



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	08/03/2022	<b>Department</b>	City Council
<b>Agenda Item</b>	4.j) Consideration of a First Read on the Ordinance Review Committee's (ORC) draft amendments to the City Code		
<b>Est. Cost</b>	n/a		

<b>Background Information</b>	<p>This is the First Read on this draft amendment.</p> <p>The Ordinance Review Committee with the assistance of City staff developed draft amendments to the City Code. The proposed amendments are outlined in the attached memo.</p> <p>City Staff will be present for questions.</p>		
-------------------------------	---	--	--

<b>Requested Action</b>	"I move to send these ORC amendments to the City Code to a Second and final Read on August 17, 2022."
<b>City Manager and/or Finance Review</b>	
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

To: City Council  
From: Ordinance Review Committee  
Subject: City of Gardiner Code  
Date: July 27, 2022

Council city staff Joyce McCaslin to work with the Ordinance Review Committee to update the City Code so that it is consistent. The Ordinance Review Committee is recommending that the City Council adopt the proposed amendments. The proposed amendments are attached to this memo.

**CITY OF GARDINER CODE**

**TABLE OF CONTENTS**

**TITLE 1 GENERAL PROVISIONS**

CHAPTER 1.1 ADOPTING ORDINANCE ..... 1  
CHAPTER 1.2 WARD BOUNDARIES ..... 4  
CHAPTER 1.3 CITY COUNCIL ..... 5  
CHAPTER 1.45 LICENSES ..... 6  
CHAPTER 1.57 MISCELLANEOUS ..... 12  
CHAPTER 1.68 FISCAL YEAR ..... 17

**TITLE 2 CITY-OWNED PROPERTY**

CHAPTER 2.1 CITY GRAVEL PIT ..... 18

**TITLE 3 BUILDINGS**

CHAPTER 3.1 BUILDING INSPECTOR ..... 19  
CHAPTER 3.2 BUILDING PERMITS ..... 22  
CHAPTER 3.3 HOUSING COMMITTEE ..... 23

**TITLE 5 BUSINESS AND OCCUPATIONS**

CHAPTER 5.1 CHARITABLE SOLICITATIONS ..... 25  
CHAPTER 5.2 SPECIAL AMUSEMENT PERMITS ..... 27  
CHAPTER 5.3 DANCE HALLS ..... 31  
CHAPTER 5.4 NUDDITY CONTROL ..... 32  
CHAPTER 5.5 JUNK DEALERS ..... 33  
CHAPTER 5.6 CABLE TV ..... 34  
CHAPTER 5.7 STREET SALES ..... 36  
CHAPTER 5.8 SOLID WASTE COLLECTION ..... 37  
CHAPTER 5.940 ADULT BUSINESS ESTABLISHMENTS ..... 40  
CHAPTER 5.1044 MARIJUANA ESTABLISHMENT LICENSING ORDINANCE ..... 42  
CHAPTER 5.1142 MOBILE FOOD VENDING UNITS ..... ~~534~~

**TITLE 7 EDUCATION**

CHAPTER 7.1 LIBRARY ..... ~~575~~  
CHAPTER 7.2 GARDINER PUBLIC LIBRARY BOARD OF TRUSTEES ..... ~~586~~

**TITLE 9 FINANCE AND FISCAL MATTERS**

CHAPTER 9.1 RESERVE FUND FOR INSURANCE ..... ~~620~~  
CHAPTER 9.240 COSTS FOR SERVICES ..... ~~634~~

**TITLE 11 GENERAL WELFARE**

CHAPTER 11.1 CURFEW ON MINORS ..... ~~653~~  
CHAPTER 11.23 PARKS AND CEMETERIES ..... ~~697~~  
CHAPTER 11.34 GENERAL ASSISTANCE ORDINANCE ..... SEPARATE COVER

**TITLE 13 HEATH AND SAFETY**

CHAPTER 13.1 CIVIL DEFENSE AND PUBLIC SAFETY ..... ~~774~~  
CHAPTER 13.2 FIRE DEPARTMENT ..... ~~785~~  
CHAPTER 13.3 DISORDERLY CONDUCT ..... ~~8077~~



CHAPTER <del>13.4</del> ALARM SYSTEMS .....	841
<del>CHAPTER 5 DUMPS</del> .....	88
CHAPTER <del>13.57</del> FIRE PREVENTION .....	9087
CHAPTER <del>13.69</del> SNOW REMOVAL .....	944
CHAPTER <del>13.740</del> ADDRESSING ORDINANCE .....	974
CHAPTER <del>13.844</del> AMBULANCE ADVISORY BOARD .....	10198
CHAPTER <del>13.942</del> SALE, USE AND POSSESSION OF FIREWORKS .....	1052
<del>CHAPTER 13.10 BLASTING</del> .....	107
<b>TITLE 15 LAW DEPARTMENT</b>	
CHAPTER <del>15.1</del> POLICE DEPARTMENT .....	11104
<b>TITLE 16 MISCELLANEOUS OFFENSE</b>	
CHAPTER <del>16.1</del> GENERAL OFFENSES .....	11205
<b>TITLE 17 NUISANCES</b>	
CHAPTER <del>17.1</del> PREVENTION OF NUISANCES .....	11306
CHAPTER <del>17.23</del> DANGEROUS BUILDINGS .....	11608
CHAPTER <del>17.34</del> JUNK .....	11840
CHAPTER <del>17.45</del> PROPERTY MAINTENANCE .....	12042
CHAPTER <del>17.57</del> DOG CONTROL PROVISIONS .....	12345
CHAPTER <del>17.68</del> TRESPASSING OF ANIMALS .....	12748
CHAPTER <del>17.79</del> PROHIBITING MASS GATHERINGS .....	12849
<b>TITLE 19 PARKS AND RECREATION</b>	
CHAPTER <del>19.12</del> PARKS & RECREATION COMMITTEE .....	13024
<del>TITLE 21 PLUMBING</del> .....	1312
<b>TITLE 23 PURCHASES</b> .....	122131
<b>TITLE 25 STREETS AND HIGHWAYS</b>	
CHAPTER <del>25.1</del> BICYCLES .....	13223
CHAPTER <del>25.23</del> SIGNS AND OBSTRUCTIONS .....	13627
CHAPTER <del>25.35</del> TRAFFIC REGULATIONS .....	13829
CHAPTER <del>25.46</del> EXCAVATIONS .....	1590
<b>TITLE 26 TREES</b>	
CHAPTER <del>26.1</del> OVERSIGHT OF TREES .....	16353
CHAPTER <del>26.2</del> PROTECTION OF PUBLIC TREES .....	16957
<b>TITLE <del>28</del>7 WATER AND SEWER</b>	
CHAPTER <del>28.1</del> GARDINER WATER DISTRICT .....	17160
CHAPTER <del>28.2</del> PRETREATMENT .....	17364
CHAPTER <del>28.34</del> SEWER USE CHARGES .....	201489
CHAPTER <del>28.45</del> SEWER USE .....	206494
<b>TITLE 29 WATERWAYS</b>	
CHAPTER <del>29.1</del> CONTROL AND REGULATION OF WATERS .....	2210
<b>TITLE 31 ZONING AND PLANNING (LAND USE ORDINANCE)... SEPARATE COVER</b>	



# CITY OF GARDINER CODE

## TITLE 1

### GENERAL PROVISIONS

#### CHAPTER

- 1.1 Adopting Ordinance
- 1.2 Ward Boundaries
- 1.3 City Council
- 1.4 Licenses
- 1.5 Miscellaneous
- 1.6 Fiscal Year

#### CHAPTER 1.1

#### Adopting Ordinance

#### SECTION

- 1.1.1 City of Gardiner Code
- 1.1.2 Repeal
- 1.1.3 Matters not Repealed
- 1.1.4 Amendments
- 1.1.5 Public Information
- 1.1.6 Separability
- 1.1.7 Penalties
- 1.1.8 Effective Date
- 1.1.9 Publication

An Ordinance to Revise and Codify the Ordinances of the City of Gardiner.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDINER  
THAT:

#### Section 1.1.1 City of Gardiner Code

This ordinance, ~~consisting of Section 101 through Section 3807, both inclusive (except therefrom all notes and references)~~ is hereby adopted and enacted as the "City of Gardiner Code," and shall be treated and considered as a new and comprehensive ordinance which shall supersede all other ordinances passed by any duly constituted legislative authority of the City of Gardiner prior to the effective date of this ordinance, except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

#### Section 1.1.2 Repeal

All provisions of such Code shall be in full force and effect as provided in Section 1.1.8 hereof and all ordinances of the City of Gardiner not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided. No resolution of the City of Gardiner, not

# CITY OF GARDINER CODE

## CHAPTER 11.2

### Parks and Cemeteries

#### SECTION

- 11.2.1 Designation of City Parks
- 11.2.2 Use of City Parks
- 11.2.3 Permits for Use of City Parks
- 11.2.4 Use of Vehicles in City Parks
- 11.2.5 Hours of Use of City Parks
- 11.2.6 City Cemeteries
- 11.2.7 Special Conditions Regarding Gardiner Landing
- 11.2.8 Unlawful Camping

#### **Section 11.2.1 Designation of City Parks and Cemeteries**

The following areas are hereby designated city parks: the Gardiner Common, Soldier's Field, Quimby Field, Dearborn Park, Brunswick Hill Park, MacMaster's Square, ~~the Kennebec Wharf~~Waterfront Park/Gardiner Landing, McKay Park, Harrison Avenue Nature Trail, Gardiner Dog Park, and South Gardiner Park, City cemeteries: Libby Hill Cemetery, Plaisted Cemetery and River Avenue Cemetery.

