

City of Biddeford
Downtown Committee
November 15, 2018 5:30 PM Council Chambers

1. Call to order

2. Discussion/Review

1. Residential rental inspection ordinance
[20181115 Add Chapter 18 - Article II, Registrations and Inspections - Redline.pdf](#)
[20181115 Delete Chapter 18 - Disclosure of Building Ownership - Redline.pdf](#)
2. Request by Katherine Hanify, D.O. of SMHC for dedicated disability parking space for resident at 17 Alfred Street.
Ordinance Chapter 42 Article I Sec. 42-8 (a) (1)
[ADA Parking Redacted.pdf](#)
3. Maine Revised Statutes Title 29-A, Sec 521(12)
Disability parking and time limits. Discuss applicability and incorporating by reference. Implications of Maine Statute on Biddeford's Parking Management Plan.
Committee Authority (Sec.42-100)
[title29-Asec521.pdf](#)
4. Letter from Dr. Rebecca Brouillette
[20181026 Parking Comment - Dr Rebecca Brouillette.pdf](#)
5. Request by owners of Louis Pizza and George's Sandwich Shop for additional short-term customer parking in the Franklin/Federal Streets lot.
Committee Authority Ordinance Chapter 42 Article I Sec. 42-8 (a)(3); Sec. 42-62, Sec. 42-92.
6. The owner of Louis Pizza would like an area for his delivery drivers to park.
Committee Authority Ordinance Chapter 42 Article I Sec. 42-8 (a)(3); Sec. 42-62, 42-92
7. The owner of White Door Home on Alfred Street would like a loading zone near their building at 56 Alfred Street.
Committee Authority Ordinance Chapter 42 Article I Sec. 42-8 (a)(3), Sec. 42-93
8. Recommendation to Finance Committee: Use of parking lot at 39 Sullivan Street (St. Andre's Senior Housing) to expand snow emergency parking. Biddeford Housing Authority will allow snow ban parking provided the City pays for snow removal. Cost of snow removal is:
Plow \$400.00 Per event
Sand/salt \$150.00 Per event

3. Adjourn

-Add new section-

Article II: Registration and Inspections

§ 18-26 Purpose.

The City intends to hold owners of multifamily dwellings accountable and responsible for the maintenance of safe living conditions by establishing a multifamily dwelling unit registration and inspections program. Many owners form limited liability companies and other various forms of proprietorships in order to have undisclosed and unidentifiable principals. Many individuals no longer have landlines and communicate mainly with cell phones which are mostly unlisted. This makes the effort to locate the person(s) who owns the property extremely difficult and very time consuming. By requiring the disclosure of ownership, it provides a transparency to the citizens of Biddeford and enables City officials to perform their duties. The City intends to improve safety and sanitary living conditions for the residents of multifamily dwellings by establishing a program of regular inspections of such properties through its Code Enforcement Office. The City seeks to assure properties come into compliance with current life safety codes and standards, and that owners are alerted to any detrimental conditions that could place tenants at risk. The City intends to work cooperatively and proactively with owners of such properties by setting a protocol for regular inspections, as well as providing owners with clear standards for maintenance of their properties.

§ 18-27 Definitions.

As used in this article, the following terms shall have the meanings indicated:

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

LIFE SAFETY INSPECTION

An inspection performed by the Code Enforcement Office to evaluate the building for compliance with current life safety standards and compliance with the International Property Maintenance Code.

MULTIFAMILY DWELLING

A building containing three or more dwelling units located all within the same structure and under the same ownership.

PROPERTY MANAGEMENT FIRM

Any company responsible for the management of a multifamily dwelling unit and which has access and control over the entire premises.

PROPERTY MANAGER

Any individual responsible for the management of a multifamily dwelling unit and who has access and control over the entire premises.

§ 18-28Multifamily dwelling unit ownership/registration.

