbound at Washington Street; Westbound at High Street
HEATH LANE	Southbound at Denny Road; Northbound at Denny Road
HIGH STREET	Northbound at Bridge Street; Southbound at Bridge St. Connector Northbound at Centre Street; Southbound at Centre Street Northbound at Oak Street; Southbound at Oak Street Northbound at North Street; Southbound at North Street Northbound at Oliver Street; Southbound at Oliver Street
HIGH STREET COURT	Eastbound at High Street
HIGHLAND STREET	Northbound at Pine Street; Southbound at Corliss St.
HINCKLEY STREET	Eastbound at Washington Street; Westbound at Middle Street
HUNT STREET	Eastbound at Washington Street; Westbound at Middle Street
HUSE STREET	Eastbound at Centre Street
JUDKINS AVENUE	Eastbound at Oak Grove Avenue; Westbound at Old Brunswick Road
KING STREET	Westbound at Washington Street
LAMBARD STREET	Eastbound at Commercial St.; Westbound at Front St.
LEEMAN HIGHWAY ON RAMP	Westbound at Route 1
LEMONT STREET	Eastbound at Washington Street; Westbound at High Street
LIBBY COURT	Eastbound at Middle Street
LIBERTY STREET	Westbound at High Street

LINCOLN STREET	Southbound at Centre Street; Northbound at North Street (Ord.9/20/00)
LINDEN STREET	Westbound at Washington Street
MAPLE STREET	Northbound at Chestnut Street; Southbound at Chestnut Street
MAPLE GROVE AVENUE	Southbound at North Street
MARCIA STREET	Southbound at Edward Street; Southbound at Beacon Street Northbound at Beacon Street; Northbound at Oliver Street
MARSHALL AVENUE	Northbound at Rose Street; Southbound at Marshall Street
MARSHALL STREET	Eastbound at Washington Street; Westbound at High Street
MATHEWS AVENUE	Southbound at Newton Road; Northbound at Crawford Drive
MAXWELL STREET	Northbound at Russell Street; Southbound at Palmer Street
MEADOW STREET	Northbound at Richardson Street
MEADOW WAY	Eastbound at northern intersection with High Street
MECHANIC STREET	Eastbound at Washington Street
MIDDLE STREET	Southbound at Lemont Street; Southbound at Robinson Street Northbound at Robinson Street; Southbound at Marshall Street Northbound at Marshall Street; Southbound at Rose Street Southbound at Weeks Street; Northbound at Weeks Street Southbound at Corliss Street; Northbound at Corliss Street Southbound at Pine Street; Northbound at Pine Street Northbound at Spring Street; Southbound at Russell Street Southbound at Bath Street; Northbound at Bath Street Southbound at South Street; Northbound at South Street Northbound at Union Street; Southbound at Union Street Southbound at Granite Street; Northbound at Granite street Southbound at Leeman Highway (2); Northbound at Leeman Highway (2); Southbound at Centre Street; Northbound at Centre Street Southbound at Winter Street; Northbound at Winter Street Southbound at Oak Street; Northbound at Oak Street Southbound at North Street; Northbound at North Street Northbound at York Street
MILAN STREET	Eastbound at Washington Street; Westbound at High Street
MILL POND DRIVE	Northbound at Old Brunswick Rd.
NEWTON ROAD	Northbound at Crawford Drive
NICHOLS STREET	Eastbound at High Street
NOBLE AVENUE	Northbound at Denny Rd.; Southbound at Office Dr.
NORTH BATH ROAD	Southbound at Whiskeag Road
NORTH STREET	Eastbound at Washington Street; Eastbound at Front Street Westbound at Washington Street; Westbound at Lincoln Street

NORTH STREET COURT	Southbound at North Street; Westbound at Oak Grove Avenue
NORTH STREET EXTENSION	Eastbound at Lincoln Street
OAK GROVE AVENUE	Southbound at Old Brunswick Rd.; Northbound at Whiskeag Rd.
OAK STREET	Eastbound at Washington Street; Westbound at Washington Street Eastbound at Middle Street; Westbound at Middle Street Westbound at Lincoln Street; Eastbound at High Street (Ord. 9/20/00) Westbound at High Street (Ord. 9/20/00)
OFFICE DRIVE	Eastbound at Meadow Way; Westbound at Heath Lane
OLD SLOOP LANE	Westbound at Barque Road
OLD SOUTH PLACE	Southbound at Union Street; Northbound at Granite Street
OLIVER STREET	Eastbound at Washington Street
PAGE STREET	Southbound at Academy Street; Northbound at Cobb Road
PALMER STREET	Westbound at High Street; Eastbound at Maxwell Street
PARK STREET	Westbound at High Street
PEARL STREET	Eastbound at Front Street; Eastbound at Washington Street Westbound at Washington Street; Westbound at Middle Street
PINE STREET	Eastbound at Washington Street; Westbound at High Street
PLANT STREET	Southbound at Academy Street; Northbound at Cobb Road
PLEASANT AVENUE	Eastbound at Washington Street
PLEASANT STREET	Eastbound at Washington Street; Westbound at Middle Street
PLUM LANE	Southbound at Richardson Street
PRATT STREET	Westbound at Lincoln Street
PROSPECT STREET	Westbound at High Street
QUIMBY STREET	Northbound at Leeman Highway; Eastbound at Elsinore Ave.
RAYMOND COURT	Southbound at Centre Street
REDLON ROAD	Northbound at Western Avenue
RICHARDSON STREET	Eastbound at High Street
RIDGE ROAD	Southbound at Old Brunswick Road; Eastbound at Bay Road
RIVERVIEW ROAD	Westbound at High Street; Westbound at Middle Street
ROBINSON STREET	Eastbound at Washington Street
ROSE STREET	Eastbound at Washington Street; Westbound at High Street
RUSSELL STREET	Eastbound at Washington Street