#### **Section 11.2.2 Use of City Parks**

No person or organization shall sell any goods or services or conduct any public meeting, festival, event, or any such public activity or gathering in any City park without first obtaining a permit from the City Manager.

#### **Section 11.2.3 Permits for Use of City Parks**

The city manager shall issue permits to persons or organizations to conduct such activities in any of the city parks upon the applicant's meeting of the following requirements:

**11.2.3.1** The applicant shall agree to indemnify and hold the city harmless from any and all claims or damages arising out of the applicant's proposed activity.

**11.2.3.2** The applicant shall agree to turn the subject city park over to the city following the proposed activity in the same condition it was in on the date said permit was issued.

**11.2.3.3** The applicant shall agree to such reasonable controls or limitations on hours of operation, noise, and types of activities, as the city manager may impose upon such permit.

**11.2.3.4** The applicant shall provide such bonds with such sureties as the city manager may reasonably demand of applicant to assure applicant's compliance with the conditions and/or



## CITY OF GARDINER CODE

limitations of such permit.

### Section 11.2.4 Use of Vehicles in City Parks

Except for the designated vehicle roadways, launching ramps, and designated parking areas, ~~areas on the Kennebec Wharf~~, all city parks shall be closed to all motor vehicles except emergency, maintenance and law enforcement vehicles, except during events for which a permit has been granted as stated in Section 11.2.3 at which time vehicles used in connection with operating an event may also enter the parks.

### Section 11.2.5 Hours of Use of City Parks

Except for the ~~Kennebec Wharf~~ Gardiner Landing, city parks shall be closed to all persons except law enforcement officers and maintenance and emergency personnel between 10:00 p.m. and 5:00 a.m. Violation of this section shall be punishable by a fine of not more than \$100 or imprisonment of up to ten days.

### Section 11.2.6 City Cemeteries

**11.2.6.1 Hours.** All city maintained cemeteries shall be closed to all persons and all vehicles except law enforcement officers and maintenance and emergency personnel and vehicles between the hours of 9:00 p.m. and 5:00 a.m. Violation of this section shall be punishable by a fine of not more than \$100 or imprisonment up to ten days.

#### 11.2.6.2 Rules.

**11.2.6.2.1 Applicability** – These rules apply to cemeteries owned and/or maintained by the City of Gardiner.

**11.2.6.2.2 Purpose** – These rules are adopted by the City Council to assure that City owned/maintained cemeteries are attractive places that can be efficiently maintained.

**11.2.6.2.3 Responsibility of the City** – The City of Gardiner is responsible for the overall upkeep of the cemeteries including maintaining the infrastructure, periodic mowing and cleanup. The City is not responsible for any work involving the maintenance of individual grave sites or monuments or markers. The City reserves the right to remove dead or unsightly plants or flowers or other ornaments on individual graves and to move or relocate planters or flower boxes that do not conform to these rules or that interfere with the normal maintenance of the cemetery. The City shall not be responsible for any grave decorations or other items that may be lost, misplaced, broken or stolen.

**11.2.6.2.4 Seasonal Cleanup** – All flowers, potted plants and other ornamentation or decorations shall be removed from all graves in the spring not later than April 15<sup>th</sup> and in the fall no later than October 1<sup>st</sup> to facilitate the seasonal cleanup of the cemetery.

**11.2.6.2.5 Grave Decorations** – The following limitations apply to grave sites. The City will remove any decorations that are not in compliance with these rules:



## CITY OF GARDINER CODE

**11.2.6.2.5.1** Only memorial insignias, living plants and flowers, or silk flowers are permitted as grave decorations. Plastic plants and flowers are not permitted. Eternal lights including solar lights are permitted for special occasions and may be used for a maximum of three (3) days.

**11.2.6.2.5.2** Seasonal flowers may be planted on the grave but must be located close to the monument and maintained by the owner or family.

**11.2.6.2.5.3** The planting of trees or shrubs is prohibited.

**11.2.6.2.5.4** Urns or flower boxes not more than three (3) feet in length may be placed close to the monument but may not be placed on other parts of the lot.

**11.2.6.2.5.5** Dead or damaged flowers or plants shall be removed from the grave by the owner or family in a timely manner.

**11.2.6.2.5.6** The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, fences, edging materials, shepherd's hooks, trellises, or similar items is not permitted.

**11.2.6.2.5.7** No concrete, plastic or wood edging is allowed around flower beds.

**11.2.6.2.5.8** White marble chips, granite chips, or other rock materials are not allowed in flower beds or on cemetery lots.

**11.2.6.2.6 Failure to Maintain a Grave Site** – The City reserves the right to take steps to maintain a grave site if it is not adequately maintained including the following:

**11.2.6.2.6.1** Any grave marker in poor or dangerous condition may be either removed by the City or set flush with the ground.

**11.2.6.2.6.2** Any existing trees, shrubs, or bushes that become overgrown, unsightly or hazardous may be trimmed or removed by the City.

**11.2.6.2.7 Interments** – Prior to any interment in a City cemetery, the person responsible for the interment shall notify the City Clerk of the planned interment. This notice shall be given at least one business day prior to the planned time of the interment unless religious or health concerns make this impractical. In this case, notice should be provided as soon as reasonable. The notice may be provided in writing, by email, or by text message. The notice shall include the name of the deceased, the name of the responsible party, the name of the cemetery, the planned day and time of the interment, the exact location of the grave in the cemetery, and evidence of the right of the deceased to be interred at that location. The responsible party shall provide the City Clerk with an accurate description of the location of the grave by reference to a City map of the graves or by GPS coordinates within ten (10) business days following the burial.

## CITY OF GARDINER CODE

### Section 11.2.7 Special Conditions Regarding Gardiner Landing

**11271** Upon designation by the city council of a special activity, the city council may prohibit the parking of vehicles and boat trailers on the Gardiner Landing for a period not to exceed seventy-two hours. The city council shall set forth, in the designation, the hours that no parking is to be in effect. Notice of the designation of a special activity and the hours of no parking shall be posted at the entrances to the Gardiner Landing forty-eight hours in advance of the initiation of such hours of no parking. Vehicles and trailers found parked illegally after such designation and notice, may be removed and stored at the expense of the owner or person in charge or control thereof. The establishment of a period of no parking on the Gardiner Landing shall not apply to emergency, maintenance, law enforcement and vehicles used in connection with the operation of the special activity.

#### **11272** Boat Landing Facility and Wharf.

**112721** No person shall use the launching ramp for a period of time in excess of 30 minutes.

**112722** No person shall ground out, tie up or moor or permit to be ground out, tied up or moored, any watercraft on the launching ramp.

**112723** No person shall tie up or permit to be tied up to the launching ramp floats, any watercraft for a period longer than 30 minutes.

**112724** ~~No person shall tie up or permit to be tied up to the wharf or wharf floats any watercraft for a period longer than two hours without a permit from the harbor master. For the purpose of administration of this section the harbor master may issue permits on a first come first served basis for use of the wharf and wharf floats for periods longer than two hours upon payment of fees established by the city council.~~

**11.2.7.2.45** No person shall leave any property on the launch ramp or wharf floats for any period of time except during the actual period of loading and unloading passenger supplies or during the period of other related activities.