- A. Owner(s) of a multifamily dwelling building shall register their ownership with the City. Registrations are due annually or within 30 days of purchase of the property. If a new owner registers mid-year, they will not be charged unless the inspection is scheduled for that year. The registration is valid through the calendar year in which the notices went out.
- B. Registrations will be done through the Code Enforcement Office. All fees shall be made payable to the City of Biddeford and shall be processed at the submission of the registration.
- C. In the event the owner uses a property management firm or has a property manager, the owner shall provide the property manager's or property management firm's contact information at the time of registration. If the property management changes during the twelve-month registration period, the owner shall notify the City within 30 days of the date of the change.
- D. The annual registration and inspection fee is \$25.00 per dwelling unit.
- E. Newly constructed multifamily dwelling units/buildings shall be exempt from inspection requirements for 10 years from the date of issuance of the certificate of occupancy.

§ 18-29Inspections.

- A. Life safety inspections for all multi-families shall be completed every 5 years. The owner will be notified at the time of registration if the inspection will be completed that year, or a later year. Once a property has been inspected, it will not be re-inspected for five years thereafter, unless there is just cause.
- B. Upon two weeks of notice, the owner shall grant the Code Enforcement Office full access to the property during the life safety inspection. This shall include, but not be limited to, each dwelling unit, all common areas, all basements, all

outbuildings, and any other area of the property the Code Enforcement Officer deems necessary to inspect.

§ 18-30 Violations and enforcement.

A. The Code Enforcement Office shall have the primary responsibility for enforcement of this article. If the Code Enforcement Officer, or his/her designee(s), determines that a violation of this article has occurred, he or she shall send a notice to the property owner indicating a violation exists, and a time frame for remediation shall be established. Subsequent violations of this article shall be subject to the penalties set forth below.

B. Violations are as follows:

(1) Failure to register shall result in a fee of \$250 assessed for each calendar day after that date until such time the registration fee and all penalty fees are paid in full.

(2) Failure to update property management/owner contact information shall result in a fee of \$250 for each calendar day after the date of the change until such time the registration fee and all penalty fees are paid in full.

(3) Providing false information shall result in a fee of \$1,000 for each calendar day after such information was provided until such time the registration fee and all penalty fees are paid in full.

(4) Failure to deny the Code Office to conduct the inspection shall result in a fee of \$1,000 for each day until the inspection is complete.

C. Renting a unit that has not been registered shall result in a fee of \$250 for each calendar day after the unit was rented until such time the registration fee and all penalty fees are paid in full.

-Delete in its entirety-

BUILDINGS

DIVISION 7:DISCLOSURE OF BUILDING OWNERSHIP

Chapter 18 :Buildings and Building RegulationsARTICLE IIBUILDINGSDIVISION 7DISCLOSURE OF BUILDING OWNERSHIP

~~Sec. 18-116Purpose.~~

~~Sec. 18-117Registration required.~~

~~Sec. 18-118Registration form; information.~~

~~Sec. 18-119Violations.~~

~~Sec. 18-120Penalty.~~

~~Sec. 18-116Purpose.~~

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The proliferation of real estate proprietorships, partnerships, and trusts having undisclosed, anonymous or otherwise unidentifiable principals, owning large numbers of multiunit residential properties, sometimes managed through unresponsive property management companies, has impeded the proper enforcement of this chapter, and other ordinances of the City. This article is intended to require the disclosure of the ownership of such property and to make all corporate, partnership, trust and any other nonindividual owners responsible for the maintenance of property more accessible and accountable with respect to the premises.~~

~~Sec. 18-117Registration required.~~

~~[Ord. No. 2002.10, 2-5-2002]~~

~~**(a)**~~

~~Registration of ownership. The corporate, partnership, trust and any other nonindividual owner(s) of all buildings containing three or more dwelling units, rooming units, or any combination thereof within the City shall register their ownership interest, address, and telephone number and the name of an individual responsible for managing the property, address and telephone number of the person or entity responsible for managing the property, or cause such interest to be registered, with the Code Enforcement Department as provided in Section **18-118**, within 90 days of the effective date of this article or within 30 days of purchase of the property and/or building, whichever occurs later. The entity shall also provide the name of an agent duly authorized to accept service of process of any documents served by the City, including but not limited to summonses and complaints processed through the state judicial system.~~

~~The registration required hereunder shall be updated or withdrawn within 30 days of transfer of ownership, change in registered agent as provided in Section **18-118**. Each and every owner of the property shall be responsible for and for updating prior filings as required.~~

~~**(b)**~~

~~Registration of management companies. Any property management company or any entity which is responsible for the care and management of any building containing three or more dwelling units, shall provide all the information required of all nonindividual owners as set forth in Subsection **(a)** above, irrespective of whether the property management company has any ownership interest in the building.~~