SCHOOL STREET	Westbound at Middle Street
SCHOONER LANE	Eastbound at Barque Road
SEEKINS DRIVE	Southbound at Crawford Drive
SHAW STREET	Eastbound at Washington Street; Westbound at Middle Street
SHENANDOAH ROAD	Northbound at Old Brunswick Road
SHEPARD STREET	Eastbound at Washington Street; Westbound at Middle Street
SHERIDAN ROAD	Eastbound at Lincoln Street
SHOPPING CENTER DRIVE	Southbound at Route No. 1
SHOPPING CENTER EXIT	Westbound at Congress Avenue
SNOW PARK	Northbound at Academy Street; Southbound at Centre Street
SOMERSET PLACE	Westbound at Washington Street
SOUTH STREET	Eastbound at Washington Street; Westbound at High Street
SPRING STREET	Eastbound at Washington Street
SUMMER STREET	Eastbound at Front Street; Westbound at Front Street; Eastbound at Commercial Street; Westbound at Washington Street (both locations)
TARBOX STREET	Eastbound at High Street
TOWER CIRCLE	Southbound at Denny Road (at both locations)
TRUFANT STREET	Westbound at Washington Street
TURNER COURT	Southbound at York Street
UNION STREET	Eastbound at Washington Street; Westbound at High Street
UNION STREET COURT	Southbound at Union Street
VALLEY ROAD	Southbound at Oliver Street
VARNEY MILL ROAD	Southbound at Bay Road
VINE STREET	Westbound at Washington Street 2 signs
WALKER STREET	Eastbound at Middle Street; Westbound at High Street
WATER STREET	Southbound at Vine Street; Southbound at Centre Street
WASHINGTON STREET	Southbound at North Street; Northbound at North Street (12/4/02)
WEBBER AVENUE	Westbound at High Street
WEEKS STREET	Eastbound at Washington Street; Westbound at High Street
WESLEY STREET	Eastbound at Washington Street; Westbound at Middle Street

WEST STREET	Northbound at Richardson Street; Southbound at Richardson Street; Northbound at Western Avenue
WESTERN AVENUE	Eastbound at High Street; Westbound at Witch Spring Rd.
WESTERN AVE. CONNECTOR	Northbound at Western Avenue Extension; Southbound at Western Avenue
WESTERN AVE. EXT.	Northbound at Witch Spring Road
WILLOW STREET	Northbound at Pearl Street; Southbound at North Street
WINSHIP STREET	Eastbound at Washington Street; Westbound at High Street
WINSLOW COURT	Southbound at Court Street (Both intersections)
WINTER STREET	Eastbound at Washington Street
WRIGHT DRIVE	Eastbound at High Street
YORK STREET	Westbound at Washington Street; Eastbound at High Street

Sec. 17-212. Yield intersections.

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

(b) Yield signs shall be erected and shall control traffic moving in the designated directions to yield at intersections with the second named street as follows:

STREET	DIRECTION/INTERSECTION
COURT STREET	Northerly at the intersection of Court St. Ext.
CRESCENT STREET	Westbound at High Street
DENNY ROAD	Southerly at Crawford Drive
FRONT STREET	Southerly and turning on to Elm Street
GODDARD STREET	Northerly at Marshall Street
HEATH LANE	Southbound at Adams Court
LEEMAN HIGHWAY	Westerly at Junction with U. S. Rt. No. 1
LINDEN STREET	Easterly at Front Street

SUMMER STREET	Eastbound at the eastern tip of the traffic island. Traffic eastbound on the northerly side of the traffic island shall yield to other traffic eastbound on the southerly side of the traffic island and westbound traffic.
TARBOX PLACE	Easterly at Tarbox Street
TARBOX STREET	Easterly at Spruce Street
WESTERN AVENUE	Westerly at Richardson Street; Easterly at Western Ave. Ext.
WHISKEAG ROAD	Southerly at Oak Grove Ave. Easterly at High Street at the point of the triangle controlling traffic moving northwesterly along Whiskeag Road at the point of the triangle.
WINSHIP STREET	Eastbound at Park Street
WINSLOW STREET	Westbound at Washington Street

(Ord. of 11-18-81; Ord. No. 83-19, 84-8;12/20/00)

Sec. 17-213. Entering traffic.

(a) Entry from curb. No person shall drive a vehicle out from the curb on any street without first looking to see that he shall not pull directly into the path of an approaching vehicle, not without giving a signal indicating that he is about to drive out from the curb.

(b) Emerging from private or public driveway or building. The driver of a vehicle emerging from a private or public driveway, automobile service station or building shall stop such vehicle immediately prior to driving onto a sidewalk and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. **(Ord. of 11-18-81)**

Sec. 17-214. Sidewalk areas.

Areas designated as sidewalks, except where a permanent or temporary driveway crosses said sidewalk area, are reserved for the exclusive use of pedestrians and vehicles shall be excluded therefrom, including the operation, parking or standing of any vehicle thereon. (Ord. of 11-18-81)

Sec. 17-215. Backing of vehicles restricted.

The driver of any vehicles shall not back the vehicle into any intersection, over a crosswalk or in any other place, unless such movement can be made in safety and without interfering with other traffic. (Ord. of 11-18-81)

Sec. 17-216. Operation of motorcycle; passengers.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event, a passenger may ride upon the permanent and regular seat as designed for two (2) persons, or upon any other seat firmly attached to the rear or side of the operator and the motorcycle shall be equipped with a passenger footrest. (Ord. of 11-18-81)

Sec. 17-217. Parade or procession permit required.

No procession or parade containing one hundred (100) or more persons or ten (10) or more vehicles, excepting the military forces of the United States, the military forces of this state, and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police, and in accordance with the regulations pertaining to parades and assemblies generally contained in Chapter 10 of this Code. (Ord. of 11-18-81)

Sec. 17-218. Funeral processions; marking of vehicles; manner of operation vehicle.

(a) A funeral composed of a procession of vehicles shall be identified as such by the display of lighted headlights.

(b) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

(c) This section shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. (Ord. of 11-18-81)

Sec. 17-219. Commercial vehicles in excess of two axles.

Section 17-219. Commercial vehicles in excess of two axles.

All commercial vehicles having in excess of two (2) axles shall be prohibited from using Front Street from Vine Street to Cedar Street, Windjammer Way, Floral Street, Cottage Street, Elsinore Avenue, Quimby Street, or Granite Street except by permission of the police chief, with the exception of service vehicles servicing said streets.(Ord. 11-18-81; 8/24/94; 12/20/00; 9/7/11)

Sec. 17-220. Closure of streets, sidewalks and public ways.