**11.2.7.2.56** No person shall keep, clean or dispose of in any manner or permit to be kept, cleaned or disposed of in any manner, any fish or other marine life on the launch ramp or wharf floats.

**11.2.7.2.67** No person shall engage in swimming from the launch ramp or wharf floats or from any watercraft moored in any manner to the floats.

**11.2.7.2.78** No person shall use or permit the launch ramp or wharf floats to be used for any other purpose or activity other than that which is permitted by Section 11.2.7.

**11273** Camping or otherwise staying overnight in any city park or on any city property ~~on~~



## CITY OF GARDINER CODE

~~the Kennebec Wharf~~ is prohibited with the exception of a permit for an overnight wharf float.

**11274** No person shall leave any property on any city property ~~the Kennebec Wharf~~ for longer than forty-eight hours without the express permission of the city manager.

**11275** Removal of watercraft from Boat Landing Facility and Wharf. The harbor master shall have the authority to remove or cause to be removed at the expense of the registered owner of said water craft, any water craft from the boat landing, wharf or wharf floats and to remove the same to a safe anchorage or storage on land in the following instances:

**112751** Where a watercraft has occupied a boat landing, wharf or wharf float for a period of time in excess of that stated under this section, without a permit from the harbor master.

**112752** Where a watercraft is occupying the boat landing, wharf or wharf floats at the time of arrival of a commercial public carrier which said carrier has permission to occupy the boat landing, wharf or wharf floats in advance, and in those instances where the owner of the water craft occupying the landing, wharf or wharf floats cannot be located or having been located and advised to remove his water craft, refuses to do so. The arrival time of any such commercial public carrier shall be posted at the boat landing, wharf or wharf floats at least six hours in advance of its arrival time.

**112753** In all instances where the safety of the water craft occupying the boat landing, wharf or wharf floats, adjacent water craft, the boat landing, wharf or wharf floats or any public property shall require such removal.

**112754** Any watercraft lying in tier (more than one water craft deep.)

**112755** Any watercraft which is anchored or moored in a fashion which obstructs the free passage of water craft going in or coming out of boat landing, wharf or wharf floats.

**112756** All costs associated with the removal of any water craft shall be borne by the owner and shall constitute a lien upon said watercraft which shall be required to be paid before said water craft shall be permitted to leave the harbor or other place of storage.

**11276** Use of Wharf Floats. ~~As authorized in Subsection 11.2.7.2.4 of this section, the~~ The harbor master may issue permits to applicants for use of the wharf floats in accordance with the following:

**112761** The applicant shall agree to indemnify and hold the city harmless from any and all claims or damages arising out of the applicant's use of the wharf.

**112762** The applicant shall agree to abide by all rules and regulations as set forth by the City of Gardiner for use of the Gardiner Landing.

**112763** Permits may be issued to a single vessel for use of the wharf floats for overnight



## CITY OF GARDINER CODE

tie-up for ~~a limit of one consecutive up to two nights in seven consecutive days upon payment of a fee of \$10.00 per night. Cost for overnight permit is listed on the city fee schedule.~~ There will be no requirement for permits ~~for day use of the to use the wharf float for periods of less than eight hours in any twenty-four hour period.~~

**1127.64** Permits are to be displayed on the inboard side of the vessel at all times while it is tied to the wharf.

**1127.65** The mooring place adjacent to and parallel with the float ramp shall be limited to one two-hour tie-up in any eight-hour period.

### **1127.7** Penalties.

**1127.7.1** Unless a greater penalty is specifically provided in this chapter or in an applicable provision of the Maine Revised Statute, any person violating any provision of this chapter shall be punished by a fine not less than \$25.00 nor more than \$100.00 for each violation. Any fine imposed under this section shall not preclude, and shall be in addition to, any other civil remedies that may be available to the city.

**1127.7.2** The harbor master or his authorized representative is authorized to accept a waiver of rights under section 11.2.7 and accept \$25.00.

**1127.7.3** It shall be prima facie evidence that the person in whose name the vessel is registered, unlawfully moored said vessel found in violation of section 11.2.7.

**1127.7.4** A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

### **1127.8** Immobilization

**1127.8.1** Any vessel which has accumulated one (1) or more notices of violation of section 11.2.7 for which there has been neither payment of waiver fees nor issuance of court process and which is moored in violation of section 11.2.7 may, at the option of any person authorized to enforce the provisions of section 11.2.7, be immobilized in place until all waiver fees established pursuant to 30 M.R.S.A. Section 2151, for all such outstanding notices of violation have been paid or until the requirements of Section 11.2.7.7.2 or 11.2.7.7.3 have been met.

**11.2.7.8.2** Any person having the means to release such immobilized vessel shall not release it until the individual requesting its release presents satisfactory evidence of his or her right to possession and signs a receipt therefor, and:

- (a) The harbor master or his duly authorized representative certifies that all waiver fees have been paid; or
- (b) Until the harbor master or his duly authorized representative shall certify the posting of a bond equal to the total of all previously accumulated waiver fees

## CITY OF GARDINER CODE

- which should have been remitted for said overdue notices or violation; or
- (c) Upon certification of the harbor master or his or her authorized representative that such person has both:
- (i) Demonstrated that he or she is unable to pay the accumulated waiver fees by reason of poverty, having provided satisfactory proof of such status; and
  - (ii) Accepted service of process initiating a court proceeding to determine his or her liability for the prescribed penalty for such alleged violations.

**11.2.7.8.3** Whenever any person requests the right to post bond pursuant to Section 11.2.7.8.2.b, such bond shall be given in cash and a receipt given therefor. Such bond money shall be refunded in the amount of the waiver fee for each alleged violation upon acceptance by such person of service of process initiating a court proceeding to determine his or her liability for the prescribed penalty for such alleged violation. Any bond shall be forfeited unless the person posting it requests and accepts service of such process from the harbor master or his or her designated representative within thirty (30) days of posting unless prevented from doing so by the actions or inaction of the City of Gardiner.

**11.2.7.8.4** It shall be unlawful for any person to tamper with or to attempt to remove any immobilizing device attached to a vessel. Notwithstanding other penalty provisions contained in these regulations, the penalty for any such violation shall be not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

### **Section 11.2.8 Unlawful Camping**

#### **11.2.8.1 Purpose**

It is the purpose of this ordinance to prevent harm to the health or safety of the public and to promote the public health, safety, and welfare by making public streets, parks, or any publicly-owned area readily accessible to the public for their intended purpose, and to prevent use of public property, parks, and streets for camping purposes which interferes with the rights of others to use the areas for which they were intended.

#### **11.2.8.2 Definitions**

**"Camp"** or **"Camping"** means to pitch, create, use or occupy camp facilities for the purpose of habitation, as evidenced by the use of camp paraphernalia.

**"Camp facilities"** include, but are not limited to, tents, huts, temporary shelters, or vehicles, if a vehicle is being used for habitation purposes.

**"Camp paraphernalia"** includes, but is not limited to tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, operational cooking facilities, and similar equipment.

**"Habitation"** means the intentional use of a space as temporary or permanent living quarters.



## CITY OF GARDINER CODE

**"Park"** means those grounds and facilities generally covered by Chapter 3 of the Gardiner Municipal Code.

**"Street"** means any highway, street, public right-of-way, alley, or every place in the City that is publicly owned or maintained for public vehicular travel. The term also includes publicly maintained sidewalks.

### **11.2.8.3 Unlawful Camping**

It shall be unlawful for any person to camp in the following areas:

- (a) Any park
- (b) Any street
- (c) Any publicly owned or maintained parking lot or other publicly owned or maintained area, property or facility.
- (d) It shall be an affirmative defense under this chapter for any person, without the purpose of habitation, to temporarily occupy and use a vehicle for emergency reasons such as escape from or avoidance of an abusive person(s), avoidance of driving a vehicle while under the influence of alcohol or drugs and other similar purposes, even though the person may sleep during the period of that use.
- (e) The City Council may allow camping, on public property as part of a duly issued Special Events Permit. (See Special Events Ordinance 1.4.4 for more information.)

### **11.2.8.4 Recreational Vehicles**

This chapter shall not apply to the use of motor homes for a continuous period up to 48 hours where such vehicle contains onboard, self-contained toilet and sanitation facilities, which are in working order.