~~Sec. 18-118**Registration form; information.**~~

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The Code Enforcement Department shall provide forms to be completed by the owners and managers of properties subject to registration under this article and shall maintain a file containing all registrations made under this article.~~

~~**(1)**~~

~~The registration form for owners shall include, at a minimum, the following:~~

~~**a.**~~

~~The street address of the building;~~

~~**b.**~~

~~The Assessor's chart, block and lot of the property on which the building is located;~~

~~**c.**~~

~~The names, addresses and telephone numbers of all individual persons having any ownership interest in the property including, without limitation, all partners, all officers or trustees of any real estate trusts, and including the residential street address and home phone number of at least one such individual person;~~

~~**d.**~~

~~The name, address and telephone number of the Manager of the property or the person(s) responsible for its regular maintenance or repair;~~

~~**e.**~~

~~The name and address of a person designated as the agent of the owner for the service of notices and civil process by the City. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner(s) designating that person in any litigation pertaining to the premises.~~

~~(2)~~

~~The registration form for managers of property shall include, at a minimum, the following:~~

~~a.~~

~~The name, address and local telephone number of the management company and of at least one such individual, including the residential street address and home telephone number of that individual; and~~

~~b.~~

~~A list of all buildings for which the person or firm is responsible, including the street address and chart, block and lot description of the property and the name of the owner of that building.~~

~~Sec. 18-119~~**Violations.**

~~[Ord. No. 2002.10, 2-5-2002]~~

~~Any person failing to file the required registration, failing to file any required update to the registration or filing a false statement on any registration shall be guilty of an offense. It shall also be a violation of this chapter for any owner or Manager to rent any apartment or other portion of any building subject to registration, not registered under this chapter, or to permit the occupancy of such premises. No certificate of occupancy shall be issued for property subject to the registration requirements which is not registered in accordance with this chapter. Each day's continuing failure to file such a registration, to update such registration or permitting the continued occupancy of such premises shall be a separate offense.~~

~~Sec. 18-120~~**Penalty.**

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The minimum penalty for a specific violation is \$100, and the maximum penalty is \$2,500 per day as per 30-A M.R.S.A. § 4452.~~



Southern Maine
Health Care
MaineHealth

SMHC Internal Medicine

SMHC Internal Medicine Kennebunk
72 Main St
Kennebunk ME 04043-7021
Phone: 207-467-8909
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Katherine Hanify, DO

11/2/18

City of Biddeford:

I understand the town is to be implementing numerous parking changes to the downtown area, as a result I am writing regarding my patient [REDACTED]. She has been living at her current address in Biddeford for over a year and has been able to park directly in front of her residence or on the side street adjacent for extended parking times. My patient has multiple medical disabilities that universally impair her mobility. These include respiratory, cardiac, neurological systems as a result of multiple systemic rare disease processes. [REDACTED] has held a disability placard since 2009 when she became chronically ill.

I am requesting the city implement a plan for mobility impaired parking in front of her residence that grants resident parking with a placard issued by the town. If possible this permit should allow her to not have to relocate her vehicle every few hours, or on nights and weekends as she is unable to do so on a regular basis based on the present state of her disease and ongoing in home nursing visits/infusions. Apparently she used to have access to parking on the very end of Bacon St but that too has been removed, hence the request to grant my patient a resident placard to park within very close proximity of her residence. I understand that [REDACTED] has requested a handicap spot be put back on Alfred St that the city removed, but it does not guarantee my patient that spot, or ease of access based on where the city decides to implement it.

Her address is [REDACTED] Alfred St.

Thank you for your assistance.

Sincerely,

Katherine Hanify, D.O.