The City Council, by Resolution, shall have the authority to close any street, sidewalk or public way, or any portion thereof, in such instances as it deemed appropriate. Such a Resolution shall direct the Manager to cause appropriate devices to be placed and maintained which will effect the closure. Resolution of Council shall be deemed necessary for any closure which exceeds a period of twenty-four (24) hours. (Ord. of 11-18-81)

Sec. 17-221. Weight Limits.

The following weight limits and restrictions to vehicle traffic shall apply to the locations listed below:

Sec. 17-221. Overload Movement Permits

The City of Bath, pursuant to 29A M.R.S.A. Section 2382(3) may issue a permit for the movement of nondivisible objects having a length, width, height or weight greater than that specified in Title 29A of the Maine Revised Statutes Annotated, over a way or bridge maintained by the City of Bath. The City Council of the City of Bath, as the municipal officers in and for said City, do hereby delegate to the Chief of Police of the City of Bath the authority to consider, and when deemed appropriate, issue permits for overlimit movement. The permits shall only be granted in those instances where the provisions and conditions of 29A M.R.S.A. Section 2382 have been met and the Chief of Police has determined that there will be no adverse effect to the health, safety and welfare of the inhabitants of the City of Bath, no damage to City ways and bridges, and no inordinate disruption of the orderly flow of traffic.

ARTICLE 5A - RESTRICTING VEHICLE WEIGHT ON POSTED WAYS (Ord. 2/18/09)

Sec. 17-221. Purpose and Authority

The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is to prevent damage to City ways and bridges in the City of Bath (hereinafter the "City") which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of City ways and bridges, and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. §§ 2395 and 2388.

Section 17-222. Definitions

Unless specifically defined in this Code, definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 17-223. Restrictions and Notices

The City council or their duly authorized designee may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the City ways and bridges, and designate the City ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restrictions during any applicable time-period on any way or bridge so posted unless otherwise exempt as provided herein.

The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time-period during which the restriction applies, the date on which the notice is posted, and the signatures of the City council or their duly authorized designee. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way or bridge.

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Sec. 17-224. Exemptions

Vehicles that are exempt from the Maine Department of Transportation's (MDOT) and "Rules and Regulations Restricting Heavy Loads on Closed Ways" a date December 31, 1996 and amended on March 4, 1998, are exempt from this Ordinance.

Vehicles. The following vehicles are exempt from this regulation:

- A. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
- B. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this subsection if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact 23,000 pounds.

- C. Maine Department of Transportation highway maintenance vehicles or vehicles under the direction of a public jurisdiction with permission of the Department engaged in emergency maintenance of public highways or appurtenances thereto.
- D. Passenger cars, pickup trucks, emergency vehicles, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or less under the direction of a public utility and engaged in plant maintenance or repair.
- E. Any vehicle transporting home heating fuel (oil, gas, stove size wood) to a private consumer, gasoline, groceries, bulk milk, bulk feed, solid waste, rubbish, or medical gases may apply for an exemption certificate. These vehicles must be registered in excess of 23,000 pounds and must be carrying a partial load with a weight equal to or less than that indicated on an exemption certificate issued by the Maine Department of Transportation. This certificate shall accompany the vehicle at all times as shall weigh slips, delivery slips, or bill of lading for the load being carried.)
- F. No vehicle delivering home heating fuel shall be required to obtain a municipal permit to travel over a restricted way or bridge if that vehicle operates in accordance with a permit issued by the Maine Department of Transportation.
- G. During a drought emergency declared by the Governor of the State of Maine, no vehicle that is transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well that is no longer supplying sufficient water for residents, or agricultural purposes shall be required to obtain a municipal permit to travel over a restricted way or bridge if the following conditions are met:
 - 1. That vehicle operates in accordance with a permit issued by the Maine Department of Transportation when a department permit is required for a road or way necessary to reach the municipal way on which the property to be drilled is situated; and
 - 2. The City manager or, in the absence of the City manager, a City officer is notified in advance; and
 - 3. The operator of the vehicle is traveling on a road that is posted by the City in accordance with restrictions imposed by the City.

Sec. 17-225. Permits

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the City council or their duly authorized designee for a permit to operate on a posted way or bridge notwithstanding the restriction. The City council or their duly authorized designee may issue a permit only upon all the following findings:

- A. No other route is reasonably available to the applicant;
- B. It is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and

C. The applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of the same.

Even if the City council or their duly authorized designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate safety hazards or cause substantial damage to a way or bridge maintained by the City. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the ways and bridges.

In determining whether to issue a permit, the City council or their duly authorized designee shall consider the following factors:

- A. The gross registered weight of the vehicles;
- B. The current and anticipated condition of the way or bridge;
- C. The number and frequency of vehicle trips proposed;
- D. The cost and availability of materials and equipment for repairs;
- E. The extent of use by other exempt vehicles; and
- F. Such other circumstances as may, in their judgment, be relevant.

The City council or their duly authorized designee may issue permits subject to reasonable conditions, including but not limited to, restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

Sec. 17-226. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the City council or their duly authorized designee. The duly authorized designee shall be the Public Works Director.

Sec. 17-227. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250 nor more than \$1000. Each violation shall be deemed a separate offense. In addition to any fine, the City may seek restitution for the costs of repairs to any damage of a way or bridge and reasonable attorneys fees and costs. Prosecution shall be in the name of the City and shall be brought in the Maine District Court.

Sec. 17-228. Severability; Effective Date

Any event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

1. STOPPING, STANDING AND PARKING

Sec. 17-251. Stopping and Parking.

The cemeteries and parks of this city and any of the paths, drives, streets, boulevards or roadways contained therein, are closed between the hours of 10:00 p.m. and 5:00 a.m., except for duly authorized personnel or law enforcement officers. No person shall stop, loiter or be or remain in any of the parks or cemeteries of this city, nor shall any person park an automobile and remain within said park or cemetery between the proscribed hours. (Ord. of 11-18-81)

Sec. 17-252. Stopping, standing or parking in specified areas prohibited.