CITY OF GARDINER CODE

CHAPTER 13.5

Dumps

SECTION

- ~~13.5.1~~ — ~~Operation of City Dump~~
- ~~13.5.2~~ — ~~Limiting Dumping of Refuse to Designated Areas~~
- ~~13.5.3~~ — ~~Hours of Operation of Public Dumping Grounds~~
- ~~13.5.4~~ — ~~Permits to Scavenge~~
- ~~13.5.5~~ — ~~Enforcement~~

~~Section 13.5.1 — Operation of City Dump~~

~~The City of Gardiner may maintain and operate a city dump. Any citizen of Gardiner may dispose of rubbish on the city dump, and, all material so placed on said dump shall become the property of the City of Gardiner. Any person who removes any material from the city dump without authority shall be guilty of a violation.~~

~~Collateral reference: For similar provisions, see Nimlo model Ordinance Service, section 10-601 et seq.~~

~~Cross references: Appropriation for, see 1954 R.S. ch. 90-A, ss. 12, II, B.  
Rat control, see 1954 R.S. ch. 100, ss. 8.~~

~~Section 13.5.2 — Limiting Dumping of Refuse to Designated Areas~~

~~The city council may designate from time to time certain areas as public dumping ground for the depositing of rubbish, tin cans, and other household, commercial, or industrial wastes, and, except as provided herein by Section 5.5, Section 17.3 and Title 31, Chapter 15, no person shall deposit such materials elsewhere than at such officially designated public dumping place. No body of a motor vehicle shall be deposited in such public dumping place. Earth, ashes, cinders, and rock for filling in purposes may be deposited upon private lands, but no putrefaction, organic, vegetable, or animal matter shall be deposited on such private fills.~~

~~Section 13.5.3 — Hours of Operation of Public Dumping Grounds~~

~~The city council may establish the hours during which such grounds will be open for use of the public.~~

~~Section 13.5.4 — Permits to Scavenge~~

~~It shall be unlawful for any person to take, remove, or carry away any refuse, debris, rubbish, or any materials of any kind or nature from or about any public dumping place so designated without the express permission of the city manager in writing.~~

## CITY OF GARDINER CODE

### **Section 13.5.5 — Enforcement**

~~Any person found guilty of violating any provision of this chapter shall be subject to a fine of not more than \$100 for each offense. The shall be notified by the city clerk of every designated public dumping place and it shall be the duty of the chief of police to cause the abatement of every fire, deposit, or accumulation upon private premises other than those made in accordance with the provisions of this chapter, and to prosecute all violations hereof.~~

---

## CITY OF GARDINER CODE

### ~~TITLE 21~~

### ~~PLUMBING~~

~~Note: No material is classified to this title at present. It is reserved for future use.  
——(see Land Use)~~

### TITLE 23

### PURCHASES

Note: No material is classified to this title at present. It is reserved for future use.

Cross reference: **Purchase of supplies, see City Charter, Art. VII, Sectionss.**  
14. **Purchasing Agent, see City Charter, Art. VI, Sectionss. 6.**  
**Policy on Purchasing, City of Gardiner**



CITY OF GARDINER CODE

TITLE 25

STREETS AND HIGHWAYS

CHAPTER

- 25.1 Bicycles
- 25.2 Signs and Obstructions
- 25.3 Traffic Regulations
- 25.4 Excavations

CHAPTER 1

Bicycles

SECTION

- ~~2501. Licenses Required~~
- ~~2502. Issuance and Expiration of Licenses~~
- ~~2503. Tags; Records~~
- ~~2504. Fees [This was deleted since last version]~~
- 25.1.1 ~~2505.~~ Interference with Pedestrians
- 25.1.2 ~~2506.~~ Speed
- 25.1.3 ~~2507.~~ Signal Devices
- 25.1.4 ~~2508.~~ Traffic Rules
- 25.1.5 ~~2509.~~ Use of Hands
- 25.1.6 ~~2510.~~ Load Limits
- 25.1.7 ~~2511.~~ Hitching Rides
- 25.1.8 ~~2512.~~ Lights
- 25.1.9 ~~2513.~~ Team Riding Forbidden
- 25.1.10 ~~2514.~~ Prohibited Routes
- 25.1.11 ~~2515.~~ Prohibiting the Riding of Bicycles on Certain Sidewalks
- 25.1.12 ~~2516.~~ Impounding of Bicycles
- ~~25.1.13 2525. Unlicensed Vehieles~~
- ~~25.1.14 2526. Penalties~~

Collateral references: For similar provisions, see Nimlo Model Ordinance Service, section 9-5100 et seq.

~~Section 2501. Licenses Required.~~

~~No person shall operate or use a bicycle propelled by muscular power upon any of the streets or alleys or public highways of the City of Gardiner without first obtaining a license therefor from the chief of police.~~

~~Cross references: State regulation, see 1954 R.S. ch. 22, ss. 147A et seq.~~

~~Section 2502. Issuance and Expiration of Licenses.~~

~~The chief of police is hereby authorized and directed to issue bicycle licenses which~~

## CITY OF GARDINER CODE

~~shall expire on July 1 of each year.~~

### **Section 25.1.1 Interference with Pedestrians.**

No person shall ride or propel any bicycle upon any sidewalk in such manner as to interfere with any pedestrian thereon.

### **Section 25.1.2 Speed.**

No person shall ride or propel a bicycle upon any public street, highway or sidewalk except in a prudent and careful manner and at a **reasonable rate** of speed.

### **Section 25.1.3 Signal Devices.**

No person shall ride or propel a bicycle upon any public street, highway or sidewalk in said city unless said bicycle is equipped with bell, horn or other warning device.

### **Section 25.1.4 Traffic Rules.**

Persons riding bicycles shall observe all traffic signs, stop at all stop signs, and shall further observe all traffic rules and regulations applicable thereto; and shall turn only at intersections, signal for all turns, ride at the right hand side of street or highway, pass to the left when passing overtaken vehicles that are slower moving and shall pass to the right when meeting another vehicle.

### **Section 25.1.5 Use of Hands.**

No person shall operate or propel any bicycle without having his hands upon the handle bars thereof.

### **Section 25.1.6 Load Limits.**

No person operating or propelling a bicycle having only one saddle shall carry any other person on said bicycle.

### **Section 25.1.7 Hitching Rides.**

It shall be unlawful for any person while riding a bicycle to hold onto a moving bus, truck or other vehicle.

### **Section 25.1.8 Lights.**

It shall be unlawful to ride or propel a bicycle on any street or other public highway of the city after dark unless the same shall be equipped with a sufficient light attached to the front of said bicycle visible from the front thereof not less than 200 feet and properly lighted, nor without a red tail-light or, in lieu thereof, a reflector attached to and visible from the rear



## CITY OF GARDINER CODE

of said bicycle for a distance of not less than 200 feet.

### **Section 25.1.9 Team Riding Forbidden.**

No person shall ride or propel a bicycle upon any public street, highway or sidewalk in the city abreast or to the left of any other person so riding or propelling a bicycle.

### **Section 25.1.10 Prohibited Routes.**

The chief of police shall have the power and authority to designate and plainly mark such streets, ways or walks as may not be ridden upon.

### **Section 25.1.11 Prohibiting the Riding of Bicycles on Certain Sidewalks.**

**25.1.11.1 Water Street.** No person at anytime shall ride or cause to be ridden any bicycle on any portion of the sidewalk on either side of Water Street commencing at the intersection of Water Street with Winter Street and to the intersection of Water Street with Vine Street.

**25.1.11.2 Maine Avenue.** No person at anytime shall ride or cause to be ridden any bicycle on the sidewalk on the westerly side of Maine Avenue, commencing at the intersection of Maine Avenue with Water Street and to the intersection of Maine Avenue with Bridge Street.

#### **25.1.11.3 Bridge Street.**

**25.1.11.3.1** No person at anytime shall ride or cause to be ridden any bicycle on the sidewalk on the easterly side of Bridge Street, commencing at the intersection of Bridge Street with Water Street and to the railroad tracks crossing said Bridge Street.

**25.1.11.3.2** No person at any time shall ride or cause to be ridden any bicycle on the sidewalk on the westerly side of Bridge Street commencing at the intersection of Bridge Street with Summer Street and to the intersection of Bridge Street with Maine Avenue.

### **Section 25.1.12 Impounding of Bicycles.**

Any bicycle operated, by the owner or other person lawfully in the custody thereof, in violation of any of the provisions of this chapter may be taken into custody and impounded for a period not exceeding 30 days.

