

Chapter 10.12

STOPPING, STANDING AND PARKING

Sections:

- 10.12.010** **General parking regulations.**
- 10.12.020** **Parking on Bellamy Lane—Penalty for violations.**
- 10.12.030** **Parking on Frisbee’s Wharf—Penalty for violations.**
- 10.12.040** **Towing.**
- 10.12.050** **Emergency parking.**

10.12.010 **General parking regulations.**

- A. Prohibited at All Times. Parking is prohibited at all hours in the following locations:
 - Within ten (10) feet of any hydrant;
 - Within ten (10) feet of any corner;
 - Within ten (10) feet of pavement on Route 1, both sides, from Spruce Creek to the Kittery-York town line;
 - From the right-of-way to Frisbee’s Wharf to the land of A. Blake;
 - The cul-de-sac at the end of Dion Avenue;
 - Adams Drive, no parking on westerly side from the intersection of Route 1 in a southerly direction to its end and on the easterly side from the intersection with Route 1 to the driveway of 7 Adams Drive;
 - Bowen Road, northwest side from Route 103 to land of Milton Hall, a distance of seven hundred seventy-eight (778) feet;
 - Bowen Road, southeast side, from land of James O. McNally, easterly to Old Ferry Lane, a distance of one hundred sixty-five (165) feet;
 - Bridge Street, northerly side, including commercial trucks, excepting that the first three hundred (300) feet from Old Post Road—the first one hundred fifty (150) feet, no time limit; the second one hundred fifty (150) feet, one-hour time limit;
 - Bridge Street, southerly side;
 - Chauncey Creek Road on the north side, beginning at CMP Pole #30 and continuing in an easterly direction to CMP Pole #36;
 - Chauncey Creek Road on the north side, beginning at Tenney Hill Road, and CMP Pole #16, continuing in an easterly direction three hundred sixty-two (362) feet;
 - Chauncey Creek Road on the south side, beginning at the intersection of Pepperell Road and Tenney Hill Road, and continuing in an easterly direction to CMP Pole #33, excepting any parking off the public way;
 - Commercial Street, on the west side, beginning at the intersection of Government Street and continuing southerly to the intersection of Water Street;
 - Fernald Road, north and south side, beginning at the intersection of Route 236 in a westerly direction to CMP Pole #22;
 - Fort Foster, paved road, both sides, from gate house to pier, a distance of two thousand five hundred (2,500) feet;
 - Government Street, north side, from U.S. Highway No. 1 across from Knight Avenue;
 - Hunter Avenue beginning at Water Street and continuing northerly to the intersection of Government Street;

Jones Avenue, both sides, from Government Street to Walker Street;

Love Lane, east side, beginning at its point of intersection with Government Street, north one hundred fifty (150) feet;

Love Lane, east side, between its point of intersection with Government Street to the end of the property of the Wentworth-Dennett School;

Manson Road, from the intersection with Stevenson Road in a northerly direction five hundred (500) feet, and in a southerly direction for three hundred (300) feet;

Old Post Road, on the northerly side, from Bridge Street to Cook Street;

Old Post Road, on the southerly side, from Bridge Street to Cook Street, with the exception of two hundred (200) feet from Bridge Street, which shall be one-hour parking, excluding parking of trucks;

Oxpoint Drive, both sides, from the intersection of Adams Drive in an easterly direction to the driveway of 2 Oxpoint Drive;

Pleasant Street, on the west side, beginning at the intersection of Water Street and continuing northerly to the intersection of Government Street;

Rogers Road on both sides, beginning at its point of intersection with Shapleigh Road (Route 236) to the point where Rogers Road intersects with Wentworth Street (Route 103);

Route 103, east side, from the north side of the property of Edward Thomson, south to where Route 103 intersects with Paul Street;

Seapoint ~~Beach~~ Road, north side, from the intersection of Thaxter Road and Seapoint ~~Beach~~ Road, a distance of six hundred ninety-eight (698) feet in an easterly direction to New England Telephone pole number 4;

Seapoint ~~Beach~~ Road, south side, from the ~~eastern-western~~ end of the designated parking area along Seapoint ~~Beach~~ Road, a distance of two hundred twenty (220) feet in an ~~easterly-westerly~~ direction;

Stevenson Road, from the intersection with Manson Road on the southerly side in a westerly direction for a distance of two-tenths of a mile;

Stevenson Road, at a point where the town of Kittery property intersects with the land of Dominic and Maxine Zangari (Map 29, Lot 23), westerly direction for a distance of one-tenth of a mile;

Tilton Avenue, northwest side, from Whipple Road, a distance of thirty-five (35) feet;