(a) No person shall stop, stand or park a vehicle, except when necessary to avoid 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 private driveway; not within ten (10) feet of either side of the driveway.
3. Within an intersection.
4. Within ten (10) feet of a fire hydrant. In those instances where the hydrant is not immediately adjacent to the curb, the ten (10) feet within which parking is prohibited shall be measured ten (10) feet in either direction from that point on the curb at which the line of the curb and a line drawn perpendicular to the curb to the hydrant intersect.
5. On a crosswalk.
6. Within twenty (20) feet of the near corner of the curbs at an intersection, unless otherwise designated.
7. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the City Manager indicated a different length by signs or markings.
8. Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance (when properly sign-posted).
9. Alongside or opposite any street excavation or obstruction when such stopping or 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 or double parked, so called.
11. Upon any bridge or other elevated structure upon a highway.
12. At any place where official signs prohibit stopping.
13. Within ten (10) feet of a railroad track.

(b) This section is intended to supersede all other portions of this chapter, and all other stopping, standing or parking restrictions are subject to this section. (Ord. of 11-18-81)

Sec. 17-253. Stopping or standing vehicle prohibited.

Once signs have been erected or curbs painted yellow, no person shall stop or park a vehicle on any street or parts of streets so marked except in accordance with the terms printed on the sign. The removal of, or damage to, a sign resulting from sources other than employees of the city shall not affect the validity of any parking ordinance. The department of public works shall notify the office of the City Manager when city personnel have established or removed a sign and that notification, as recorded in the records of the City Manager's office, shall be prima facie evidence that the sign was established or removed under the terms of this section. (Ord. of 11-18-81)

Sec. 17-254. Winter parking restrictions.

From November 15 to March 15 of each year, no person shall park a vehicle on any street for a period of time longer than thirty (30) minutes, between the hours of 12:00 a.m. (midnight) and 6:00 a.m. of any day, except physicians and other persons on bona fide emergency calls.

Under circumstances where winter conditions continue beyond the March 15th date, the City Manager, by Order, may extend the winter parking restrictions hereunder for such additional time as may be necessary until such winter conditions abate. Any such extension by Order of the Manager shall be published in a newspaper of local circulation. (Ord. 11-18-81; Ord. 5-12-93)

Sec. 17-255. Loading zone restrictions.

(a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading or delivery or pickup and loading of materials, in any place marked as a loading zone from 9:00 a.m. to 6:00 p.m. daily, except on Fridays which shall be from 9:00 a.m. to 9:00 p.m. In no case shall the stop for loading or unloading of materials exceed thirty (30) minutes without special permission from the Chief of Police, or, in the absence of the Chief, from the Officer in charge at the Police Station.

(b) This section shall not apply on Sundays and holidays.

(c) Loading zones shall be designated in Section 17-259.

(Ord. of 11-18-81)

Sec. 17-256. Bus Stops.

(a) The driver of any urban or interurban bus shall not stand or park in any business district at any place other than at a bus stop, except for temporary stopping in accordance with other stopping or parking regulations at any place designated for the purpose of, and while actually engaged in, loading or unloading passengers.

(b) The driver of any bus, other than those described in subsection (a) hereof, shall not stop or stand upon any street in any business district.

(c) No person shall stop, stand or park a vehicle, other than a bus, in a bus stop when such stop has been officially designed and appropriately posted, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such a zone.

(d) Locations designated as bus stops are delineated in Section 17-259.
(Ord. of 11-18-81)

Sec. 17-257. Bus parking area.

There is hereby established a bus parking area for the exclusive purpose of parking buses from 6:30 a.m. through 5:00 p.m., Monday through Friday. Said bus parking area is designated in Section 17-259. Excluded from this area are those areas adjacent to fire hydrants, which areas shall continue to be no parking areas pursuant to the provisions of this Code. (Ord. of 11-18-81)

Sec. 17-258. Manner of standing or parking next to curb.

(a) No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the roadway, except upon those streets which have been marked or signed for angle parking, upon which vehicles shall be parked at the angle to the curb indicated by such mark or signs, except that motorcycles will have one (1) wheel within twelve (12) inches of the curb.

(b) After notification to the Bath Police Department, and with officer in attendance, double parking may be allowed in the business district for the purposes of loading and unloading a vehicle. (Ord. of 11-18-81)

Sec. 17-259. Parking Restrictions.

(a) In all areas where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 8:00 p.m., except Sundays and holidays, except in the Downtown Business District, where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 5:00 p.m., except Sundays and holidays, unless otherwise specified. For purposes of definition, the Downtown Business District is determined to be that area South of Oak Street, West of the Kennebec River, North of Vine Street, and East of Washington Street. (Ord.5/6/09)

(b) Parking shall be unrestricted along the streets of the City of Bath except as follows:

(GO TO CODES/PARKING FOR COMPLETE LIST)

Sec. 17-260. Municipal Parking Lots.

(a) Permitted use of municipal parking lots. Any area designated as a municipal parking lot is maintained for the sole exclusive purpose of providing an area where motor vehicles may be left parked or standing and for the purpose of allowing their operators and passengers to conduct their affairs.

(b) Unauthorized uses of municipal parking lots. The following acts are deemed to be unauthorized uses of a municipal parking lot and in violation of this section:

1. No person shall have alcoholic beverages and/or illegal drugs, nor shall any person drink alcoholic beverages or use illegal drugs at any time in the municipal parking lot.

2. No person shall bring to, or have in his possession, or set off, or otherwise cause to explode, or discharge or burn, any firecrackers, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them, or throw them into any such area from land or highway adjacent thereto. This prohibition includes any substance compound, mixture, or article that, in conjunction with any other substance or compound, would be dangerous from any of the foregoing standpoints

3. No person shall build or attempt to build a fire.

4. No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to be a breach of the public peace or disturb or interfere unreasonably with any other person or party using the municipal parking lot.

5. No person shall loiter in the municipal parking lots, during the nighttime hours, between sunset and sunrise.

6. No person shall occupy any municipal parking lot for a purpose other than parking and if any such person, subsequent to being told by an authorized law enforcement officer, to quit any municipal parking lot, refuses to quit said lot or, once having quit said lot returns to same for purposes other than parking a motor vehicle in addition to the provision of this chapter, he shall be deemed to be in violation of 17-A M.R.S.A. '402 and/or 17 M.R.S.A. '502, and such violation shall be punishable under the terms of those sections, except that the city manager may waive the within at his discretion for a period of not more than twenty-four (24) hours.