### **~~Section 25.1.13 Unlicensed Vehicles.~~**

~~No person shall operate or use upon any of the streets, alleys, or public ways of the City of Gardiner any vehicle, other than a licensed vehicle, in such a manner as to endanger any person or property.~~

## CITY OF GARDINER CODE

~~———— The chief of police may, however, designate and plainly mark certain streets, alleys or public ways for use by said vehicles, subject to such restrictions as he may provide.~~

### ~~Section 25.1.14 — Penalties.~~

~~———— Any violation of Section 25.1.13 of this chapter shall be punished by a fine of not more than \$100, or by impounding any vehicle, operated by the owner or other person lawfully in the custody thereof in violation of Section 25.1.13 of this chapter, for no more than 30 days, or both.~~



# CITY OF GARDINER CODE

## CHAPTER 25.3

### Traffic Regulations

#### SECTION

- 25.3.1 Definitions
- 25.3.2 Emergency Right-of-Way; Mail
- 25.3.3 Display of Lights
- 25.3.4 Adequate Brakes; Signaling Device; Unnecessary Noise to be Avoided; Bell or Siren Forbidden, Exception
- 25.3.5 Stopping, Standing, Parking Prohibited, Parking Limited
- 25.3.6 Backing to Curb
- ~~25.3.7 Physicians' Parking Spaces~~
- 25.3.78 Winter Parking
- 25.3.98 Public Parking Lots
- 25.3.109 Removal and Storage
- 25.3.101 Parking
- 25.3.112 Municipal Parking Lot
- 25.3.123 Oversized Loads
- 25.3.134 One-way Streets and Alleys
- 25.3.145 No Left Turn
- 25.3.156 Rules of the Road
- 25.3.167 Speeds-
- ~~25.3.18 Stealing Rides~~
- 25.3.179 Traffic Lights
- 25.3.1820 Stop Signs
- ~~25.3.21 Fire Warning Light~~
- 25.3.1922 Truck Route Ordinance
- 25.3.203 Parking for **Physically Handicapped** Persons
- 25.3.214 Loading and Unloading of Vehicles
- 25.3.225 Penalties
- 25.3.236 Immobilization
- 25.3.247 Restricting Vehicle Weight on Posted Ways

Collateral references: **For similar provisions, see Nimlo Model Ordinance Service, section 9-5001 et seq.**

#### Section 25.3.1 Definitions

**25.3.1.1** As used in this chapter, the word "**vehicle**" shall include all kinds of conveyances for persons and for property, except those used exclusively on tracks; and the word "road" or the word "street" shall include all roads, streets, and public ways within the city limits.

~~**25.3.1.2** A "**parking meter**" is a device which indicates thereon the length of time a vehicle may be parked in a particular place, and has a part thereof a receptacle or chamber for receiving and storing coins of United States money; a slot or place in which said coins may be~~

## CITY OF GARDINER CODE

~~deposited; a timing mechanism to indicate the passage of the interval of time during which parking is permissible; and displays an appropriate signal showing the aforesaid interval of time which shall have elapsed; and also contains brief instructions as to its operation.~~

### Section 25.3.2 Emergency Right-of-Way; Mail

Police, fire department, emergency repair vehicles, United States mail vehicles and ambulances shall have the right-of-way in any street and through any procession. All vehicles shall go to right of road or street as near the curb or gutter as possible and come to a complete stop at sound of approaching sirens or bells of all fire apparatus including fire chief's car. It shall be unlawful for any person to drive any team, automobile, truck, tractor, or other motor vehicle over any piece or pieces of hose which shall hereafter be laid by the fire department of the City of Gardiner upon the streets of this city.

Cross references: **Emergency right-of-way, see 1954 R.S. ch. 22, ss. 92.**

### Section 25.3.3 Display of Lights

Cross reference: **Display of lights, 1954 R.S. ch. 22, ss. 136.**

### Section 25.3.4 Adequate Brakes; Signaling Device; Unnecessary Noise to be Avoided; Bell or Siren Forbidden, Exception

Cross references: **See 1954 R.S. ch. 22, ss. 41, 41-B.**

### Section 25.3.5 Stopping, Standing, Parking Prohibited, Parking Limited

**25351** No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

- 25.3.5.1.1 On a sidewalk.
- 25.3.5.1.2 In front of a public or private driveway.
- 25.3.5.1.3 Within an intersection.
- 25.3.5.1.4 Within 6 feet of a water hydrant.
- 25.3.5.1.5 On a cross walk.
- 25.3.5.1.6 Within 10 feet of a street corner.
- 25.3.5.1.7 Within 500 feet of any building, field or forest where an alarm of fire or other emergency has been sounded without consent of the chief of police.
- 25.3.5.1.8 In any public street more than twelve inches from the curb, except in emergency or to allow another vehicle or pedestrian to cross its way.
- 25.3.5.1.9 On the roadway side of any vehicle or parked at the edge or curb of a street.
- 25.3.5.1.10 In delineated parking ~~spaces:~~
  - ~~(a) In any delineated parking space controlled by a sign designated as "Taxi Stand;"~~
  - ~~(b) In any delineated parking space controlled by a sign designated "Doctors"~~



## CITY OF GARDINER CODE

- Only;"**  
(c) **In any delineated parking** space controlled by a sign designated as "**Physically Handicapped Only.**"
- 25.3.5.1.11** At any place where official signs prohibit parking.
- 25.3.5.1.12** On Bridge Street:
- (a) From the north side of the bridge over Cobbossee Stream to the intersection of said Bridge Street with Highland Avenue on the west side of said Bridge Street;
  - (b) At a point commencing at the right-of-way to the **James Walker & Son Company Retail Store** on the easterly side of Bridge Street to the intersection of said Bridge Street with Maine Avenue;
  - (c) Intending to prohibit the stopping or parking of vehicles in the described areas at anytime on the west side of Bridge Street from its intersection with Water Street 165 feet northerly and from a point approximately 340 feet northerly to its intersection with Maine Avenue.
- 25.3.5.1.13** On Church Street:
- (a) On the north side from its intersection with Mechanic Street to its intersection with Brunswick Avenue;
  - (b) On the south side from its intersection with Water Street to its intersection with the westerly side of premises designated as the Gardiner City Hall.
- 25.3.5.1.14** On Maine Avenue:
- (a) In front of and in the passageway running from Maine Avenue in back of building located on the north side of Water Street and on the front of and in the passageway running along the southerly side of Cobbossee Stream;
  - (b) On the south side of Maine Avenue from its intersection with Water Street to the Gardiner-Randolph Bridge;
  - (c) Repealed by Ordinance No. 79-50 adopted Feb. 4, 1980;
  - (d) Repealed by Ordinance No. 79-50 adopted Feb. 4, 1980;
  - (e) At any time on the easterly side of Maine Avenue commencing from a point at the northerly side of the bridge over the Cobbossee Stream to the Gardiner-Farmingdale town line;
  - (f) Intending to prohibit the stopping or parking of vehicles in the described areas at anytime, on the north and westerly side of Maine Avenue from its intersection with Water Street to the Gardiner-Farmingdale town line.
- 25.3.5.1.15** Any passageway leading to Gardiner Municipal Wharf.
- 25.3.5.1.16** In front of any fire station.
- 25.3.5.1.17** On the new Gardiner-Randolph Bridge from Maine Avenue to the Gardiner-Randolph town line.
- 25.3.5.1.18** School areas:
- (a) On School Street at the following designated areas: on either side from its intersection with Dennis Street to its intersection with Pleasant Street; on the south side from its intersection with Pleasant Street to its intersection with Dresden Avenue.
  - (b) On Pleasant Street at the following designated areas: on the east side from its intersection with Church Street to its intersection with School

