

**TOWN OF LEBANON
PUBLIC PARKING ORDINANCE**

Section 1. – Purpose

This Ordinance is enacted to regulate the use of public parking facilities within the Town of Lebanon, and to promote the general health, safety and welfare of its inhabitants.

Section 2. - Authority

The power of the Town of Lebanon to enact this Ordinance is in accordance with the authority granted in 30-A N.R.S.A. §3009, and in its powers of Home Rule set forth in Article VIII, Section 1 of the Maine Constitution.

Section 3. - Definitions

(a) **"Public Parking Facility"** - Any area owned by the Town of Lebanon within its municipal borders, which provides for or allows public parking, including but not limited to the Park and Ride facility on Route 202.

(b) **"Motor Vehicles"** - Any self-propelled device for conveyance of persons or property on a way.

(c) **Board** - The Board of Selectmen for the Town of Lebanon.

Section 4. - Prohibited Acts

(a) No motor vehicle or any item of personal property shall be left; stored, displayed, or otherwise temporarily abandoned at a public parking facility for any more than a forty-eight (48) hour period, unless a permit is obtained from the Board.

(b) No person shall leave a motor vehicle or any item of personal property at a public parking facility for any purpose other than temporary parking while at a public building or for commuting and car pooling purposes.

Section 5 - Application

Any person seeking to park a motor vehicle at a public parking facility for more than a forty-eight (48) hour period, shall make written application to the Board, setting forth their name, address; year, make and registration number of their motor vehicle; the dates when the vehicle shall be parked; and the reasons for it having to remain for longer than forty-eight hours.

Section 6 - Approval

The Board shall grant a permit for the use of its public parking facilities for more than a forty-eight (48) hour period, if the applicant demonstrates a legitimate need for commuting or car-pooling purposes. The Board shall have the authority to grant the permit for any period of time and in such frequency as they deem advisable.

Section 7 - Permit Displayed

Any permit granted under this Ordinance shall be displayed on the vehicle at all-times so it can be seen through the front windshield in an open and conspicuous manner.

Section 8 - Penalties

(a) The violation of any provision of this Ordinance shall be a civil violation punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Each set of violations and every day upon which any such violation occurs, shall constitute a separate offense.

(b) Any person charged with any violation of this Ordinance, may waive all court actions by the payment of the following fines, which shall be made to the Town Treasurer within twenty (20) days of receipt of any notice of a violation:

- (1) First offense - \$100 per violation;
- (2) Second offense - \$250 per violation;
- (3) Third or more offense- \$500 per violation.

(c) In addition to any monetary penalty, the Town may cause to be removed any motor vehicle or items of personal property which are located on a public parking facility in violation of this Ordinance. The owner of the vehicle or items removed shall be responsible for the payment of all towing or removal costs and storage fees.

(d) The Town shall be entitled to recover its costs including attorney's fees incurred as a result of any legal action taken to enforce any provision of this Ordinance.

Section 9 - Enforcement

The provisions of this Ordinance shall be enforced by the Code Enforcement Officer of the Town of Lebanon, or any other person authorized by the Board to act on its behalf. Any such person so authorized shall be empowered to issue notices or civil summons for any violations.

Section 10 - Validity of ordinance

If any portion of this Ordinance is held to be invalid or unconstitutional by a Court of competent jurisdiction, then this shall not effect the validity of the remaining provisions of this Ordinance.

Section 11 - Effective Date

This Public Parking Ordinance shall be effective immediately upon the vote of the Board of Selectmen.

By affirmative vote, the Board of Selectmen do approve the enactment of this Ordinance.

Dated this 24th day of October, 1995.

Gilbert D. Zink, Selectmen

Ronal N. Patch, Selectmen

Harold L. Randall, Selectmen