(c) Designation of parking areas. The owner and/or operator of any motor vehicle using a municipal or public park lot shall park said vehicle within designated areas as indicated by white or other markings and parking shall be limited to said designated areas.

(Resolution 5-6-92 (fee for use of the Water Street Parking Lot - west side - shall be \$40.00 per month effective for all months commencing September 1, 1992 until further Resolution of this Council)

(Resolution 6-3-2015 (fees for the use of the Water Street Lot (West side), Commercial Street Lot, and the designated parking areas on School Street, shall be Forty-Five Dollars (\$45.00) per month, for each location, effective beginning

January 1, 2016, and for all subsequent months thereafter or until such time as amended by further Resolution of this Council.)

(d) **Water Street parking lot - West side.** Parking on weekdays from 6:00 a.m. to 6:00 p.m. shall be permitted in the Water Street parking area upon obtaining a parking permit or stamp from the Police Department, which shall be affixed on such vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council. Sales of the permit or stamp shall be limited to those persons employed or living in the central business district of the City from the period of the twenty-first through the twenty-fourth of the month preceding the month of issue of the permit or stamp. Central business district employees may purchase multiple months up to one (1) year. If any permits remain after the twenty-fourth of a particular month, then those remaining permits may be sold to the general public on a month to month basis. The general public may not purchase multiple months but shall purchase only on a month to month basis as spaces are available after the needs of central business district employees have been met. Parking on weekends and on weekdays from 6:00 p.m. to 6:00 a.m. is unrestricted. (Ord.4/19/00)(Ord.5/6/09)

(e) **Water Street parking lot - East side.** Parking in excess of two (2) hours is prohibited in said municipal parking lot to between 6:00 a.m. and 5:30 p.m., subject to other ordinances, in effect. In addition, access to said lot shall be exclusively from the southernmost access from the east side of Water Street, said access being hereby designated as one-way easterly and egress from said municipal parking lot shall be exclusively by way of the northernmost access to Water Street, said area being designated one-way in a westerly direction. (Ord.5/6/09)

- (1) There shall be designated by the painting of lines and posting of signs, two (2) parking spaces in the east side Water Street parking lot parallel to the north side of Reny's Department Store and traveling west for a distance of forty (40) feet for the exclusive use of the handicapped.
- (2) The handicapped shall be described as the owners or operators of any motor vehicle that has been granted a special handicapped license plate by the Secretary of State of the State of Maine or a windshield placard issued by the same authority indicating that the owner or operator is handicapped according to the Secretary of State and the laws of the State of Maine.
- (3) The time limit for parking in these two (2) specific spaces shall be limited to one and one-half (12) hours.
- (4) The owner or operator of any vehicle parked in these two (2) spaces that does not bear handicapped license plates or windshield placards or that does bear such markings but are not being used to transport the handicapped shall be in violation of the parking regulations of the City and subject to the penalties as provided in Chapter 8, as well as all other penalties and actions as provided for illegal parking.

(f) **Patten Free Library Parking Lot.** Municipal parking lot located northerly of Summer Street and westerly of the Patten Free Library:

(1) During the business hours of Patten Free Library, six (6) parking spaces shall be reserved exclusively for the use of persons utilizing the services of said library. The City Manager is hereby authorized and directed to clearly designate six (6) such parking places on the westerly side of the entrance of the lot by appropriate means and to cause to be erected signs setting forth the times when such parking spaces are so reserved.

During the hours when Patten Free Library is open for business, three (3) parking spaces on the northerly side of the lot shall be reserved exclusively for employees of said library. The easterly most space on the northerly side of the lot shall be a handicapped parking space. The City Manager is hereby authorized and directed to clearly designate the three (3) staff parking spaces and the handicapped parking space in the appropriate manner.

(2) Said parking lot shall be closed to traffic of any kind between the hours of 10:00 p.m. and 6:00 a.m. and it shall be unlawful for any person to be present in said parking lot between those hours.

Parking in the library lot, other than staff spaces designated by the City Manager, shall be restricted to two-hour parking, Monday through Friday, from 6:00 a.m. to 10:00 p.m.

(g) **Commercial Street Parking Lot** - West side under Sagadahoc Bridge. The parking area which is shown in Exhibit "A" attached to the License Agreement by and between the State of Maine and the City of Bath, dated October 11, 2000 shall be restricted to permitted parking on weekdays from 6:00 a.m. to 6:00 p.m. and shall require a parking permit or stamp issued by the Police Department, which must be affixed on the vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council. The procedure for acquiring the permit or stamp shall be in accordance with those procedures designated for the Water Street parking lot - West side, Section 17-60(d) of this Ordinance. At all other times, parking shall be unrestricted. This Ordinance and any revision or amendment to this Ordinance shall be in effect as long as the License Agreement or any extension or amendment thereto between the State of Maine and the City of Bath, above-captioned, shall remain in full force and effect.(Ord.11/15/00)(Ord.5/6/09)

(h) **Castine Avenue Parking Facility** – The Castine Avenue Parking Facility parking area shall be designated as permit parking only. Permits shall be issued on a month-to-month basis at an initial cost of Forty-Five Dollars (\$45.00) per month. The parking fee may, from time to time, be amended and adjusted by Resolution of the City Council.

Sec. 17-261. Shopping center parking lot.

(a) All provisions of section 17-260 and any and all other provisions of this chapter which may be applicable, shall apply to the parking area of the Bath Shopping Center.

(b) In addition to said provisions, there shall be maintained along the entire length of the front of the shopping center building a fire lane wherein no parking is permitted from the said front of the building and extending into the said parking lot a distance of twenty-five (25) feet; any vehicle parked in said area shall be subjected to the provisions of Article 8 of this chapter and also subject to the provisions of Article 3 of this chapter providing for the impounding and removal of vehicles.

(Ord. of 11-18-81)

Sec. 17-262. Morse High School Parking Lots.