## CITY OF GARDINER CODE

- Street; on the west side from its intersection with School Street to its intersection with Kingsbury Street.
- 25.3.5.1.19** Dennis Street, east side, from its intersection with Prospect Street running northerly for a distance of 100 feet.
- 25.3.5.1.20** On either side of River Avenue from corner of intersection with Kingsbury Street southerly to its intersection with Cottage Street.
- 25.3.5.1.21** Winter Street, east side, from Water Street to Summer Street.
- 25.3.5.1.22** Brunswick Avenue, west side, from point opposite Mechanic Street southerly to a point opposite premises designated 242 Brunswick Avenue.
- 25.3.5.1.23** Brunswick Avenue, east side, from the intersection of Water Street southerly to the intersection of Mechanic Street, and from a point 137 feet south of the southerly side of the Mechanic Street intersection to a point opposite premises designated 242 Brunswick Avenue.
- 25.3.5.1.24** Mechanic Street, south side, from the corner of Brunswick Avenue in an easterly direction for a distance of 150 feet.
- 25.3.5.1.25** On either side of Central Street:
- (a) Between intersections of Maple and Oak Streets between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday;
  - (b) Between intersections of Pine and Spruce Streets at any time.
- 25.3.5.1.26** On Water Street:
- (a) On the easterly side of Water Street from its intersection with Winter Street southwesterly to a point which is 75 feet from its intersection with Central Avenue.
  - (b) On the southerly side of Water Street in a westerly direction one hundred (100) feet from the intersection of Vine Street.
- 25.3.5.1.27** On Summer Street, northwest side, from its intersection with Winter Street to its intersection with Harden Street.
- 25.3.5.1.28** On the easterly side of River Avenue in South Gardiner, from a point opposite the northern side of its intersection with Sawyer Street and running southerly for a distance of 200 feet.
- 25.3.5.1.29** On Cherry Street:
- (a) On the southerly side, from its intersection with Central Street to its intersection with High Holborn Street.
  - (b) On the northerly side, from its intersection with Central Street running easterly for a distance of 139 feet.
- 25.3.5.1.30** On Central Street, east side, from the north side of its intersection with Cherry Street running northerly for a distance of 82 feet.
- 25.3.5.1.31** On West Hill Road, both sides, from its intersection with Cobbossee Avenue northerly to its intersection with Highland Avenue.
- 25.3.5.1.32** On either side of Water Street between the intersection with Winter Street and the intersection with Steamboat Street from 1:00 a.m. to 7:00 a.m.
- 25.3.5.1.33** On either side of Library Street.
- 25.3.5.1.34** On Lincoln Avenue:
- (a) On the easterly side from its intersection with Cottage Street to its intersection with Dean Street.
  - (b) On either side between its intersection with School Street and Brunswick



## CITY OF GARDINER CODE

Avenue from 11:00 p.m. to 6:00 a.m. from October 1st to April 30th; and from 9:00 p.m. to 6:00 a.m. from May 1st to September 30th.

- (c) On the easterly side from its intersection with Cottage Street southerly for a distance of five hundred (500) feet.
  - (d) On either side from its intersection with Freemont Street to its intersection with Liberty Street.
- 25.3.5.1.35** On Deane Street: at any time on the southerly side of Deane Street from its intersection with Lincoln Avenue to the entrance to the Catholic cemetery on Deane Street.
- 25.3.5.1.36** High Holborn Street:
- (a) On the southerly side from its intersection with Brunswick Avenue to the entrance to Center Street School.
  - (b) On the northerly side from its intersection with Brunswick Avenue to its intersection with Oak Street.
  - (c) On the northerly side from its intersection with Green Street in an easterly direction for a distance of 150 feet.
- 25.3.5.1.37** On Spring Street:
- (a) On the northerly side from its intersection with Bridge Street in a Westerly direction for a distance of 845 feet.
  - (b) On either side from its intersection with Mt. Vernon Street to its intersection with Plaisted Street.
  - (c) On the southerly side of Spring Street from its intersection with Bridge Street in a westerly direction for a distance of 495 feet.
- 25.3.5.1.38** On either side of Washington Avenue from its intersection with Pine Street to its intersection with Spruce Street and Water Street.
- 25.3.5.1.39** On the easterly side of Brunswick Avenue from its intersection with Tilbury Park in a southerly direction for a distance of 500 feet.
- 25.3.5.1.40** On the easterly side of Dresden Avenue from its intersection with the right-of-way to the **Gardiner General Hospital** parking lot to its intersection with Cottage Street.
- 25.3.5.1.41** On the westerly side of Dresden Avenue commencing at Central Maine Power Company Pole #25 in a southerly direction for a distance of 242 feet.
- 25.3.5.1.42** On the southerly side of Winter Street from its intersection of Fountain Street running easterly for a distance of 324 feet.
- 25.3.5.1.43** On either side of School Street between its intersection with Lincoln Avenue and Dresden Avenue from 11:00 p.m. to 6:00 a.m. from October 1st to April 30th; and from 9:00 p.m. to 6:00 a.m. from May 1st to September 30th.
- 25.3.5.1.44** On either side of Dresden Avenue between its intersection with School Street and Church Street from 11:00 p.m. to 6:00 a.m. from October 1st to April 30th; and from 9:00 p.m. to 6:00 a.m. from May 1st to September 30th.
- 25.3.5.1.45** On either side of Lincoln Avenue between its intersection with School Street and Brunswick Avenue from 11:00 p.m. to 6:00 a.m. from October 1st to April 30th; and from 9:00 p.m. to 6:00 a.m. from May 1st to September 30th.
- 25.3.5.1.46** On either side of Fillmore Place from 11:00 p.m. to 6:00 a.m. from October 1st to April 30th; and from 9:00 p.m. to 6:00 a.m. from May 1st to September 30th.

## CITY OF GARDINER CODE

- 25.3.5.1.47** On the Old Brunswick Road:
- (a) Within two feet of pavement, on either side of the Old Brunswick Road from its intersection with West Street and Marston Road southerly to its intersection with Route 201.
  - (b) Within two feet of pavement on either side of the Old Brunswick Road from its intersection with Route 201 northeasterly to CMP pole 103.
- 25.3.5.1.48** On both sides of Highland Avenue, from its intersection with Bridge Street in a westerly direction for a distance of 172 feet.
- 25.3.5.1.49** On both sides of Pope Street from its intersection with Pray Street to the high school.
- 25.3.5.1.50** On the southerly side of Heselton Street.
- 25.3.5.1.51** On Prospect Street, the southerly side from its intersection with Dennis Street to the turn-around.
- 25.3.5.1.52** On both sides of Maple Street between its intersections with Washington Avenue and Water Street.
- 25.3.5.1.53** On the northerly side of Cobbossee Avenue from the intersection of Andrews Street westerly for a distance of 350 feet.
- 25.3.5.1.54** On Mount Vernon Street:
- (a) On the westerly side of Mount Vernon Street from the intersection of Highland Avenue northerly for a distance of 140 feet.
  - (b) On the easterly side of Mount Vernon Street from the intersection of Highland Avenue northerly for a distance of 90 feet.
- 25.3.5.1.55** On the Westerly sides of Pope Street.
- 25.3.5.1.56** On both sides of Enterprise Avenue.

**25352** No person shall park any vehicle for a longer period than one hour from and during the periods between 8:00 a.m. and 4:00 p.m. on weekdays except Saturdays and holidays at the following designated areas:

- (a) On either side of Dresden Avenue from its intersection with School Street to its intersection with Kingsbury Street.
- (b) On the east side of Pleasant Street from its intersection with School Street to its intersection with Kingsbury Street.
- (c) On the south side of Church Street from its intersection with Pleasant Street to its intersection with Dresden Avenue.

**25353** A "No Parking, Loading Zone" zone shall be established on the east side of Brunswick Avenue, running southerly from the south side of the Mechanic Street intersection for a distance of 50 feet.

**25354** On Maine Avenue, east side, a parking space shall be established from a point 22 feet south of the southerly face of the abutment to the Maine Avenue bridge over Cobbosseecontee Stream running southerly for a distance of 20 feet, which space shall be reserved for the use of the store manager of the **Carter Milling Company** as per the lease agreement between said firm and the City dated October 1, 1958, but such reservation shall remain in effect only during the effective period of the aforementioned lease or renewal



## CITY OF GARDINER CODE

thereof.

### **Section 25.3.6 Backing to Curb**

**25.3.6.1** No vehicle shall remain backed up to the curb except when actually loading or unloading, and then only for a reasonable time.

**25.3.6.2** No person shall park, by backing up to the curb, any vehicle in any of the following places **viz:** at the corners of Maine Avenue, Church Street, Bridge Street, Winter Street, and Robinson Street, at the point where they intersect with Water Street within a distance of 40 feet from said intersection. The point of intersection for the purpose of construing this section shall be deemed to be the point at which the sidewalk curbs of said streets intersect with the sidewalks of Water Street.

### ~~Section 25.3.7 Physicians' Parking Spaces~~

~~Physicians may obtain a special permit from the city council giving them a special license to park for an unlimited period of time in such a place as the said city council may designate, and such designated place may be marked and identified to show that it is so reserved for said physicians. All applications for such special permit shall be made in writing, directed to the city council, who shall give said application their consideration and recommendation. The city council, may, or may not, at their discretion, grant such permit.~~

### **Section 25.3.78 Winter Parking**

No person shall leave or park any vehicle of which **he** has charge or possession, or permit the same to stand on any street, highway, square or thoroughfare within the City of Gardiner, between the hours of 12 o'clock midnight and 6 o'clock in the morning during the months of November to April, both months inclusive.

