

**REGULATORY REVIEW COMMITTEE MEETING
6:00 P.M., THURSDAY, AUGUST 9, 2018
COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE**

AGENDA

- 1. Call meeting to order**
- 2. Roll call**
- 3. Chapter 12 – Traffic & Safety – regulations of scooters on Walkway**
- 4. Regulations regarding sawmills**
- 5. RV Regulations – Year Round Occupancy**
- 6. Adjournment**

Regulatory Review Committee

Mark Eastman

Paul Rabs, Chair

David Kee

60

THIRD READING: A proposed amendment to Chapter 12 Traffic and Safety to allow overnight parking in designated areas of the Town Office Parking Lot, and to add scooters to the list of toy vehicles prohibited on the town's waterfront walkway. Additional changes have been made after the Second Reading on 7-26-18 to clarify the use of motorized vehicles for mobility assistance. The revised amendment shall read as follows:

Chapter 12 Traffic and Safety

Article 3 ~~Town and School~~ Recreation Areas

SEC. 12-301 Motorized Vehicles Prohibited

~~Except as authorized by this article, no~~ No motorized vehicle of any kind shall be parked or driven on school or Town recreational areas may be operated in town-maintained recreation areas, except in areas designated for motor vehicle use.

~~SEC. 12-302 Authorized Use by Vehicles~~

~~The provisions of this article shall not apply to Town and School vehicles that may be required for maintenance of said areas or to School and Town recreational areas that are designated to be parking areas.~~

~~SEC. 12-303 Determination of Recreation Areas~~

~~Town and School recreation areas which shall be subject to the restrictions imposed by this article shall be determined by the Department of Parks and Recreation of the Town of Bucksport.~~

SEC. 12-302 Exceptions

1. Town-owned vehicles.
2. Vehicles granted permission by the Town.
3. Electric personal assistive mobility devices.

Article 5 Parking Regulations

SEC. 12-504 Parking Lot Regulations

1. Parking in the following public and privately owned parking lots is restricted as described, except as may otherwise be allowed in accordance with Section 12-505. Some parking lots listed in this section have no described parking restrictions, and are included for identification purposes.

W. **The Town Office Parking Lots**, public parking lots including the public parking lot fronting on Main Street next to the Town Office at 50 Main Street, and the public parking lot next to the Town Office that is accessed by an entrance between 60 Main Street and 64 Main Street.

1. Overnight parking is prohibited, except in designated areas.

Article 6 Regulation of Pedal Vehicles and Toy Vehicles

SEC. 12-604 Operation of Toy Vehicles

1. No person shall operate a skateboard, scooter, roller skates or inline skates on any portion of the town's waterfront walkway.

The following text is provided for reference purposes and is not part of the proposed amendment.

SEC. 12-602 Operation of Pedal Vehicles

1. No person shall ride or propel a pedal vehicle on any sidewalk on Main Street, between School Street and McDonald Street. No person shall ride or propel a pedal vehicle on any portion of the town's riverfront walkway. No person shall ride or propel a pedal vehicle on any sidewalk except in a prudent manner and at a reasonable rate of speed, yielding the right of way to pedestrians and giving audible signal of approach.
2. Persons operating pedal vehicles upon a roadway shall not ride abreast but shall ride in single file.
3. An on-duty law enforcement officer may operate a pedal vehicle on any public property without restriction.

Pedal Vehicle: A mechanical device that is typically comprised of a lightweight tubular frame mounted on two, three or four wheels, and which is designed to be ridden and propelled by the pedaling action of one or more riders. The device is equipped with seating, steering controls and brakes. A small motor may be included for power assistance. A bicycle, tricycle, or quadcycle, a pedicab. (See also Toy Vehicle)

Toy Vehicle: Skateboards, roller skates, inline skates, wagons, coasters, unicycles, electric motor-powered mini-vehicles, and non-motorized scooters. Toy vehicles also include pedal vehicles with a wheel diameter of 16" or less, and which are not designed, approved or intended for use on a road or street.

Title 29-A: MOTOR VEHICLES AND TRAFFIC

§101. Definitions

22-A. Electric personal assistive mobility device. "Electric personal assistive mobility device" means a self-balancing, 2-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

[2001, c. 687, §3 (NEW) .]

Maine Revised Statutes
Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 19: OPERATION

§2063-A. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

1. Limiting use. The department or a municipality with respect to a way under its jurisdiction may prohibit the operation of electric personal assistive mobility devices. Municipalities may impose limits on the operation of electric personal assistive mobility devices in accordance with the provisions set forth in Title 30-A, section 3009.

[2001, c. 687, §16 (NEW) .]

2. Operation. Electric personal assistive mobility devices may be operated anywhere pedestrians are permitted to travel, including, but not limited to, sidewalks, public ways with speed limits of 35 miles per hour or less and bike paths, unless such operation is prohibited by local ordinance or state or federal law. A person operating an electric personal assistive mobility device shall at all times yield the right of way to pedestrians. In addition, a person operating an electric personal assistive mobility device shall give an audible signal before overtaking or passing a pedestrian.