(a) Parking in all parking lots adjacent to Morse High School shall be limited to employees of the said Morse High School and students of said school. All-day parking shall be permitted for said employees and students upon obtaining a parking permit or stamp from the Morse High School principal's office. Said stamp or permit shall be conspicuously affixed to the vehicle. Any vehicle found in any parking lot adjacent to the Morse High School without a proper parking permit or stamp shall be subject

to removal and impounding pursuant to Article 3 of this chapter and to such fines and penalties as are designated and appropriate under the provisions of this said chapter. In addition, the parking lots shall be closed to the parking of any vehicles, except for school buses and school-owned vehicles, between 11:00 p.m. and 6:00 a.m. The parking area known as the Maple Street parking lot shall further be restricted to Morse High School faculty parking, and the parking area known as the Chestnut Street parking area shall be restricted to Morse High School student parking. On special occasions, the principal of Morse High School, or his appointed representative, with proper notification to the Chief of Police, shall have the authority to waive all requirements of this section between the hours of 6:00 p.m. and 1:00 a.m. (Ord. 11-18-81)

(b) Recreation Department Parking Lot. The parking area to the south of the Small School and to the west of Hawkes Field shall be restricted, while Morse High School is in session, and between the hours of 6:30am and 3:30pm to parking by Morse High School students.

The parking shall be on a permit only basis with the permit being obtained from the Bath Recreation Department. The permit shall be hung from the rearview mirrors and shall be visible while the vehicle is parked in the lot. Any vehicle parked in the lot without a visible permit during the restricted time shall be subject to the enforcement provisions of this Chapter. There shall be a fee established for parking in the lot to be set by the Recreation Department no to exceed that charged by Morse high School for student spaces. If demand for spaces in the lot exceeds capacity, then permits shall be awarded by lottery system. The Recreation Department with the advice and consent of the Chief of Police, shall have the authority to promulgate rules and regulations for the use of the lot and the conduct of the users. (Ord. 9/15/99)

Sec. 17-263. Applicability.

This article shall apply to all vehicles not in motion, whether said vehicles are running or not running, occupied or unoccupied. (Ord. of 11-18-81)

Sec. 17-264. Wastewater Treatment System Pumping Stations.

There shall be no parking at any time at all City owned areas adjacent to the City's wastewater treatment system pumping stations except for authorized vehicles on site in connection with the operation, maintenance or repair of the pumping station. (Ord. of 2-24-88)

Sec. 17-265. MDOT-Railroad Right-of-Way

The parking of vehicles within the State of Maine owned railroad right-of-way within the City of Bath is hereby prohibited. Only vehicles belonging to the Maine Coast Railroad and the Rail Transportation Division of the Maine Department of Transportation shall be allowed on said property. As noted, all other parking is prohibited and all remedies available for illegally parked vehicles may be utilized against any such illegally parked vehicles. (Ord. of 10-21-92)

Sec. 17-266. Railroad Station Lot - East side.

The parking of vehicles on the railroad station lot east of the railroad station building, shall be permitted for patrons and employees of enterprises located within the building during such time as the patron is utilizing the services of the enterprise and during the working hours of the employee. All others shall be prohibited from utilizing said lot and shall be subject to all remedies available for illegally parked vehicles. (Ord. of 11-92)

Sec. 17-267 - 17-300 Reserved

ARTICLE 7. OFFENSES

Sec. 17-301. Loud or Unnecessary Noise prohibited.

No person shall operate a motor vehicle upon any street or way in the city so as to make any loud, unusual or unnecessary noise against the peace, quiet or good order of the City. (Ord. 11-18-81)

Sec. 17-302. Following fire apparatus.

No driver of any vehicle, other than one on official business, shall follow less than two hundred (200) feet from any fire apparatus traveling in response to a fire alarm, or drive into or park such vehicle within a block where fire apparatus has stopped in answer to a fire alarm. (Ord. of 11-18-81)

Sec. 17-303. Driving across fire hose.

No vehicle shall be driven over any unprotected hose of the 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. (Ord. of 11-18-81)

Sec. 17-304. Clinging to moving vehicles.

Any person riding upon any motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach such vehicle or object or himself to any moving vehicle upon any roadway; nor shall any driver or operator of a vehicle cause to be towed any person riding upon any motorcycle, coaster, sled, roller skates, or any toy vehicle. (Ord. of 11-18-81)

Sec. 17-305. Display of unauthorized signs, signals or markings.

(a) 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, is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic or hides from the view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal. No person shall place or maintain any traffic sign or signal bearing thereon any commercial advertising.

(b) Every such prohibited sign, signal or marking is declared to be a public nuisance, and the authority having jurisdiction over the highway is empowered to remove such nuisance or cause it to be removed without notice.

(c) This section 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.

(Ord. of 11-18-81)

Sec. 17-306. Displaying for sale or repairing vehicles on street.

No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or greasing or repairing such vehicle, except for repairs necessitated by an emergency.

(Ord. of 11-18-81)

Sec. 17-307. Using vehicle for advertising purposes.

No person shall operate or park on any street any vehicle for the primary purpose of advertising. (Ord. of 11-18-81)

Sec. 17-308. Zone of quiet.

Whenever authorized signs are erected indicating zone of quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of the vehicle except in an emergency. (Ord. of 11-18-81)

Sec. 17-309. Interfering with snow removal.

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 such street or way by the City by plowing or loading and hauling. The Chief of Police may cause any vehicle so parked on any street or way, 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. (Ord. of 11-18-81)

Sec. 17-310. Deposit of snow.

(a) No person shall deposit, or cause to be deposited, snow upon a public way or sidewalk.

(b) No person shall deposit, or cause to be deposited, snow in a manner which shall result in the snow being left on or near a hydrant, or otherwise interfere with the operation of the hydrant. (Ord. of 11-18-81)

Sec. 17-311. Limitation of use of motorbikes, all-terrain vehicles and snowmobiles.