Maine Revised Statutes
Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 5: VEHICLE REGISTRATION

§521. REGISTRATION; DISABILITY REGISTRATION PLATES

1. Definition. "Person with a disability" means a person whose disability limits or impairs the ability to walk, as determined and certified by a licensed physician, physician assistant, nurse practitioner or registered nurse, to the extent that the person:

- A. Can not walk 200 feet without stopping to rest; [1995, c. 482, Pt. A, §4 (NEW).]
- B. Can not walk without assistance from another person or the use of a brace, cane, crutch, prosthetic device, wheelchair or other assistive device; [1995, c. 482, Pt. A, §4 (NEW).]
- C. Is restricted by lung disease to such an extent that the person's forced expiratory volume for one second when measured by spirometry is less than 1 liter or when the arterial oxygen tension is less than 60mm/hg on room air at rest; [1995, c. 482, Pt. A, §4 (NEW).]
- D. Uses portable oxygen; [1995, c. 482, Pt. A, §4 (NEW).]
- E. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class 3 or Class 4 according to standards set by the American Heart Association; [2003, c. 431, §1 (AMD).]
- F. Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition; or [2003, c. 431, §2 (AMD).]
- G. Is recovering from childbirth. [2003, c. 431, §3 (NEW).]

[2007, c. 703, §12 (AMD) .]

2. Disability registration plates. Disability registration plates must bear the International Symbol of Access, which must be in a color that contrasts with the background and is the same size as the letters or numbers on the plate. The Secretary of State may issue disability registration plates to the following:

- A. A person with a disability; [1995, c. 482, Pt. A, §4 (NEW).]
- B. A vehicle owner who is a spouse, parent or legal guardian of a person with a disability when the person with a disability is a resident of this State, a member of the relative's or guardian's household and dependent on the vehicle owner as the primary means of transportation; or [1995, c. 482, Pt. A, §4 (NEW).]
- C. An organization or agency in this State that transports persons with disabilities. [1995, c. 482, Pt. A, §4 (NEW).]

[1999, c. 544, §1 (AMD) .]

3. Removable windshield placards. The Secretary of State may issue a removable windshield placard to a person with a disability or an organization or agency in this State that transports persons with disabilities. A removable windshield placard is a 2-sided permit designed to hang from the rearview mirror when the vehicle is not in motion. The following provisions apply to placards.

- A. The placard must be displayed by hanging it from the rearview mirror so that it may be viewed from the front and rear of the vehicle when the vehicle is using a parking space for a person with a disability. If the vehicle is not equipped with a rearview mirror, the placard must be displayed on the dashboard. The windshield placard must be removed from the rearview mirror when the vehicle is in motion. [1995, c. 482, Pt. A, §4 (RPR).]

B. The placard must be blue with white print and contain the International Symbol of Access, at least 3 inches high, centered on the placard. The placard must contain the permit number, the expiration date and the seal of the Secretary of State. In the case of an organization or agency, the placard must be green with white print and contain the same information, except that the name of the organization must appear along with the expiration date that must be determined by the Secretary of State. [2015, c. 473, §10 (AMD).]

C. A windshield placard may be displayed on any properly registered motor vehicle only when the person with a disability is a passenger or the operator or when the driver of the vehicle is waiting for a service to be rendered to the person with a disability. [1995, c. 482, Pt. A, §4 (RPR).]

[2015, c. 473, §10 (AMD).]

4. Motorcycle. A person with a disability who has registered a motorcycle may be issued a disability plate as a registration plate. The registration plate must bear the International Symbol of Access, which must be in a color that contrasts with the background and must be the same size as the letters or numbers on the plate.

[1995, c. 482, Pt. A, §4 (RPR).]

5. Application; issuance. The following provisions apply to an application for and the issuance of a disability plate or placard.

A. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant, nurse practitioner or registered nurse attesting to the applicant's physical disability as defined in subsection 1. The physician, physician assistant, nurse practitioner or registered nurse shall designate the duration of the applicant's disability not to exceed 6 years or designate the applicant's disability as permanent. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. A disability plate or placard issued to a person for whom the duration of the person's disability has been designated as not exceeding 6 years expires upon the expiration of the duration of the disability as designated by the physician, physician assistant, nurse practitioner or registered nurse. [2013, c. 496, §10 (NEW).]

B. When the Secretary of State determines the disability to be permanent from the application, the disability plate or placard expires upon the expiration date of that person's driver's license or nondriver identification card issued by this State. The applicant is not required to continue to provide proof of disability upon renewal of the applicant's disability plate or placard. [2013, c. 496, §10 (NEW).]