### **Section 25.3.89 Public Parking Lots**

**25.3.89.1** No person shall leave or park any vehicle of which he has charge or possession, or permit the same to stand in any public parking lot for a period longer than 48 hours.

**25.3.89.2** No person shall leave or park any vehicle of which he has charge or possession, or permit the same to stand in any of the first fifteen rows of parking spaces nearest Bridge Street in the Cobbossee Stream - Arcade parking lot or anywhere in the Gardiner Landing parking lot between the hours of 12:00 midnight and 7:00 in the morning during all months except by permit issued by the chief of police. The chief of police may issue such permit for repair, maintenance or construction vehicles, inoperable vehicles and for purposes relating to extended boating activity.

**25.3.89.3** The row of parking spaces in the Gardiner Landing parking lot along the Maine Central Railroad shall be reserved exclusively for vehicles with trailers attached or trailers only from June 1 to September 30 of each year.

## CITY OF GARDINER CODE

**25.3.89.4** The city manager is authorized to alternate parking regulations in the Arcade Parking Lot from November to April for snow removal.

### **Section 25.3.210 Removal and Storage**

Whenever such vehicle may be found parked or left standing in violation of Section 25.3.78. and 25.3.89. by any employee of the Highway Department, said vehicle may be removed and stored at the expense of the owner or person in charge or control of same.

### **Section 25.3.101 Parking**

**25.3.101.1** Parking areas may be established for zoned parking whenever the mayor and city council shall consider it proper and for the safety and convenience of the public or to relieve traffic congestion and parking conditions, effective for hours from 8:30 a.m. to 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays, and Saturdays, except holidays, and from 8:30 a.m. to 9:00 p.m. on Fridays.

Overtime Parking and Shuffling or Relocation of Vehicles to Avoid Penalties: When signs are erected on streets to give notice thereof, no person shall park a vehicle upon any of the streets or parts of the streets described in Section 25.3.101.2 for a longer period than so specified in the section. No person shall relocate or move a vehicle in order to avoid a violation of the parking time limit. The following action will be considered prima facie evidence of such prohibited conduct when observed by a law or parking officer: when a person moves or relocates a vehicle that has been parked less than the posted time limit from a time limited parking space and then returns to the same parking space or moves to a parking space within 250 feet of that same parking space, as measured along the street, within five minutes of the time that the initial parking space was vacated. Such shuffling or relocating shall constitute overtime parking for the purposes of this section.

**25.3.101.2** Two-hour parking zones are established as follows:

- (a) Water Street: on both sides of Water Street from the intersection of Vine Street and Water Street to the intersection of Winter Street and Water Street.
- (b) Mechanic Street: on both sides of Mechanic Street from its intersection with Church Street to the upper entrance of Dearborn Park.
- (c) Brunswick Avenue:
  - (i) On the westerly side of Brunswick Avenue from its intersection with Water Street to a point opposite Mechanic Street.
  - (ii) On the easterly side of Brunswick Avenue from a point 10 feet southerly of the intersection of Mechanic Street running south for a distance of 127 feet.



## CITY OF GARDINER CODE

- (d) Bridge Street:
  - (i) On the westerly side of Bridge Street on the bridge over Cobbossee Stream.
  - (ii) On the easterly side of Bridge Street, from a point 30 feet north of its intersection with Water Street to the right-of-way to 35 Bridge Street.
- (e) City Hall Parking Lot:
  - (i) On both sides of Mechanic Street Extension from Church Street to the westerly entrance to the Gardiner Savings Institution parking lot between the hours of 1:00 a.m. and 6:00 a.m.
  - (ii) On the easterly side of Mechanic Street Extension along the westerly boundary of the Gardiner Savings Bank property.
- (f) Cobbossee Stream - Arcade Parking Lot:
  - (i) The first double row of parking spaces nearest Bridge Street and on the westerly side of the double row of parking spaces nearest to the Arcade stairway.
- (g) Library Parking Lot: in all spaces in the Library parking lot except for three spaces reserved for Library staff parking and one space reserved for handicapped parking.
- (h) Church Street: on the north side of Church Street from Water Street to Mechanic Street.
- (i) Winter Street Parking Lot: one on the northwesterly end and one on the southwesterly end of the first traffic island nearest Winter Street.

~~25.3.11.3 Twelve (12) minutes parking zone shall be established as follows:~~

- ~~(a) Water Street: a twelve (12) minutes parking zone shall be established on the south side of Water Street from its intersection with Brunswick Avenue running easterly for a distance of 109 feet.~~

~~25.3.11.4 Fifteen (15) minute parking zone shall be established as follows:~~

- ~~(a) Water Street: A fifteen (15) minute parking zone shall be established on the southerly side of Water Street, from its intersection with Library Street running southerly for a distance of 56 feet, 2 inches to accommodate two parking spaces.~~
- ~~(b) River Avenue: on the westerly side of River Avenue from 200 feet southerly from its intersection with Cannard Street southerly for a distance of 40 feet.~~
- ~~(c) Pleasant Street: on the westerly side of Pleasant Street from the walkway to the O. C. Woodman School to the intersection of School Street.~~
- ~~(d) School Street: on the northerly side of School Street from its intersection with Pleasant Street westerly for a distance of thirty feet.~~

## CITY OF GARDINER CODE

### Section 25.3.123 Oversized Loads

25.3.123.1 No vehicle which, with or without load, is wider than 102 inches overall shall be operated between the hours of 3:00 p.m. to 5:30 p.m. on the following streets or ways:

- (a) on Church Street;
- (b) on Maine Avenue from its intersection with Church Street to Gardiner-Randolph bridge.

25.3.123.2 The **Commissioner of Public Safety** may grant emergency permits upon proper application in writing to move objects having a width greater than specified in Section 25.3.13.1. of this Code. The fee for such permit shall be **\$5.00**.

### Section 25.3.134 One-way Streets and Alleys

Upon the following streets and parts of streets and alleys, 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:

25.3.134.1 Westerly on Mechanic Street from the intersection of Church Street to the intersection of Brunswick Avenue.

25.3.134.2 Easterly on Water Street from intersection of Bridge Street to intersection of Church Street.

~~25.3.14.3 Easterly on Pray Street from the intersection of Willow Street to the intersection of Harrison Avenue.~~

### Section 25.3.145 No Left Turn

It shall be unlawful for any person operating a motor vehicle to make a left-hand turn from Mechanic Street onto Brunswick Avenue, or from Brunswick Avenue onto Church Street.

### Section 25.3.156 Rules of the Road

Cross references: **Rules of Road generally, see 1954 R.S. Ch. 22, ss. 83 et seq.**

### Section 25.3.167 Speeds

Cross references: **Commercial vehicles, see 1954 R.S. Ch. 22 & 107, 146.**  
**State speed law, see 1954 R.S., Ch. 22, ss. 113-113-c, 146.**

### ~~Section 25.3.18 Stealing Rides~~

~~No person shall steal a ride upon any vehicle, and no person shall ride upon the rear of any~~



## CITY OF GARDINER CODE

~~vehicle without the consent of the person in charge thereof.~~

### Section 25.3.179 Traffic Lights

Cross references: See 1954 R.S., Ch. 22, ss. 87.

### Section 25.3.1820 Stop Signs

**25.3.1820.1** No person shall drive any vehicle past or through any intersection having a stop sign, without bringing his vehicle to a stop.