All motorbikes, all-terrain vehicles and snowmobiles as defined, shall be prohibited from operating in any park, recreational area, school grounds, public parking lot or cemetery within the City of Bath. The operator of such motorbike, all-terrain vehicle or snowmobile shall be subject to the penalties set forth in section 17-352. Nothing herein, however, shall prevent the operation of lawfully registered motorbikes, all-terrain vehicles or snowmobiles from operating and parking in those areas of the parks, recreational areas, cemeteries, school grounds or public parking lots of the City, as are specifically designated for such purpose. (Ord. 11-18-81) (Ord. 2-4-04)

Sec. 17-312. Double parking.

Double parking shall not be permitted on any of the streets and ways within the City, except as designated in Section 17-258(b). (Ord. of 11-18-81)

Sec. 17-313. Parking against the flow of traffic.

No parking shall be permitted except with the flow of traffic. No person shall cause a vehicle to be parked in a manner which, when leaving the parked area, will require the vehicle to cross a lane of traffic in order to proceed in the direction in which the parked vehicle was headed. (Ord. of 11-18-81)

Sec. 17-314. Idling Motor Vehicles.(9-4-13)

Notwithstanding the provisions of 38 M.R.S. Section 585-L, in order to further protect and preserve the natural environment, reduce vehicle emissions, and improve the air quality in the City of Bath, owners or operators of motor vehicles within the C1 and C4 Zoning Districts, shall be subject to the following:

- 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 within the C1 and C4 Zoning Districts.
- 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 being used in the course of official business. This provision shall specifically include Public Works vehicles when operating to clear City streets due to inclement weather. Further, for the health and safety of municipal operators, there will be occurrences when vehicles will be left running. Examples include protection from the elements, or for the use of vehicle safety features.
 - 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.
 - 5. Vehicles while warming up in temperatures 20 degrees F and below.
- 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, unless the operator of the vehicle is present and can be identified as the person responsible for the idling.
- D. Penalties. Any owner or operator of a motor vehicle idling in violation of this section shall first receive a warning, written or oral. A second offense may receive a fine not to exceed Fifty Dollars (\$50.00), which violation shall be a civil infraction only.

ARTICLE 8. PENALTIES

Sec. 17-351. Penalties for parking violations.

(a) Penalty limits designated. Any person, firm or corporation who shall violate any provision of the parking regulations in this chapter shall, upon conviction thereof, and in addition to any other remedies provided herein, or unless another penalty is expressly provided by law, be subject to a fine of not less than fifteen dollars (\$15.00) or more than two hundred dollars (200.00). All fines assessed under this provision shall be payable to and for the exclusive use of the City. (Ord.6/7/06) (Ord. 12/5/2018)

(b) Multiple violations. Each time a vehicle is found to be in violation of any of the items for which a penalty is prescribed, it shall be considered a separate violation. This shall mean that multiple tickets may be issued for violations in the same location.

(c) Payment of waiver fee. Any person, firm or corporation accused of a violation of the provisions of the parking regulations in this chapter may voluntarily waive his right to appear and defend that matter before any court or judicial tribunal, by paying the City, in accordance with the following penalty schedule:

1. Parking in Wrong direction	\$30.00
2. Overtime Parking – Except Downtown Business District	
a. The first violation within a six-month period	\$30.00
b. The second violation within a six-month period	\$35.00
c. The third violation within a six-month period	\$40.00
d. The fourth violation within a six-month period	\$45.00
e. The fifth violation within a six-month period	\$50.00
2a. Overtime Parking – Downtown Business District Only	
The first violation within a six-month period	Warning
b. The second violation within a six-month period	\$20.00
c. The third violation within a six-month period	\$25.00
d. The forth violation within a six-month period	\$30.00
e. The fifth violation within a six-month period	\$35.00
f. The sixth or more violation within a six-month period	\$40.00
3. Parking too far from curb	\$20.00
4. Too Close to driveway	\$30.00
5. Blocking driveway	\$50.00
6. No parking lot Permit	\$45.00
7. Parking on sidewalk:	
a. Sidewalk not blocked	\$30.00
b. Blocking sidewalk	\$50.00
8. No parking area	\$30.00
9. Parking too near hydrant	\$40.00
10. Parking in bus stop	\$30.00
11. Parking in fire zone or lane	\$50.00
12. Parking too near corner	\$30.00
13. Parking on crosswalk	\$30.00

14. Blocking a public way	\$40.00
15. Blocking snow removal	\$30.00
16. All night parking	\$30.00
17. Parking in loading zone	\$30.00
18. Double Parking	\$30.00
19. Use of immobilization device	\$75.00
20. Parking in an area designated for handicap parking	\$200.00
21. All other parking violations	\$25.00

Late Charges: Any person receiving a parking citation shall, within 30 calendar days from the date of issuance, pay the waiver fee as prescribed in Section 17-351. Failure to pay the waiver fee within the 30 calendar days of issuance of the parking citation will result in a late charge of double the original amount imposed on each violation not paid. (Ord.6/7/06)(Ord.12/5/2018)

(d) Hazards to the Public. However, if any of the above-delineated violations, or any other violation of any provision of this Chapter constitutes a hazard to the public, then the offense shall be punished by a fine of no less than fifty dollars (\$50.00) and no more than one hundred dollars (\$100.00). The waiver fee for such violation which constitutes a hazard to the public shall be thirty dollars (\$30.00). In addition, the officer involved shall have the authority to immediately remove the vehicle creating the public hazard, pursuant to Article 3 of this Chapter. A public hazard shall be defined as any violation of this chapter which impedes the free flow of traffic along the streets and ways of this City, reduces visibility of said traffic, or in any way endanger pedestrians, or impedes the operation and/or function of emergency vehicles. (Ord. of 11-18-81; Ord. No. 84-9; Ord. No. 90-27, (Ord. 6-26-91) (Ord. 12/5/2018)

(e) Warning for Overtime Parking – Downtown Business District: For the first overtime parking violation occurring in the Downtown Business District, as defined below, a warning shall be issued. Any subsequent violation occurring after the warning during any quarter, also as defined below, shall be subject to the waiver fee as set forth in Subsection 2A under Subsection (c) of this Section (17-351). The Downtown Business District shall be defined as that area within the following boundaries: south of oak Street, west of Kennebec River, north of Vine Street, and east of Washington Street. Six month period shall be defined as any of the time frames inclusive from: January through June, July through December. (Ord. 3/20/02)(Ord. 6/7/06)

Sec. 17-352. Moving violations.