C. When the applicant's need for the disability plate or placard terminates or the applicant dies, the disability plate or placard must be returned to the Secretary of State. Notwithstanding subsection 2, paragraphs B and C, the provisions of this subsection, as regards the issuance of a disability plate or placard for a person with a permanent disability, apply only to that person. [2013, c. 496, §10 (NEW).]

[2013, c. 496, §10 (RPR).]

6. Temporary placards. The Secretary of State may issue a temporary placard to a person who is temporarily disabled. A temporary placard is a 2-sided permit designed to hang from the rearview mirror when the vehicle is not in motion. The following provisions apply to temporary placards.

A. An application for a temporary placard must be accompanied by the certificate of a physician, physician assistant, nurse practitioner or registered nurse attesting to the applicant's physical disability as defined in subsection 1 and the period of time that the physician, physician assistant, nurse practitioner or registered nurse determines the applicant will have the disability. A temporary placard is not valid for a period of more than 6 months. The Secretary of State shall give priority consideration to requests for temporary placards.

A temporary placard issued pursuant to subsection 1, paragraph G is valid, after the birth of a child, for a period of not more than:

- (1) One week after cesarean section delivery; or
- (2) A time to be determined by the patient's physician after the birth of a preterm infant. [2007, c. 703, §14 (AMD) .]

B. The placard must be red with white print and contain the International Symbol of Access, at least 3 inches high, centered on the placard. The placard must contain the permit number, the expiration date specified by the physician and the seal of the Secretary of State. [1995, c. 645, Pt. A, §5 (AMD) .]

C. During the period for which it is valid, a temporary placard carries the same privileges as a disability windshield placard and has the same use restrictions specified in subsection 3. [1995, c. 482, Pt. A, §4 (RPR) .]

D. [1995, c. 482, Pt. A, §4 (RP) .]

[2007, c. 703, §14 (AMD) .]

6-A. Parking permit. The Secretary of State shall create a 21-day parking permit for a person with a disability to be used while a person is waiting to receive a disability registration plate or placard and may appoint a licensed physician, physician assistant, nurse practitioner or registered nurse as an agent authorized solely to issue such a permit. The Secretary of State shall determine by rule qualifications and requirements for an agent authorized under this subsection. The 21-day parking permit must be in a form prescribed by the Secretary of State by rule and convey the privileges and restrictions authorized under this section. The 21-day parking permit must be displayed in a manner so that it may be viewed from the front of the vehicle whenever the vehicle is parked in a parking space for a person with a disability. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Agents appointed pursuant to this subsection may not charge a fee for issuing a 21-day parking permit for a person with a disability.

[2011, c. 117, §1 (NEW) .]

7. Registration and placard fees. There is no additional registration fee for disability plates or placards.

[2001, c. 361, §11 (AMD) .]

8. Violation.

[1997, c. 673, §1 (RP) .]

9. Compliance. Any person or organization issued a placard or plates pursuant to former Title 29, section 252 or 252-C must reapply, according to the procedures set forth in this section, by January 1, 2001. In the case of individuals or organizations currently in possession of disability plates or a placard who successfully reapply, the placard or plates expire on the date specified by the placard or plates.

[1997, c. 776, §18 (AMD) .]

9-A. Enforcement of disability parking restrictions. A law enforcement officer may enforce disability parking restrictions. The State Police shall enforce disability parking restrictions at service facilities established on the Maine Turnpike and on the interstate highway system in the State. A person commits a traffic infraction if that person parks in a parking space designated and clearly marked for persons with physical disabilities and has not been issued or is not transporting a person who has been issued a disability registration plate or a removable windshield placard pursuant to this section or section 523 or a disability registration plate or placard issued by another state. A person commits a traffic infraction if that person parks

in an access aisle, regardless of whether the person has been issued a disability registration plate or removable placard. A person who violates this subsection is subject to a fine of not less than \$200 and not more than \$500. Testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability that a vehicle was parked in violation of this subsection is prima facie evidence of a violation of this subsection. For purposes of this subsection, "person with a disability" has the same meaning as in subsection 1.

[2015, c. 52, §1 (AMD) .]

