

MAIN STREET PARKING STORAGE ORDINANCE FOR THE TOWN OF NORTH HAVEN

1. **AUTHORITY AND PURPOSE:** This ordinance is adopted by the Municipal Officers (Selectmen) of the Town of North Haven in accordance with 30-A MRSA §3009. They have found that leaving a vehicle standing upon Main Street for a continued period of time creates a public nuisance.

2. **DEFINITIONS:** Words used in this ordinance shall be defined in accordance with 29 MRSA §1; any undefined word shall have its common, ordinary meaning.

3. **RESTRICTION:** Posted restriction. No person shall leave a vehicle standing on Main Street between Mills Street and Smith Street from midnight to six a.m. This restriction shall be in effect from midnight Memorial Day until midnight Columbus Day. From Columbus Day until Memorial Day, vehicles may not be stored for longer than 72 hours. Storage is defined as the leaving of a vehicle standing upon Main Street between Mills Street and Smith Street for a continued period of 72 hours or more. A vehicle shall not be considered to be stored on Main Street under this ordinance when a vehicle has been removed and returned to the same space within a 72 hour period. All vehicles must be contained within the parking lines.

4. **FINE AND TOWING:** Any person who violates this ordinance shall be subject to a fine of \$25.00 which shall inure to the municipality. In the event that court action is necessary to collect the fine, the violator shall also be responsible for the municipality's court costs and reasonable attorney's fees. A motor vehicle parked in violation of this ordinance may be towed by a wrecker authorized by the municipality, at the request of the road commissioner or other official duly authorized and appointed by the Selectmen. Within 4 calendar days of the tow the municipal official who requested the tow shall send to the registered owner a notice stating the date and time of the tow, the location where the motor vehicle is impounded, and the requirements for release of the motor vehicle.

5. **POST-TOW HEARING:** The owner or operator of a motor vehicle which has been towed pursuant to this ordinance may, within 30 days after the tow, request a hearing to show good cause why he or she should not be liable for the \$25.00 fine. The hearing shall be conducted by the Board of Selectmen. If the Board determines that the owner has shown good cause, it shall waive the fine. The Board may not, however, reimburse or pay any towing and storage fees paid by the owner to recover the motor vehicle.

6. **RELEASE OF TOWED VEHICLE:** Any person seeking release of a motor vehicle towed pursuant to this ordinance must first (a) pay all towing charges and storage charges and (b) present satisfactory evidence of his or her right to possession and (c)

sign a receipt for the vehicle. The municipality is not liable for any damage that may be caused by towing of a vehicle, or for any towing or storage charges.

7. **PRIMA FACIE EVIDENCE OF OPERATION:** No person shall cause, allow or permit a motor vehicle registered in his or her name to park in violation of this ordinance. The fact that a motor vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person, or with the knowledge or consent of the person, in whose name such vehicle is registered.

8. **PARKING FINES:** These fines are in effect for the following violations:

Overnight parking (May – October)	\$25
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Over 72 hour parking (October – May)	\$25
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Parking fines must be paid within 30 days of issue.

9. **EFFECTIVE DATE:** This ordinance shall become effective when adopted by a majority of the Board of Selectmen.

Date adopted: 4/10/2007
