

**TITLE IX
BUSINESS ORDINANCE**

Chapter 10 Public Transportation Ordinance

(Adopted after notice and hearing on May 5, 1987 pursuant to 30 M.R.S.A. 2151 3B.) (Now 30-A M.R.S.A. 3009-F.)

1001 Title, Purpose and Definitions

The title of this Ordinance shall be the "Ogunquit, Public Transportation Ordinance". It has been enacted by the Municipal Officers of the Town of Ogunquit pursuant to the authority granted by 30 M.R.S.A. 2151 (3B) in order to ensure the safety of the residents of Ogunquit and the many visitors to the community.

The purpose of this Ordinance is to license and control those persons, corporations or businesses who engage in the business of operating trolleys or busses over a fixed route on a regular basis for a fee within the Town of Ogunquit.

Another purpose of this Ordinance is to establish a fixed route of travel over which trolleys or busses shall operate, stopping points for the pickup and discharge of passengers, vehicle capacities, hours of operation and insurance and safety inspection requirements.

1001 As used herein, the words listed below shall have the following definitions:

1001.1 Licensee shall include any person, individual, partnership, firm, association, corporation, other legal entity, or any agent thereof issued a license by the Municipal Officers.

1001.2 License Required - No person shall transport persons for a fee over a fixed route on a regular basis within the Town of Ogunquit until he/she shall have first obtained a license to do so from the Municipal Officers.

1001.3 Municipal Officers shall be the Ogunquit Board of Selectmen.

1001.4 Public Transportation shall pertain to any trolley or bus used for the regular transportation of persons over a fixed route on a regular basis from points within the Town of Ogunquit to other points within the Town.

1002 Application

Applicants for a Public Transportation License shall submit a written application to the Town Clerk on forms approved by the Municipal Officers. The application shall include the applicant's name, the name of the business, the address of the business, the type and capacity of vehicle(s) to be used, and any additional information as may be required by the Municipal Officers to issue the license.

1003 License Fee

The Board of Selectmen shall establish a fee for a Public Transportation License to operate from points within the Town to other points within the Town and an additional fee for each trolley. (ATM 4/5/03)

1004 License Term and Conditions

A Public Transportation License shall be valid for a one year period from January 1 until December 31 regardless of the date of issuance unless suspended or revoked by the Municipal Officers.

1005 License Suspension

The Town Manager or Chief of Police may suspend the right to operate of any employee of a licensee found violating the provisions of this Ordinance or of the public laws relating to the operation of motor vehicles or the endangerment of the public health, safety, and welfare. The licensee shall be notified and shall either immediately affirm the suspension and replace the employee or shall give notice of an appeal to the Municipal Officers.

1006 Appeal Procedure

Any licensee or employee of a licensee whose right to operate under this Ordinance has been suspended shall be afforded a right to appeal to the Municipal Officers. The Municipal Officers shall meet within ten (10) days after being notified of the appeal to consider it. The Municipal Officers, after notice and hearing, may confirm the suspension or may modify it as the circumstances may require or may vacate the suspension altogether. The length of any suspension shall be determined by the Municipal Officers.

1007 License Revocation

After repeated or serious violations of the provisions of this Ordinance or the laws of the state by a licensee or an employee thereof, and after notice

and hearing, the Municipal Officers may revoke any license issued under the authority of this Ordinance.

1008 **Routes of Travel**

The Municipal Officers shall establish the official route map, which shall be attached to and made part of this Ordinance. It shall be a violation of this Ordinance to operate on any route other than those specified on the official route map. It shall also be a violation of this Ordinance for one trolley to pass another while traveling along the established routes while in regular service.

1009 **Stopping Points**

The Municipal Officers shall designate the stopping points on the official route map. It shall be a violation of this Ordinance to stop at any points other than the official stopping points, which shall be designated by a uniform system of signs.

1010 **Vehicle Capacities**

Vehicle capacities shall not exceed federal safety standards and shall be posted on the outside of the vehicle by the forward door and at the rear of the vehicle. In addition, the capacities shall be posted on the inside of the vehicle near the forward door in a place clearly visible to the passengers. It shall be a violation of this Ordinance to carry more passengers than the posted capacities allow.

1011 **Hours of Operation**

The maximum hours of regular operation shall be from 7:00 a.m. to 12 midnight with posted hours of operation to be as follows:

Preseason: (weekend prior to Memorial Day to July 1) from 8:00 a.m. to 9:00 p.m. Season (July 1 to Labor Day) from 8:00 a.m. to 9:00 p.m.

Postseason: (Labor Day to Columbus Day) from 8:00 a.m. to 9:00 p.m. Each licensee shall be required to operate at least one (1) trolley during the hours of operation for the entire season as noted above. **(10/20/87)**

1012 **Fare Adjustments**

Any increases in fares charged must be approved by the Municipal Officers and must be the same for all operators. **(10/20/87)**

1013 **Insurance Requirements**

Insurance coverage on the vehicles shall be in the amount and of the type required by the State of Maine for vehicles for hire.

1014 **Safety Inspection**

Safety requirements for the vehicles shall be as required by the State of Maine and by any other applicable standards.

1015 **Emergencies**

In case of emergency situations, members of the Police or Fire Departments or other public safety officers are authorized to waive the requirements of this Ordinance on a temporary basis in order to meet the needs of the emergency situation.

1016 **Enforcement**

Ogunquit Police officers are authorized to enforce the provisions of this Ordinance.

1017 **Penalties**

Any licensee who is found to have violated or who has failed to comply with any of the provisions of this Ordinance may have his license revoked as provided for in Section 1007. A licensee shall be responsible for the actions of his/her employees.

1018 **Renewability**

A Public Transportation License may be renewed each year subject to review of system's operations by the Board of Selectmen.

1018.1 Before issuance of Public Transportation License, the Board of Selectmen shall review Chapter 10 of the Public Transportation Ordinance.

1019 **Severability**

The invalidity of any part of this Ordinance shall not invalidate the other parts.