



*City Council
of the
City of Augusta, Maine*

23-061 Mayor and Council

WHEREAS, Augusta Parking District dissolved on October 18, 2021 and no longer has any role in the administration or regulation of parking in the City;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Augusta that the Code of Ordinances of the City of Augusta is amended as follows (with added text shown with underline and deleted text shown with strikethrough):

Motion by Councilor Lind to waive further reading of order 23-061

Motion passed by unanimous consent

1. Section 215-16 is amended to read as follows:

§215-16. Swimming Prohibited.

No person shall engage in swimming in the Kennebec River along or adjacent to the shore or property owned by the City, ~~the Augusta Parking District~~ or any other subdivision of the City.

2. Section 270-29 is amended to read as follows:

§ 270-29. Parking in excess of 24 hours; notice to move; removal by City.

It shall be unlawful to leave a motor vehicle parked on a public way or in a municipal parking lot for a period in excess of 24 hours unless such vehicle possesses a valid residential parking permit issued by the ~~Augusta Parking District~~ City, is in a space designated by the ~~Augusta Parking District~~ City for resident parking, and meets the standards of M.R.S.A. Title 29-A. If a vehicle is parked in violation of this section, a notice shall be placed on the windshield of such vehicle ordering its removal within 24 hours. If after the expiration of such notice the vehicle is still in violation of this section, such vehicle may be removed in accordance with the provisions of this article. Where this section conflicts with § 270-30A regarding winter parking on streets, § 270-30 shall apply.

3. Section 270-37 is amended to read as follows:

§ 270-37. ~~Augusta Parking District~~ Police Department authorized to regulate certain streets.

The ~~Augusta Parking District~~ City Manager or his/her designee shall have the authority to regulate parking on the following streets:

4. Section 270-38 is amended to read as follows:

§ 270-38. Purpose in granting ~~District authority over certain streets; meter location; maintenance responsibilities~~ Regulation and metering of certain streets.

- A. ~~The franchise, right, power and easement in~~ In the areas and streets enumerated in § 270-37 shall be for the following purposes: ~~to, the City Manager or his/her designee may install, operate and maintain parking meters; to and collect the revenue therefrom; to issue parking revenue bonds payable solely from parking fees to pay the cost of construction, installation, operation and maintenance of the parking meters and off the street parking lots to be used in furtherance and in connection therewith; to designate space for the parking of vehicles by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters; to adopt from time to time and amend and adopt rules and regulations governing the use of parking in such areas and streets, including but not limited to rules and regulations governing the use and nonuse of such areas and streets, for parking by commercial and noncommercial vehicles, buses, taxis, vehicles of doctors, and others, and the setting of fees therefor; and to do all other lawful things necessary, convenient or incidental to the foregoing rights and powers.~~
- B. Meters shall be placed not more than two feet from the curb nor more than five feet from the front line or side line of the adjacent parking space.
- C. ~~It is the intention hereof that the~~ The City shall ~~continue to~~ be responsible for and to keep in a state of repair the streets and sidewalks along such streets, and ~~the District~~ shall repair and maintain the meters and their foundations and paint or mark the designated areas on the surface of such roadways and sidewalks.

5. Section 270-40 is amended to read as follows:

§ 270-40. Towing policy.

It shall be the policy of the City of Augusta to ensure that at any time the Augusta Police Department is required to contract directly for vehicle towing services, or refer a needy citizen to such towing services, the Police Department shall do so in an economical and equitable manner. Though sensitive to the business concerns of area towing enterprises, the City policy regarding this matter shall be influenced primarily by the need to promote public safety through a quick and efficient removal of obstructions to the public way and by a vigilant effort to prevent the general public from being victimized by unfair business practices, particularly where the City is involved as a referral agent for private tow operators. This order shall pertain to public ways; and City property ~~and property owned or authorized for policing by the Augusta Parking District~~ and shall not be utilized for the removal of vehicles from private property of individuals.

