

**Traffic Ordinance**  
**Kettle Cove Parking Amendments**  
**Seaview Ave Parking Amendments**

**Sec. 13-1-1. Definitions**

All-terrain vehicle means a motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel or low pressure tire vehicle; a motorcycle or related two-wheel, three-wheel or belt driven vehicle; an amphibious machine; or other means of transportation deriving motion power from a source other than muscle or wind. For purposes of this ordinance, "all-terrain vehicle" does not include a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

Immobilize means to render a motor vehicle inoperable by affixing a device, commonly referred to as a boot.

Impound means to tow a motor vehicle for storage on the premises of the towing company.

Motor vehicle means every vehicle that is self-propelled but does not include electric personal assistive mobility devices, motorized wheelchairs or vehicles operated on rails.

Park means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading.

Person means every natural person, firm, co-partnership, association or corporation.

Roadway means that portion of a street, way or road, designated or ordinarily used for vehicular traffic.

School complex means the portion of Cape Elizabeth that includes (i) Cape Elizabeth High School, (ii) Cape Elizabeth Middle School, (iii) Pond Cove Elementary School, (iv) the Donald Richards Community Pool, (v) the roadways, except Jordan Way, extending from Scott Dyer Road and Ocean House Road leading to and around the schools, and (vi) the sidewalks, athletic fields, tennis courts, basketball courts, playgrounds, parking lots and other improved areas accessed from the roadways described in (v). The "school complex" does not include the Cape Elizabeth Community Center.

Standing means any stopping of a vehicle, whether occupied or not.

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**street, way or road** means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of traffic.

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**Deleted:** f. The word "person" means every natural person, firm, co-partnership, association or corporation. ¶

**Deleted:** g. The words "all-terrain vehicle" means a motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel or low pressure tire vehicle; a motorcycle or related two-wheel, three-wheel or belt driven vehicle; an amphibious machine; or other means of transportation deriving motion power from a source other than muscle or wind. For purposes of this ordinance, "all-terrain vehicle" does not include a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; a vehicle used exclusively for emergency, military, law enforcement or fire control purposes. ¶

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**Watercraft** means a boat that requires a motor vehicle and trailer to convey to a launch area and excludes floatation devices such as but not limited to a paddleboard, surf board, nonmotorized inflatables, and pool toys.

**Sec. 13-2-4. Limited Parking.** Limited parking shall be as follows:

a. **Crescent Beach.** During the months of May through November, no motor vehicle shall be parked on Crescent Beach, except **as follows:**

1. **A motor vehicle may be parked by a commercially licensed fisherman** for the reasonably necessary purposes of loading and unloading **a commercial watercraft; and**

2. **A motor vehicle may be parked by someone with a Resident Seasonal Boat Launch Pass or a Day Boat Launch Pass for the reasonably necessary purposes of launching and unlaunching a trailered watercraft.**

b. **Seaview Avenue and Glen Avenue.** No motor vehicle shall be parked on the west side of Sea View Avenue from its intersection with Glen Avenue northeasterly to its terminus. Up to two (2) motor vehicle spaces may be used for bicycle parking on the east side of Seaview Ave in the area of the utility pole. After sunset, each day until sunrise, no motor vehicle shall be parked on the east side of Sea View Avenue from its intersection with Glen Avenue northeasterly to its terminus. No motor vehicle shall park on east side of Glen Avenue from the intersection with Seaview Ave to the 16 Glen Avenue driveway.

c. **Emergency No Parking.** There is no parking on any public road where emergency no parking signs have been placed after authorization of such sign placement by the Chief of Police with the approval of the Town Manager.

d. **Kettle Cove Rd.** From 9:00 a.m. to 6:00 p.m., from May 1 through October 1, no motor vehicle shall be parked on either side of Kettle Cove Road.

e. Town Center Public Property Parking. The parking spaces and areas available for parking at the Town Center Fire Station and the Cape Elizabeth Police Station may be used only in connection with business or activities in those buildings. The parking spaces and areas available for parking at the Thomas Memorial Library, during Library business hours or activities in the Library building, may be used only in connection with business or activities in the Library building. The town manager may also authorize the placement of signs at spaces at the Town Center Fire Station indicating that spaces are to be used only for emergency public safety purposes, and signs at the Cape Elizabeth Police Station indicating that spaces are to be used only for authorized vehicles

f. Plaisted Park. The parking area at Plaisted Park may be used only in connection with activities at Plaisted Park. The town council may authorize the collection of parking fees at Plaisted Park in conjunction with an approved special event at Fort Williams Park.

g. Maiden Cove, Garden Circle, Garden Lane. There shall be resident parking only on Maiden Cove Lane, Garden Circle, and Garden Lane. For purposes of this section only, "resident" is defined as persons occupying homes on Maiden Cove Lane, Garden Circle and Garden Lane.

h. Truck Parking Limit. A box truck, cargo van or tractor trailer may be parked overnight on any public road for not more than one night each year. Any such parking shall not be in violation of any other section of these parking regulations.

Trailer Parking Limit. An equipment trailer, boat trailer or other hauling trailer may not be parked overnight on any public road for more than four consecutive days or for eight days in any calendar year. Any trailer parked on any public road at any time shall have a wooden block or similar device in place under the trailer tongue to avoid pavement damage.

**Sec. 13-3-9. Beach Access Restrictions.** No person shall operate a motor vehicle on Crescent Beach except for the express purpose of launching a watercraft, for the commercial harvesting of rockweed or seaweed, or for public safety or authorized beach maintenance purposes.

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