Tilton Avenue, southeast side;

Traip Avenue, north and westerly side, a distance of four hundred twenty (420) feet from its southerly intersection with Wentworth Street;

Walker Street, east side, north of Wentworth Street, from the northeast corner of the Wentworth/Walker Street intersection to a point ten (10) feet north;

Walker Street, north side, from the west side of the property of Dr. Charles W. Kinghorn to the property belonging to the U.S. Navy;

Walker Street, south side, from the west side of the Sugrue Block to the property of the U.S. Navy;

Walker Street, west side, north of Wentworth Street, from the northwest corner of the Wentworth/Walker Street intersection to a point fifty-seven (57) feet north;

Water Street, on the south side from CMP Pole #16 continuing easterly to CMP Pole #51;

Wentworth Street, east side, between its two points of intersection with Traip Avenue;

Wentworth Street, east side, from the north corner of the Sugrue Block to the south entrance of Traip Avenue;

Wentworth Street, north side, east of Walker Street, from the northeast corner of the Wentworth/Walker Street intersection to a point ninety (90) feet east;

Whipple Road, north side, beginning at its point of intersection with Rogers Road, easterly to its point of intersection with Shapleigh Road;

Whipple Road, north side, from Keene Circle to Philbrick Road;

Williams Avenue, both sides, starting at the exit of Traip Academy's parking lot and continuing in an easterly direction, ending at the beginning of 24 Williams Avenue.

- B. Prohibited from 7:00 A.M. to 4:00 P.M., Monday through Friday. Parking is prohibited from 7:00 a.m. to 4:00 p.m. in the following location:

On the south side of Williams Avenue commencing at property known as R.W. Traip Academy.

- C. One-Hour Parking from 7:00 A.M. to 6:00 P.M. One-hour parking only will be permitted in the following locations from 7:00 a.m. to 6:00 p.m., Sundays and holidays excepted:

Central Street, Cross Street, Friend Street, Jones Avenue, Love Lane, Main Street, Newmarch Street, Otis Avenue, Pine Street, Prince Avenue, Rice Avenue, Stimson Street, Trefethen Avenue, Williams Avenue, Woodlawn Avenue;

Government Street, south side, from Hunter Avenue to Wallingford Square and north side across from Knight Avenue to Wallingford Square;

Manson Avenue from Rogers Road to Boush Street;

Old Post Road, both sides, for a distance of four hundred fifty (450) feet northeasterly towards Memorial Field from its intersection with Dennett Road;

Philbrick Road from Whipple Road to Cross Street;

Rogers Road from the junction of Rogers Road and Whipple Road to Orchard Grove Cemetery;

Traip Avenue, westerly side, from Rice Library lot to the northerly intersection with Wentworth Street; easterly side for its entire length;

Wallingford Square, both sides, including the town wharf and its approaches;

Wentworth Street, west side, from Wallingford Square to the railroad crossing, from south end of Traip to the railroad crossing;

Whipple Road from the junction of Woodlawn Avenue and Whipple Road to Tilton Avenue.

- D. It is unlawful to leave a motor vehicle parked, standing, or unattended on any public way in the town of Kittery:

1. November 1st to April 1st, inclusive:

a. Between the hours of 12:00 midnight and 6:00 a.m.,

b. More than four hours between 6:00 a.m. and 12:00 midnight;

2. April 2nd to October 31st, inclusive:

a. More than four hours between 6:00 a.m. and 6:00 p.m., Monday through Friday.

The town manager or the manager's designee is authorized to declare a total parking ban on any or all public ways in the town of Kittery for the purpose of snowplowing or snow removal operations.

The owner or operator of any vehicle found in violation of this section will be summonsed and the vehicle will be towed at the owner's expense.

- E. Parking Within Lines. Failure to park within prescribed lines as laid out on any street will be considered a violation of the parking rules.
- F. Parking on Sidewalks. Parking vehicles of any kind on sidewalks anywhere in town is prohibited.
- G. Blocking Driveways. It is unlawful for any person to park, leave standing or unattended any vehicle on the public ways of the town, in such manner so as to block any driveway, public or private, as to prevent egress or entrance to such driveway.
- H. The two marked parking spaces in front of #33 Government Street on the south side are designated handicapped parking spaces on Thursday from 9:00 a.m. to 12:00 noon and on Sunday from 8:00 a.m. to 12:00 noon.
- I. Parking in Handicapped Spaces. Parking in a marked handicapped space is prohibited unless the vehicle is displaying a handicapped sticker or handicapped license plate(s). The owner or operator of any vehicle found in violation of this section will be summonsed and the vehicle will be towed at the owner's expense.
- J. Parking in Fire Lanes. Parking is prohibited at all times in designated fire lanes. The owner or operator of any unauthorized vehicle found parked in a fire lane will be summonsed and the vehicle towed at the owner's expense.
- K. General Penalties. Penalties for violations of any of the following parking regulations shall be as follows:

1. Overtime parking	\$15.00
2. Parked on crosswalk	15.00
3. Parked less than (10) feet from corner	15.00
4. Parked on sidewalk	15.00
5. Parked within (10) feet of hydrant	15.00
6. Blocking driveway	15.00
7. Violation of all-night parking	15.00
8. Parked interfering with snow removal	15.00
9. Violation of parking ban	15.00
10. Violation of (4) hour parking	15.00
11. Other restricted areas	15.00
12. Fire lane	25.00
13. Handicapped parking	25.00
14. Failure to display dump sticker or permit at Seapoint Beach	25.00 50.00

For first violations, penalty fees must be paid within thirty (30) days. After thirty (30) days unpaid, first violation penalty fee shall double. Any violator who does not pay the required penalty fee within forty-five (45) days shall be issued a summons to appear and answer in the York District Court for failure to pay such penalty and, upon conviction, shall be fined not more than fifty dollars (\$50.00) for each offense plus court cost.

For second and subsequent offenses, the violator shall be summonsed to court and fined a sum not to exceed twenty dollars (\$20.00) for violations of subsections A through E and thirty dollars (\$30.00) for violations of subsections F through H.

- L. Prohibited from 5:00 A.M. to 7:00 A.M. and from 5:00 P.M. to 7:00 P.M. Parking is prohibited from 5:00 a.m. to 7:00 a.m. and from 5:00 p.m. to 7:00 p.m. in the following locations:

On the north side of Pepperrell Road starting at Smith Lane and running east for sixty (60) feet.

- M. It is unlawful for any person to park longer than two consecutive hours in the municipal parking lot located at the southeast side of the Rice Public Library. All day parking permits may be obtained from the chief of police or designee at the Kittery police department. These permits will be limited to business owners and employees of businesses located in the Kittery foreside zone as defined in the Kittery zoning ordinance (Section 16.12.150). These permits are for the purpose of freeing up on-street parking for customers.

The all-day permits will be issued to specific individuals and will be numbered. The permits must be displayed in the driver's side windshield area during the time the vehicle is parked in the municipal lot. When the ownership of a business changes or an employee leaves the employment of a business located in the Kittery foreside zone, the parking permit is then cancelled and must be returned to the Kittery police department.

Parking in the municipal parking lot between the hours of 12:00 midnight and 6:00 a.m. will be restricted to permit holders. Overnight parking permits may be obtained from the chief of police or designee at the Kittery police department. These permits will be limited to individuals who reside in homes located in the Kittery foreside zone as defined in the Kittery land use and development code, Section 16.12.150, Kittery Foreside - KF. The overnight parking spaces will be limited to six in number and will be located on the southeast boundary of the parking lot. These individuals may also apply for twenty-four (24) hour parking permits.

The overnight or twenty-four (24) hour permits will be issued to specific individuals and will be numbered. The permits must be displayed in the driver's side windshield area during the time the vehicle is parked in the municipal lot. When the individual no longer resides in a home located in the Kittery foreside zone, the parking permit is then cancelled and must be returned to the Kittery police department. Residents will be allowed to park their vehicles overnight or for twenty-four (24) hours only in an area within the municipal lot that is designated and posted for use by residents. Each resident permit holder will be responsible for snow removal in the immediate area surrounding their parked vehicle.

The owner or operator of any vehicle found in violation of this subsection will be summonsed and the vehicle will be towed at the owner's expense as provided in subsection A of Section 10.12.040.

- N. Two-hour parking will be permitted from 7:00 a.m. to 6:00 p.m., Sundays and holidays, except in the following location:

Walker Street from Wentworth Street to U.S. Route 1.

- O. The town of Kittery's parking lot located on the east side of Moore Street is restricted to permit holders and their guests only.

Permit holders are limited to residents of Moore Street who do not have off-street parking available.

Parking permits may be obtained from the chief of police or designee at the Kittery police department.

The owner or operator of any vehicle found in violation of this subsection will be summonsed and the vehicle will be towed at the owner's expense as provided in Section 10.12.040(A) of this chapter.