[2001, c. 687, §16 (NEW) .]

3. Riding to the right. Electric personal assistive mobility devices may operate on public ways where the speed limit is 35 miles per hour or less only where a sidewalk or bike path is unavailable. During operation on a public way, a person operating an electric personal assistive mobility device shall ride it as far as practicable to the right side of the way, except when making a left turn, and shall cross public ways using crosswalks where available. This subsection does not apply in a municipality that makes other provisions for the location of traffic by bicycles, motorized scooters and electric personal assistive mobility devices. During operation on a public way at nighttime or at other times when motor vehicles are required to display headlights, a person operating an electric personal assistive mobility device shall wear reflective clothing or a reflective device that is visible at least 200 feet from the rear or shall employ an equivalent illumination device located on the electric personal assistive mobility device.

[2001, c. 687, §16 (NEW) .]

4. Speed. On sidewalks, a person operating an electric personal assistive mobility device may not exceed speeds of 5 miles per hour. On public ways and bike paths, a person operating an electric personal assistive mobility device may not exceed speeds of 15 miles per hour.

[2001, c. 687, §16 (NEW) .]

5. Hitching rides. A person operating an electric personal assistive mobility device may not attach it to a moving vehicle on a way.

[2001, c. 687, §16 (NEW) .]

6. Lights. When in use at nighttime or at other times when motor vehicles are required to display headlights, an electric personal assistive mobility device must have:

A. A lit front light that emits a white light visible from a distance of at least 200 feet to the front; [2001, c. 687, §16 (NEW) .]

B. A red reflector to the rear that is visible at least 200 feet to the rear; and [2001, c. 687, §16 (NEW) .]

C. At least one reflector strip prominently displayed on the device's tires. [2001, c. 687, §16 (NEW) .]

[2001, c. 687, §16 (NEW) .]

7. Stopping. An electric personal assistive mobility device must be equipped to enable the operator to stop the device within a reasonable distance.

[2001, c. 687, §16 (NEW) .]

8. Violations during 183-day trial period.

[2001, c. 687, §16 (NEW); T. 29-A, §2063-A, sub-§8 (RP) .]

9. Violations. Beginning 183 days after the effective date of this section, a person who violates this section commits a traffic infraction for which a forfeiture of not more than \$10 may be adjudged for the first offense and a forfeiture of not more than \$25 may be adjudged for the 2nd or subsequent offense. In addition to a forfeiture that may be adjudged, a person who commits a 3rd or subsequent offense may have that person's electric personal assistive mobility device impounded for no more than 30 days.

[2015, c. 1, §33 (COR) .]

10. Registration. Electric personal assistive mobility devices are not subject to the requirements of chapter 5.

[2001, c. 687, §16 (NEW) .]

SECTION HISTORY

2001, c. 687, §16 (NEW). RR 2015, c. 1, §33 (COR).

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Lessard, Susan <slessard@bucksportmaine.gov>

Fwd: Proposed Waterfront Walkway Safety

3 messages

Mary Jane Bush <maryjanebush@gmail.com>
 To: "Lessard, Susan" <slessard@bucksportmaine.gov>
 Cc: Pranzoni <pranzoni@aol.com>, Pearl Swenson <pas770@gmail.com>

Mon, Jul 23, 2018 at 11:15 AM

Hi Sue,

Pat Ranzoni raised a very important question about the wording contained in the attached ordinance regarding the use of scooters on the waterfront walkway. I realize that there are many different types of scooters, some of which would be regarded as toys. However, there are children and adults who use motorized scooters for mobility purposes. Can an exception clause be added that exempts motorized wheel chairs and scooters for mobility needs?

Thanks for considering this request.

Mary Jane
Mary Jane Bush
 406 Bucksmills Road
 Bucksport, Maine 04416
 207-469-2335

----- Forwarded message -----

From: **Pearl Swenson** <pas770@gmail.com>
 Date: Mon, Jul 23, 2018 at 10:33 AM
 Subject: Fwd: Proposed Waterfront Walkway Safety
 To: Pranzoni <pranzoni@aol.com>, Mary Jane Bush <maryjanebush@gmail.com>

Morning Pat,

Here is the copy of the ordinance Kathy was kind to forward for us to review. You will note it will be voted on the night of our reunion dinner. I was not clear from your telephone message exactly the wording you were targeting. After you review this, would you please get back to me? If we receive more information, I would be happy to bring this to our next Senior Resource Committee Meeting under the Show You Care section of the agenda. See you Thursday!!! Pearl

----- Forwarded message -----

From: **Downes, Kathy** <kdownes@bucksportmaine.gov>
 Date: Mon, Jul 23, 2018 at 9:53 AM
 Subject: Proposed Waterfront Walkway Safety
 To: Pearl Swenson <pas770@gmail.com>

Hi Pearl,

The attachment on proposed Waterfront Walkway Safety has held it's first reading, which means, that it will be taken up at our next council meeting on Thursday, July 26 for approval.