9-B. Registered owner's liability for vehicle illegally parked in disability parking space or access aisle. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 9-A commits a traffic infraction. For purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. Anyone who observes a violation of subsection 9-A may report the violation to a law enforcement officer. If a report is made, the observer shall report the time and the location of the violation and the registration plate number and a description of the vehicle involved. The officer shall initiate an investigation of the reported violation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator. Testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability that a vehicle was parked in violation of this subsection is prima facie evidence of a violation of this subsection. For purposes of this paragraph, "person with a disability" has the same meaning as in subsection 1. [2015, c. 52, §2 (AMD) .]

B. The investigating officer may cause the registered owner of the vehicle to be served with a summons for a violation of this subsection. [2005, c. 528, §2 (NEW) .]

C. Except as provided in paragraph D, it is not a defense to a violation of this subsection that a registered owner was not operating the vehicle at the time of the violation. [2005, c. 528, §2 (NEW) .]

D. The following are defenses to a violation of this subsection.

(1) If a person other than the owner is found to be operating the vehicle at the time of the violation and is adjudicated of violating subsection 9-A, then the registered owner may not be found in violation of this subsection.

(2) If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides the investigating officer with a copy of the lease agreement containing the information required by section 254, then the lessee and not the lessor may be charged under this subsection.

(3) If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer or transporter, and if the dealer or transporter provides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation, then that person and not the dealer or transporter may be charged under this subsection.

(4) If a report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs, then the registered owner may not be charged under this subsection. [2005, c. 528, §2 (NEW) .]

E. A person who violates this subsection is subject to a fine of not less than \$200 and not more than \$500. [2013, c. 381, Pt. C, §2 (AMD) .]

[2015, c. 52, §2 (AMD) .]

10. Effective date.

[1997, c. 776, §19 (RP) .]

11. Violation. A person other than a person with a disability or an organization transporting a person with a disability using a set of disability registration plates or a windshield placard commits a traffic infraction and is subject to a penalty of not less than \$100 nor more than \$500. The disability registration plates or removable windshield placard may be suspended for improper use. A 2nd or subsequent violation of this subsection is a Class E crime for which the fine under this subsection may be doubled.

[2009, c. 143, §2 (AMD) .]

12. Parking at meters. Pursuant to Title 30-A, section 3009, subsection 1, paragraph C, subparagraph (4), a vehicle that exhibits a permanent placard, a temporary placard or a disability registration plate may park at a parking area with a meter without a charge and may park a length of time that does not exceed twice the limit otherwise allowed.

[2001, c. 151, §1 (NEW) .]

13. Altering placard. A person who alters or causes to be altered the expiration date of a disability placard issued pursuant to this section commits a traffic infraction and is subject to a penalty of not less than \$100 nor more than \$500.

[2007, c. 383, §13 (NEW) .]

14. Disabled veterans parking. A person qualifying for special designation plates pursuant to section 523, subsection 1 or 2 may request disabled veterans parking registration plates.

Disabled veterans parking registration plates must bear the words "Disabled Veteran," the American flag and the International Symbol of Access in compliance with subsection 2.

[2009, c. 598, §5 (NEW) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF). 1995, c. 482, §A4 (RPR). 1995, c. 645, §§A4,5 (AMD). 1997, c. 673, §§1,2 (AMD). 1997, c. 776, §§18,19 (AMD). 1999, c. 470, §6 (AMD). 1999, c. 544, §1 (AMD). 2001, c. 35, §§1-3 (AMD). 2001, c. 77, §1 (AMD). 2001, c. 151, §1 (AMD). 2001, c. 361, §11 (AMD). 2003, c. 431, §§1-4 (AMD). 2003, c. 633, §2 (AMD). 2005, c. 433, §7 (AMD). 2005, c. 433, §28 (AFF). 2005, c. 528, §§1,2 (AMD). 2007, c. 383, §13 (AMD). 2007, c. 703, §§12-14 (AMD). 2009, c. 143, §§1, 2 (AMD). 2009, c. 598, §5 (AMD). 2011, c. 23, §1 (AMD). 2011, c. 117, §1 (AMD). 2013, c. 381, Pt. C, §§1, 2 (AMD). 2013, c. 496, §10 (AMD). 2015, c. 52, §§1, 2 (AMD). 2015, c. 473, §10 (AMD).