(Ord. 13-06; Ord. 09-06; Ord. 03-06; Ord. 11-05; Ord. 6-03; Ord. 8-02; Ord. 5-02; Ord. 4-02; Ord. 13-01; Ord. 10-01; Ord. 17-00; Ord. 11-00; Ord. 10-00; Ord. 21-99; Ord. 17-99; Ord. 9-99; Ord. 7-98; Ord. 3-98; Ord. 3-96; Ord. 5-95; Ord. 3-95; Ord. 6-93; Ord. 5-93; Ord. 1-93; Ord. 10-92; Ord. 14-91; Ord. 1-91 (part); prior code § 14-38)

10.12.020 Parking on Bellamy Lane—Penalty for violations.

- A. It is unlawful for any person having custody or control of any vehicle to park such vehicle upon Bellamy Lane between April 1st to October 15th, provided however, that this section shall not pertain to vehicles while engaged in the loading or unloading of freight.
- B. Any person found in violation of this section shall be fined not more than twenty dollars (\$20.00) for each offense. (Prior code § 14-39)

10.12.030 Parking on Frisbee's Wharf—Penalty for violations.

- A. Except as otherwise provided in subsection D of this section, it shall be unlawful for any person having custody or control of any vehicle who is not a resident or real estate taxpayer of the town to park any such vehicle upon the town wharf or pier known as Frisbee's Wharf or Pier in Kittery Point in any parking space not so designated for one-hour nonresident parking. Such nonresident parking spaces shall be clearly marked and located along the southwesterly portion of such wharf. Parking by nonresidents in such spaces shall be limited at any one time to one-hour parking.
- B. Parking for residents or real estate taxpayers of the town on so-called Frisbee's Wharf or Pier shall be in those spaces specifically designated for residents parking along the northwesterly sideline of the wharf and along the northeasterly portion thereof and only for those vehicles displaying a current town transfer station identification sticker issued by the town hall and affixed to the vehicle in a manner prescribed by the town manager. Residents or real estate property taxpayers of the town may also park their vehicles in the area designated in subsection A of this section, subject to the one-hour limitation.
- C. It is unlawful for any person having custody or control of any vehicle to park any such vehicle upon the town wharf or pier known as Frisbee's Wharf or Pier in Kittery Point between the hours of 2:00 a.m. and 4:00 a.m.
- D. Parking spaces as so designated along the westerly side of the town wharf or pier known as Frisbee's Wharf or Pier in Kittery Point presently comprising approximately twelve (12) parking spaces shall be available for parking to Kittery residents and nonresidents alike.
- E. Any person found in violation of this section shall be fined not more than twenty dollars (\$20.00) for each offense. In addition, any vehicle or motor vehicles in violation of this section shall be towed away at the expense of the owner as provided in subsections B and C of Section 10.12.040. (Ord. 4-91; Ord. 5-88; prior code § 14-40)

10.12.040 Towing.

- A. Any vehicle or motor vehicle in violation of Sections 9.04.010, 10.12.010, 10.12.020, 10.12.030, 10.12.050, and 29 MRSA 1111, and any person who is arrested and has

his/her vehicle on a public way at the time of arrest, or any vehicle that is subject to impoundment by the police department, may be towed by the Kittery police department at the expense of the owner as provided herein.

- B. The owners of towing vehicles used by the town for the purpose of removing illegally parked cars under the terms of this section shall show proof of liability insurance, have storage capability, and be approved by the chief of police for the town.
- C. Any owner of towing vehicles approved for the removal of vehicles illegally parked under the terms of this section shall be subject to the following towing rates:
 - 1. A flat rate as set out in Appendix C for any towing between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday;
 - 2. A flat rate as set out in Appendix C at all other times;
 - 3. An additional charge as set out in Appendix C if a “dolly” has to be used;
 - 4. A maximum charge as set out in Appendix C for any dry run where a vehicle is not towed;
 - 5. Motorcycle—extra charge as set out in Appendix C;
 - 6. No charge shall be charged to the owner of the vehicle for the first twenty-four (24) hours of storage unless the vehicle has been towed due to snow removal;
 - 7. An additional charge as set out in Appendix C for any unusual circumstances.

(Ord. 3-05 (part); Ord. 9-00: amended during 1996 codification; Ord. 1-94 (part); Ord. 8-87 (part); prior code § 14-41 (part))

10.12.050 Emergency parking.

A. The chief of police or the chief’s designee has the authority to temporarily close, for the purpose of no parking to the general public, any public or private way, and any public or private parking lot, for public safety or convenience, during a fire, accident, emergency, special event, or construction project.

For the purpose of this section, “temporary” means a period of time up to thirty (30) days.

Any person found in violation of this section shall be fined no more than ten dollars (\$10.00) for each offense. In addition, any vehicle or motor vehicle in violation of this section shall be towed away at the owner’s expense as provided in Section 10.12.040. (Ord. 3-05 (part))