--
Kathy

Kathy L. Downes, CMC
 Town Clerk/Registrar of Voters/
 Office Manager
 Notary/Dedimus Justice
 Town of Bucksport



Lessard, Susan <slessard@bucksportmaine.gov>

Scooters

Hammond, Jeff <jhammond@bucksportmaine.gov>
To: "Lessard, Susan" <slessard@bucksportmaine.gov>

Tue, Jul 24, 2018 at 10:46 AM

Sue,

Here is the existing language from Chapter 12. Motorized scooters are not addressed in the regulation of vehicles on town property. I suppose we could add "non-motorized" in the proposed amendment to clarify what type of scooter is prohibited, but this also raises the question about the recreational use of motorized scooters on the waterfront walkway versus non-recreational use. I think the intent was to limit motor-assisted vehicles for recreational use to only those toy vehicles designed for child use. Motorized scooters can also be used for fun by adults. Maybe this ordinance should be referred back to committee for further discussion about this. As it stands, the plan is to do a second reading Thursday and then act to adopt. No public hearing is scheduled. I suggest we do the reading, but explain why it may be necessary to refer it back to committee and let the council decide.

Pedal Vehicle: A mechanical device that is typically comprised of a lightweight tubular frame mounted on two, three or four wheels, and which is designed to be ridden and propelled by the pedaling action of one or more riders. The device is equipped with seating, steering controls and brakes. A small motor may be included for power assistance. A bicycle, tricycle, or quadcycle. A pedicab. (See also Toy Vehicle)

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SEC. 12-604 Operation of Toy Vehicles

1. No person shall operate a skateboard, roller skates or inline skates on any portion of the town's waterfront walkway.

Jeffrey Hammond
Code Enforcement Officer
Town of Bucksport

jhammond@bucksportmaine.gov

Office 207-469-7368 Cell 207-460-2354

[Quoted text hidden]



Lessard, Susan <slessard@bucksportmaine.gov>

RV

Town Manager <Town.Manager@lincolnmaine.org>
To: "Lessard, Susan" <slessard@bucksportmaine.gov>

Mon, Aug 6, 2018 at 1:05 PM

8/6

Sue,

While I was in Baileyville I lived in our RV, 12 months per (went to Bangor weekends). The local ordinance regarding that in Baileyville is that to be more than 60 consecutive days of occupancy it must be on a concrete pad with full sewer, water, electric service and an identifiable parking space for a car and there are some lot dimension standards; all of which I had/ met. (I was on an old mobile home lot).

In Baileyville's case there are enough contractors at the mill that this question was common; thus the ordinance. There are a number of contractors who were with us for more than a year as the tissue machines were being built who were living in RVs. There are a number of former mobile home lots in Baileyville that met these standards and got contractors in RVs living on them.

Rick Bronson



Lessard, Susan <slessard@bucksportmaine.gov>

RV regulations

townmanager@townofvinalhaven.org <townmanager@townofvinalhaven.org>
To: "Lessard, Susan" <slessard@bucksportmaine.gov>

Mon, Aug 6, 2018 at 1:04 PM

That is correct, although I'm not sure we've actually had anyone submit a building permit to consider the camper their home. We've also had people prove to us they have a contract to pump out the tanks on the camper if they are using longer-term. It just becomes challenging to keep up when they move around.

Andy

From: Lessard, Susan [mailto:slessard@bucksportmaine.gov]
Sent: Monday, August 06, 2018 12:57 PM
To: townmanager@townofvinalhaven.org
Subject: Re: RV regulations

[Quoted text hidden]



Lessard, Susan <slessard@bucksportmaine.gov>

SLZ

1 message

James M. Goodson III <jimmy@castine.me.us>

Mon, Aug 6, 2018 at 1:31 PM

To: slessard@bucksportmaine.gov

Hi Sue:

Here is a section from Castine's Zoning Ordinance/Shoreland Zoning section, describing RV durations and additional requirements. Hope this helps.

7.5. INDIVIDUAL, PRIVATE CAMPSITES

Individual, private campsites not associated with campgrounds are permitted provided the following conditions are met:

- A.** One campsite per lot existing on the effective date of this Ordinance, or per thirty thousand (30,000) square feet of lot area within the Shoreland Overlay District, whichever is less, may be permitted.
- B.** Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet from the normal high-water line of any great pond classified GPA, and seventy five (75) feet from the normal high-water line of all other water bodies, tributary streams and wetlands.
- C.** Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to a recreational vehicle.
- D.** The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1,000) square feet.
- E.** A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the LPI prior to issuance of a permit under this Ordinance. Where disposal is off-site, a written authorization from the receiving facility or land owner is required as part of the application.
- F.** When a recreational vehicle, tent or similar shelter is placed on-site for more than one hundred and twenty (120) days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with all State regulations, unless the site is served by a public sewer. Subsurface systems are permitted only in districts where a residential structure would be permitted.

Jimmy Goodson, Town Manager & Code Enforcement**Town of Castine**

PO Box 204; 67 Court Street; Castine, ME 04421