**25.3.1820.2** Stop signs shall be located in the following places:

Adams Street to Highland Avenue  
Alexander Road to West Street  
Andrews Street to Cobbossee Avenue  
Arcade Lot at Main Avenue - *adopted 12-16-01*  
Arcade Lot at Water Street Brunswick Ave. - *adopted 12-16-01*  
Armory Street to Brunswick Avenue  
Ash Street to West Hill Road  
Ash Street to Harrison Avenue  
Autumn Street to Spring Street  
Autumn Street to Highland Avenue  
Bartlett Street to River Road or Route #24  
Beech Street to Washington Avenue  
Capen Road to River Road or Route #24  
Central Street to Brunswick Avenue  
Central Street to Cherry Street  
Central Street to Water Street  
Cherry Street to Central Street  
Chestnut Street, both sides, with its intersection with Washington Avenue  
Chestnut Street to Brunswick Avenue  
Chestnut Street to Washington Avenue  
Church Street to Brunswick Avenue  
Clinton Street to Spring Street  
Clinton Street to Highland Avenue  
Commerce Street at Enterprise Avenue - *adopted 12/16/01*  
Costello Road to River Road or Route #24  
Costello Road to Marston Road  
Cottage Street to River Avenue  
Cottage Street to Lincoln Avenue  
Cannard Street to River Road or Route #24  
Danforth northbound and southbound to Lincoln and northbound to Dresden  
Dean Street to Lincoln Avenue  
Dennis Street to Kingsbury Street  
Dresden Avenue to Church Street

## CITY OF GARDINER CODE

Dresden Avenue to Cottage Street  
Dresden Avenue at Danforth (Both Directions) - *adopted 12/16/01*  
Dresden Avenue to School Street, northbound and southbound  
Elm Street to Washington Avenue, northbound and southbound  
Enterprise Avenue at Route 201 - *adopted 12/16/01*  
Fairview Street to Brunswick Avenue  
Fountain Street at Harrison Ave. ( both sides) -*adopted 12/16/01*  
Fountain Street at Winter Street - *adopted 12/16/01*  
Fountain Street at Willow Street - *adopted 12/16/01*  
Fremont Street to Plummer Street  
Fremont Street to Lincoln Avenue  
Green Street to Central Street  
Harden Street at Summer Street - *adopted 12/16/01*  
Harrison Avenue to Highland Avenue  
Harrison Avenue to West Street  
Harrison Avenue to Winter Street  
Heselton Street to Brunswick Avenue  
High Holborn Street to Brunswick Avenue  
High Holborn Street to Cherry Street eastbound  
High Holborn Street to Cherry Street westbound  
High Holborn Street to Green Street eastbound  
High Holborn Street to Green Street westbound  
High Holborn Street to West Street  
Highland Avenue to Bridge Street  
Johnson Street to River Road or Route #24  
Kingsbury Street to Dresden Avenue  
Kingsbury Street to Water Street or Route #24  
Libby Hill Road to Brunswick Road or Route #201  
Libby Hill Road to Marston Road  
Liberty Street to Lincoln Avenue  
Liberty Street to Plummer Street  
Library Street at Water Street - *adopted 12/16/01*  
Lincoln Avenue to Brunswick Avenue  
Lincoln Avenue to Cottage Street northbound  
Lincoln Street at Danforth ( Both Directions) - *adopted 12/16/01*  
Lower River Road to Route #24 north end  
Maple Street to Central Street  
Maple Street to Washington Avenue (where it crosses Washington Ave., either side)  
Marston Road to Brunswick Avenue  
Marston Road to Libby Hill Road/Costello Road (northbound and southbound)  
Mattson Heights to Brunswick Avenue  
Mechanic Street to Brunswick Avenue  
Mekola Lane to West Street  
Middle Street to Bridge Street  
Mount Vernon Street to Spring Street northbound  
Mount Vernon Street to Spring Street southbound



## CITY OF GARDINER CODE

Mullins Drive to River Road  
Mullins Drive to Sawyer Street  
Neal Street to Brunswick Avenue  
Oak Street to Central Street, north and southbound  
Oak Street to Washington Avenue  
Oak Street to Water Street  
Old Brunswick Road to Brunswick Avenue (Rte. #201 where it crosses Rte. #201 either side)  
Old Brunswick Road to Brunswick Road  
Old Brunswick Road to West Street and Marston Road, northbound and southbound  
Orchard Street to High Street  
Park Drive to Brunswick Road  
Phillips Street to River Road or Rte. #24  
Pierce Street to Brunswick Avenue  
Plaisted Street to Highland Avenue  
Plaisted Street to Spring Street  
Pleasant Street to Church Street  
Pleasant Street at Kingsbury Street - *adopted 12/16/01*  
Pleasant Street to School Street, north and south bound  
Pine Street to Central Street  
Plummer Street to Brunswick Avenue  
Pray Street to Harrison Avenue  
Pray Street to Pope Street  
Prospect Street at Dennis Street -*adopted 12/16/01*  
Prosperity Street at Enterprise Ave. - *adopted 12/16/01*  
River Road to Rte. #24 at Railroad Station south  
River Road to Rte. #24 at Church Street north  
Riverview Drive at Rte. 24 - *adopted 12/16/01*  
Rolfe Circle to Brunswick Road  
Sawyer Street to River Road or Rte. #24  
School Street to Brunswick Avenue  
School Street to Dresden Avenue, east and westbound  
School Street to Lincoln Avenue, east and westbound  
School Street to Pleasant Street, east and westbound  
Sherburne Avenue to River Road or Route #24  
Spring Street to Bridge Street  
Spring Street to Mt. Vernon Avenue (westerly side of intersection)  
Summer Street to Bridge Street  
Summer Street to Winter Street, east and westbound  
Technology Drive at Enterprise Ave. - *adopted 12/16/01*  
Tilbury Park at Brunswick Ave. - *adopted 12/16/01*  
Townsend Street at Harrison Ave. - *adopted 12/16/01*  
Union Street at Rte. 24 - *adopted 12/16/01*  
Vine Street at Dennis Street - *adopted 12/16/01*  
Vine Street to Water Street  
Washington Avenue to Brunswick Avenue

## CITY OF GARDINER CODE

Washington Avenue to Water Street  
Water Front at Main Ave. - *adopted 12/16/01*  
Water Front at Water Street - *adopted 12/16/01*  
Weeks Road to Libby Hill Road  
West Street to Brunswick Avenue  
West Hill Road to Highland Avenue  
West Hill Road to Cobbossee Avenue  
Willow Street to Pray Street  
Winter Street to Harrison Avenue  
Winter Street to Water Street

### ~~Section 25.3.21~~ — ~~Fire Warning Light~~

~~253211~~ — A fire warning light with flashing red light is hereby authorized to be erected overhanging Church Street in the vicinity of the City Hall. When the light is flashing, all approaching vehicles shall pull over to the extreme right hand side of the road and come to a full stop.

~~253212~~ — Any person found guilty of violating this section shall be subject to a fine of not more than \$100.00 for each violation.

### Section 25.3.1922 Truck Route Ordinance

#### 25.3.1922.1 Definitions.

**Truck:** "Truck" shall mean any "truck," "truck tractor," or "vehicle" as defined in Title 29-A of the Maine Revised Statutes Annotated, but shall not include "wreckers" as defined in Title 29-A.

**Registered Weight:** "Registered weight" is defined as provided in Title 29-A of the Maine Revised Statutes Annotated.

**25.3.1922.2** Designated Routes for Heavy Trucks. No person shall operate or allow the operation of any truck with a registered weight greater than 15,000 pounds on a public way within the City of Gardiner except: Interstate 95, Route 201, Bridge Street, Maine Avenue, Church Street, Water Street, Route 24, Route 126, Mechanic Street, Highland Avenue, West Hill Road, Winter Street, Summer Street, Old Lewiston Road, and the Gardiner-Randolph bridge.

**25.3.1922.3** Restrictions on Vehicle Length. No person shall operate or allow the operation of vehicles on any public way within the City of Gardiner if the total length exceeds 48 feet, except on Interstate 95, route 126, Route 24, Water Street, Church Street or Route 201.

**25.3.1922.4** Exceptions. This ordinance shall not prohibit the operation of:

**25.3.1922.4.1** Trucks which exceed a registered weight of 15,000 pounds on a public way



## CITY OF GARDINER CODE

**28.4.8.2** While performing the necessary work on private properties referred to in Section 28.4.8.1 above, the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operations, except as may be caused by negligence or failure of the company to maintain safe conditions, ~~as required in Section 28.4.5.4.~~

**28483** The City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**28484** The City and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter a building on private property to prevent any illegal discharge to the sewers.

### **Section 28.4.9 Penalties**

**28491** Any person found to be violating any provision of this Ordinance except Section 28.4.7, shall be served by the City with written notice stating the nature of the violation and providing 90 days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

**28492** Any person who shall continue any violations beyond the time limit provided for in Section 28.4.9.1, may be subject to a civil penalty of at least two hundred dollars (\$200.00) for each violation.

**28493** Any person violating any of the provisions of this code shall become liable to the City by reason of such violation.

### **Section 28.4.10<sup>9</sup> Validity**

**28.4.10.1** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**28.4.10.2** The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid or parts.

---

<sup>9</sup>Ordinance No. 28.1.1 - 28.4.10 updated March 21, 2018