6. Section 270-43, subsection A is amended to read as follows:

- A. The City Manager shall annually request sealed bids for towing and storage charges. Such bids shall be for the towing of municipal vehicles, vehicles in violation of snow removal operations, and any other vehicle so ordered by the Police Department caused by a police action; or vehicles removed from City property ~~or the property of the Augusta Parking District.~~

7. Section 270-47, subsection E is repealed.

8. Section 270-48, subsection A is amended to read as follows:

- A. The Police Department shall make every effort to notify as promptly as possible the owner of any vehicle of its removal from the streets of the City, and as soon as possible a written notice that such vehicle has been impounded shall be sent to the owner at his/her last known address as shown by the records of the Secretary of State. If the owner is unknown, the Police Chief shall cause to be published in the local newspaper printed in the City notice of such impoundment, giving the registration number, the vehicle identification number, the name, type, and year of such vehicle. ~~The requirements and duties outlined in this section shall apply equally to vehicles removed from land owned or authorized for policing by the Augusta Parking District, pursuant to Section 17 of the rules and regulations of the Augusta Parking District.~~

9. Table 300-513-B, footnote 1 is amended to read as follows:

1. Off-site parking spaces may be provided in either on-street or off-street permitted residential parking areas as allowed by the Augusta ~~Parking District~~ City Manager or his/her designee.

10. Section 300-513, subsection C, paragraph 3 is amended to read as follows:

(3) An applicant for a development proposal shall meet the parking requirements identified in Table 300-513-B, Schedule of Parking Requirements in the KBD1 District, and adhere to the following standards:

- (a) Off-street parking spaces shall be provided by the applicant on the development site to meet the parking requirements identified in Table 300-513-B, to the greatest practicable extent as approved by the Planning Board.
- (b) Use of long-term (over two hours) off-street residential parking spaces controlled by the ~~Augusta Parking District~~ City shall be as allowed by the ~~Parking District~~ City. Such spaces that are duly leased from the ~~parking district~~ City shall be counted towards meeting the parking requirements of Table 300-513-B.
- (c) Use of reasonably available on-street, short-term parking spaces (time limit of two hours or less) for proposed residential uses shall be allowed as approved by the Augusta Planning Board, after a recommendation is made on the proposed project by the ~~Augusta Parking District~~ City Manager or his/her designee that the applicant will be able to meet their requirements in ~~Parking District~~ such spaces. The ~~Parking District~~ City Manager or his/her designee shall recommend the number of parking spaces it can accommodate for the proposal.
- (d) Use of reasonably available long-term parking spaces (time limit of greater than two hours) for proposed nonresidential uses shall be allowed as approved by the Augusta Planning Board, after a recommendation is made on the proposed project by the ~~Augusta Parking District~~ City Manager or his/her designee that the applicant will be able to meet their requirements in ~~Parking District~~ such spaces. The ~~Parking District~~ City Manager or his/her designee shall recommend the number of parking spaces it can accommodate for the proposal.

(e) After all practicable on-site parking space has been proposed by an applicant, and after all reasonably available short- and/or long-term parking spaces have been approved for use by the Planning Board, an applicant for a development proposal shall be required to pay, for each parking space that it still lacks, a fee to the ~~Augusta Parking District~~ City in lieu of providing on-site parking for the proposed development project. The in-lieu-of parking fee shall be equal to the average cost of providing a surface parking space in a private parking lot, multiplied by the number of spaces a development proposal is deficient in providing. The average per-space cost of creating a private surface lot parking space shall be the average cost in Augusta of a surface parking space (including in that average the cost of land acquisition, site grading, stormwater handling, paving of aisles and spaces, landscaping, and professional engineering design).

Motion by Councilor Savage to waive second reading of order 23-061

Motion passed by unanimous consent

Motion for passage of order 23-061

By: Lind Second: Sienkiewicz

Yeas: 8

Nays: 0

First Read and Passed: 04/20/2023