Any violations of the provisions of this Chapter which constitutes moving violations, i.e., are a result of the operation of a vehicle as opposed to the parking of a vehicle, shall be subject to a fine not to exceed one hundred dollars (\$100.00), or imprisonment for a period of time not more than thirty (30) days, or by both. Any fines collected pursuant to this section shall be for the use and benefit of the City. (Ord. of 11-18-81)

ARTICLE 9. PARKING COMMISSION

Section 17-401. Establishment.

The City Council of the City of Bath hereby establishes a Parking Commission for the City of Bath to be known as the Bath Parking Commission.

Section 17-402. Purpose.

The purpose of the Bath Parking Commission shall be to monitor and evaluate all parking and parking related matters affecting the City of Bath, advise City Council and the Planning Board on parking related policy, and to recommend to City Council for consideration ordinances, resolutions operating procedures, and other implementation strategies regarding all parking matters.

Section 17-403. Powers and Duties.

The Bath Parking Commission shall have the following powers and duties:

- a. To advise and make recommendations to City Council on policy matters relating to parking.
- b. To evaluate and monitor parking matters affecting the City of Bath.
- c. To serve as a conduit on all parking matters drawing together any groups, Individuals, or other entities interested in addressing parking or parking related issues.
- d. In conjunction with the Codes and planning Office, to monitor the review and approval process for all parking lot reviews in order to ensure ordinance standard compliance and the implementation of required improvements.
- e. To issue a report at least biannually recommending changes or additions to the Land Use Code and/or Traffic Ordinance.
- f. To recommend for implementation by City Council a license and fee program, and recommend changes, revisions, and updates of the program as may from time to time be appropriate. This program will require annual review of each parking lot in order to ensure compliance with original plan approvals and maintenance agreements.
- g. To provide an annual report to the City Council that addresses parking issues including supply and demand, efficient use of resources and fine structures. The report on at least the following:

1. Utilizing records already developed through previous studies, and with the assistance of the planning Office to produce an annual report that tracks the number of parking spaces lost, gained and by type. Concurrently, the report should also track the efficiency of short and medium parking spaces, to be sure that they are being used most efficiently. As part of that process, "user groups" for parking shall be inventoried (by square foot space) and monitored for change in the future.

2. Review ordinance provisions for both the review process and municipal spaces and make recommendations for changes where appropriate.

3. Coordination of activities that lead to the reduction of all day parking in the downtown areas; in essence, continue to work with the park and ride program and shuttle bus program to reduce the number of vehicles entering the downtown for all-day parking.

4. Self-supporting Fine program. Recommend a Fine structure for all publicly controlled spaces; request an annual report that notes fines, activity areas and the perceptions of continuing problems from the Police Department. Make recommendations for changes in fines where appropriate, adjusting for changes in the market and needs related to increasing or decreasing staff.

5. Outline successes and failures of the program that year and the likely causes for such.

6. Summarize, along with other issues related to parking, the present and future problems of parking in Bath.

h. To develop a marketing strategy in conjunction with downtown merchants and other interested parties.

i. To make recommendations with regard to signing to ensure that the parking program is well identified and not confusing to persons utilizing parking resources.

j. To recommend a personnel policy aimed at increasing the level of enforcement of parking provisions in the City of Bath, working with the Police Department and recognizing the self-supporting nature of this program.

k. To develop recommendations for a capital expenditure program aimed at increasing parking resources in the City of Bath. This program shall include monitoring capital fund buildup, identifying appropriate properties for purchase, improvement or development of programs beneficially related to parking, and recommending funding to such programs.

l. To serve where appropriate as a coordinator of activities relating to parking program management, working with various Departments including Police, Codes Enforcement and Planning, and Public Works.

m. To provide annual budget recommendations for the City Council; the recommendations

shall identify sources of funding intended to make the program self-sufficient and the utilization of those sources of revenue including unappropriated surplus and surplus monies produced by parking related activities, and shall also address expenditures in the areas of enforcement staff, capital improvements, and marketing.

- n. To address public relations issues relative to methods of informing the public of the location, availability, features and benefits of public parking.
- o. To respond to such other special projects, tasks or inquiries relating to parking issues as may from time to time be assigned by Council or the Planning Board.

Section 17-404. Appointment and Terms.

The members of the Bath Parking Commission shall be appointed by the City Council and shall each serve for a three year term. The initial membership shall serve staggered terms with three members serving a one year term, three members serving a two year term, and three members serving a three year term.

Section 17-405. Membership.

Memberships will be drawn from representatives of the following groups: Bath Iron Works Management, Bath Iron Works Unions, Downtown Merchants, one citizen from North of the Carlton Bridge, one citizen from south of the Carlton Bridge, Bath Area Chamber of Commerce, a parking lot owner/operator, the Transit Group, and one City Councilor. These groups may suggest a member for appointment by City Council, however, City Council shall not be bound by that particular recommendation. If any group has no one willing to serve then City Council may appoint a member to the Commission at its own discretion.

Section 17-406. Meetings.

The Bath Parking Commission shall meet on at least a monthly basis and at such other times as the business of the Commission require. Meetings may be called by the Chairman, or any three members of the Commission. Notice of meetings shall be given to the members in writing or by telephone at least forty-eight (48) hours in advance of the meeting.

Section 17-407. Rules of Procedure.

The Bath Parking Commission shall have the right to adopt its own rules of procedure.

The Bath Parking Commission shall keep Minutes of its meetings. All action by the Commission shall be by majority vote. All meetings and Minutes shall be open to the public.

Section 17-408. Officers.

The Bath Parking Commission shall elect from its midst on an annual basis a Chairman and a Vice Chairman. It will be the Chairman's duty to conduct all meetings and serve as the spokesman for the Commission. The Vice Chairman shall serve in the absence of the Chairman. Additionally, the members shall elect on a yearly basis a Secretary who shall be responsible for the Minutes of all meetings of the Commission, correspondence, and all other written documentation pertaining to Commission affairs.

Section 17-409. Quorum.

Five (5) members of the Bath Parking Commission shall constitute a quorum for the transaction of Commission business. (Ord.91-1 6/5/91)