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Dr. Rebecca Brouillette, DC
North Star Chiropractic
57 Jefferson Street
Biddeford, ME 04005
Rebecca@NorthStarChiroClinic.com

October 26, 2018

City of Biddeford, Maine
205 Main Street
Biddeford, Maine 04005

To Whom It May Concern:

My name is Dr. Rebecca Brouillette and I am both a downtown property and business owner. When I was looking for a location to open my practice, North Star Chiropractic, I chose the city of Biddeford because of its small town feel that welcomed visitors, businesses, and patrons alike. I take great pride in being a Biddeford resident and business owner, and love that I have a front row seat in the revitalization efforts that many great organizations have made. It has been an honor becoming a very active member of this community and continuously participating in everything from city-sponsored events to commercials and volunteer efforts. I have fully immersed myself in the city of Biddeford and all that that means. It is in that spirit that I write this letter.

To say that I am disappointed with how the city has gone about introducing and beginning to implement parking changes in downtown would be a *huge* understatement. When I first learned of the city's plans to implement paid parking in downtown I cried. I cried because I was terrified of what this would do to my business, and what it would do to my family and neighbors. I am a new business owner and just celebrated my first year, and the thought of paying \$120 per month (for 24 hour permits for myself, my husband, and my employee) to park our cars in a parking lot is ludicrous. There are so many unanswered questions, and it is difficult to find clarity. I have gone through the process of trying to navigate around these changes and I have very seriously considered moving my business to a neighboring town.

I run a health care clinic that offers both chiropractic and massage services. My practice members, many of them living in Biddeford/York County, mean everything to me, and the overwhelming reaction to this decision is outrage and fear - fear that downtown will be even more of a ghost town than it already is, and fear that our local government will continue to blatantly ignore our wishes. Despite the outrage that I felt, I also felt forced into submitting paperwork so that I may be selected for a lottery to 'win' my lot of 'choice' and not be forced to park my vehicle in a lot far from my business. When I finally received word that I had been selected for my lot of choice, I went to city hall to submit my pre-payment documentation. When I went to city hall to present my automatic withdrawal forms, as indicated in my lottery selection e-mail, I was greeted by the same friendly and familiar faces that I have dealt with in the past. But, this time I was also met with confusion and blank stares. Not only did the city hall employees have *zero* clue what I was referencing, it was also a harrowing realization that even *they* have no idea what is going on - and it's *their job*!

Confusion and uncertainty create costs beyond the \$120 per month I now have to pay. Before there was public outcry, the first draft of plans called for time-constraining spots to one hour. The initial consultation and examination in my office is approximately an hour appointment. Additionally, my massage therapist and I offer treatments that can range up to two hours. The introductory parking plan will already be damaging and I am worried that it may only get worse. I am worried what this all will mean for my patients and overhead. As it stands, I will be paying \$480 a year to support parking for an employee who otherwise would not be able to

work here. This is all in addition to the impact on neighboring businesses, as my patients will not have time to patronize their restaurants and shops in the time they are allotted to park.

It is important to clarify that \$40 per month also only covers one car and it is an introductory rate. In many cases, like my own, there is more than one car per household. Further, the \$40 rate will soon be \$65. For me, that will cost \$2,340 per year. That is a lot of money. Please try to put yourself in my shoes. How can I justify paying \$2,340 per year, in addition to taxes, to a city has not been forthcoming and honest with me?

Lastly, I would like to address communication. The only information I have received on this topic has come from Facebook, the Journal Tribune, and other members of the community. I have watched others volunteer countless hours to try to educate the community, but I have never seen the same from city officials. Instead, I have received no proactive correspondence from the city itself, not even so much as a letter or e-mail. In an effort to make sense of all of this, one step I took was placing a call to the city counselor of my ward and I never received a call back. I also inquired if there would be any kind of program or assistance for people who are both residents and business owners to which I received a response saying there is nothing in place, and that the city has tried to make a plan that is 'fair and equitable to all.' By what measure is what is happening 'fair and equitable to all?' From my perspective, and from that of residents and business owners, I can tell you with 100% confidence that this plan is certainly NOT fair to all.

I am also very disappointed that meetings like this one are called and scheduled for 8am on a Friday, when business owners and residents cannot attend and share our side of the story. I should not have to take an employee from her work in our office to make sure my voice is heard at this meeting.

Thank you for your time,

Dr. Rebecca Brouillette, DC

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