

Order 287-07/08

Given first reading on 6/2/08

Public Hearing & Passage: 6/16/08 8-0 (Donoghue out)

EDWARD J. SUSLOVIC (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
DANIEL S. SKOLNIK (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES I. COHEN (5)  
JOHN M. ANTON (A/L)  
JILL C. DUSON (A/L)  
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 18 PARKS, RECREATION AND PUBLIC  
BUILDINGS AND GROUNDS  
ARTICLE III PUBLIC LANDINGS  
SECTIONS 18-66 THROUGH 18-68**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

- 1. That Chapter 18, Article III, Public Landings, Sections 18-66 through 18-68 of the Portland City Code are hereby amended to read as follows:*

**Sec. 18-66. Stopping regulated.**

(a) All public landings owned and/or managed by the city shall be posted to indicate the limits on the usage of the landing, including time limits. No person shall stop, dock or tie up any boat or vessel at the ends of or alongside of any public landing belonging to owned and/or managed by the city for any purpose or length of time in violation of the limitations posted. other than for the expeditious loading or unloading of passengers and provisions. In no case shall the stop for loading or unloading of passengers or provisions exceed thirty (30) minutes, except with special permission from the chief of police or his authorized representative, or the harbor master or deputy harbor master for the Harbor of Portland.

(b) No person shall stop, dock or tie up any boat or vessel at the ends of or alongside of any public landing or portion thereof owned and/or managed by the city that is posted and/or marked in a manner that indicates that the landing is for public safety vessels only.

**Sec. 18-67. Enforcement.**

(a) It shall be the duty of the city manager, or his or her designee, to provide for the enforcement of the provisions of this article. Failure to comply with the

posted time and usage limitations at any public landing owned and/or managed by the city shall constitute a violation and shall be punishable by a fine as provided in section 1-15.

(b) In addition to issuing citations for violations of this article, such officers as may be designated by the city manager are hereby authorized to order any boat or vessel stopped, docked or tied up in violation of the provisions of this article to be removed. If such boat or vessel shall not be promptly removed after notice to the owner or person in charge thereof to remove, or if the owner cannot be readily found for the purpose of such notice, such officers shall cause the same to be removed to some suitable place at the expense of the owner of such boat or vessel.

(c) Any person violating any provision of this article, other than section 18-66(b), shall have the option in lieu of going to court of paying a waiver fee of twenty-five dollars (\$25.00) prior to their scheduled court appearance date listed on the summons.

~~(bd) The director of parks and public works city manager or his or her designee shall have the authority to promulgate rules or regulations, including time and usage limitations for the public landings, not inconsistent with the provisions of this article, the charter, or with the laws or regulations of the state or the United States of America, which rules shall govern and control the use of any public landing belonging to owned and/or managed by the city. Such rules shall become final upon approval by the city manager and be kept on file in the city manager's officedepartment of parks and public works.~~

#### **Sec. 18-68. Fees.**

Fees for the use of any public landing belonging to owned and/or managed by the city shall be established by order of the city council and kept on file in the city manager's officedepartment of parks and public works.