

## **CURFEW ORDINANCE**

### **4-401 Regulations of Minors**

No child who has not attained the age of 17 years shall be, or remain, upon the street, alley or lane or in any public place in the City of Calais in the night time

after 10:15 PM unless accompanied by a parent or guardian, or other person having legal custody of such minor, or unless the employment of such minor makes it necessary to be on the street, alley or lane or in such public place after said time. For the purposes of this ordinance "public place" shall be construed to mean all places which the public has access, including, but not necessarily restricted to, the following places: restaurants, stores, dance halls, poolrooms, bowling alleys, theaters, and other places of public amusement, and all other places open to the public.

### **4-102 Liability of Others**

Unless a reasonable necessity exists therefore, no parent, guardian or other person having the legal custody of any minor who has not attained the age of 17 years shall allow or permit such minor while in legal custody, to be, or remain upon, such street, alley or lane or in such public after the time stated in Section 4-101 above. All times referred to in this ordinance shall be in accordance with the legal time standard then in affect in said City of Calais.

### **4-103 Enforcement Procedure**

In any case where a police officer observes a minor apparently under the age of 17 upon any street, alley or lane or in any public place in the City of Calais in the nighttime in apparent violation of the provisions of this ordinance, the officer is authorized to detain the minor temporarily for the purposes of ascertaining where he or she lives and the name of the parent or guardian. Where reasonably convenient, the officer may convey the minor to his or her place of residence and there to notify the parent or guardian of the violation. Where not convenient, or where it is impossible to convey the minor to his or her home And leave minor there in custody of a parent or guardian, because no one is at home, or for any other reason, the minor may be taken to the Police Station to be detained there until a parent or guardian can come to the Police Station and take custody of the minor. Such minors shall not be confined to a cell or cellblock use for the confinement of adult offenders but may be detained in other rooms at the Police Station while reasonably effort is made to notify a parent or guardian. Such detention does not constitute an arrest and no photographing, fingerprinting or

other booking procedures shall be performed involving the minor, other than the normal entries made in the Juvenile Detention Report, which report shall be considered confidential and for official use only, in accordance with Maine law.

#### **4-104 Penalty**

Whoever violates any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00), to be recovered for the use of the City of Calais.

### **Poolroom / Arcade Ordinance**

#### **4-111**

Subject to the Maine Revised Statutes Annotated and under the authority granted to the City of Calais to enact regulations for the prevention of crime and the preservation of good order, all licenses granted by the Municipal Officers of the City of Calais for the operation of poolrooms/ arcades shall be granted subject to the provisions of this ordinance.

#### **4-112**

Definitions-

**Poolroom/Arcade:** Any establishment with more than five (5) devices on premise.

**Amusement Device:** Any machine which upon insertion of currency or tokens may be operated by the public for use as a game., entertainment or amusement and which is operated for amusement only does not dispense any form of payoff, prize or reward except free plays. Pool tables are considered such whether or not they accept currency or tokens.

#### **4-113**

It is forbidden to gamble in or about the premise licensed for a poolroom /arcade. The premise shall include all rooms to which the public is admitted and are not necessarily limited to rooms where amusement is located.

**p4-114**

**4-** There shall be no poolroom/arcade established within one-thousand feet (1000) feet of an existing licensed poolroom/arcade.

**B.** There shall be no poolroom arcade established within one-thousand (1000) feet of any school.

**4-115**

The windows of any licensed premises shall not be covered or otherwise obstructed twenty-five (25%) or more to prevent a clear view from the street.

**4-116**

Hours shall be clearly posted on the front door. The licensed premise shall be cleared of all .

**effective 6/7/97**

**ANTI-LOITEREING ORDINANCE**

**4-121**

It shall be unlawful for any person to stand or sit on any street or sidewalk in such a manner as to obstruct the free passage of other persons using said street or sidewalk. It shall further be unlawful to sit or stand in front of any store or shop entrance or display window in such a manner as to obstruct the free passage of persons entering or leaving said store or shop or to block the view of said display windows.

No violation shall be deemed to have occurred with reference to this offense unless and until a City police officer or constable shall have requested the person or persons involved to move on. Failure to respond to such a request shall constitute a violation.

#### **4-122**

A person shall be deemed to have committed a violation of this ordinance if he loiters or prowls in a place, at a time, or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the actor takes , flight upon the appearance of a policeman or other peace officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object Unless flight by the actor or other circumstance makes it impracticable, a peace officer shall, prior to any arrest for an offense under this section, afford the actor the opportunity to dispel any alarm which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall jbe convicted of an offense under this section if the peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the actor is true and, if believed by the peace officer at the time, would have dispelled the alarm.

#### **4-123**

Violations of either of the two foregoing sections shall, upon conviction, be punished by a fine of not less than Twenty Dollars (\$20.00) and not more than One Hundred Dollars (\$100.00) to be recovered for the use of the City of Calais.

### **DOG CONTROL ORDINANCE**

#### **4-143 Definition of Terms**

As used in this ordinance, unless the context otherwise indicates,

- .(a) “Dog” shall be intended to mean both male and female.
- 4- “Owner” shall be intended to mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

4- “At large” [shall be intended to mean off the premises of the owner, and not under the control of the owner, or some person authorized by him, either by leash, cord, chain, or otherwise.

#### **4-143 License and Registration Required**

All dogs kept, harbored, or maintained by their owners in the City of Calais shall be licensed and registered in accordance with the appropriate laws of the State Of Maine.

#### **4-143 Tag and Collar**

All dogs shall be provided with a suitable collar to which a license tag shall be attached as required by appropriate State of Maine law.

#### **4-144 Running at Large Prohibited**

No owner or keeper of any dog shall permit such dog to run at large at any time. This section shall not be construed however, to prevent the use of dogs for lawful hunting purposes or for use of dogs on a farm for lawful purposes.

#### **4-145 Impounding**

It shall be the duty of every police officer or the Dog Constable to apprehend any dog found running at large contrary to the provisions of Section 4-144, and to impound such dog in the City Pound or other suitable place. The pound-master (or other designated official), upon receiving any dog shall make a complete registry, entering the breed, color and sex of such dog and whether Licensed. If licensed, he shall enter the name and the address of the owner and the number of the license tag. Licensed dogs shall be separated from the unlicensed dogs. .

#### **4-146 Impounding Unlicensed Dogs**

The impounding of unlicensed dogs shall be done in accordance with the appropriate laws of the State of Maine.

#### **4-147 Confinement of Certain Dogs**

Dogs of fierce, dangerous, or vicious propensities shall be properly confined or tied by the owner in a reasonable manner to prevent harm to the public. Female dogs in

heat shall be confined in some reasonable manner to avoid the creation of a nuisance caused by other dogs congregating in the vicinity. .If fierce, dangerous, or vicious dogs and in heart are found in violation of this provision they shall be impounded and shall not be released except upon the approval of the Dog Constable after payment of All costs or charges incurred by the City. Provided further that dangerous, fierce, or vicious dogs so found at large may be slain by any policeman or the Dog Constable in accordance with appropriate State Law Where they cannot be safely taken up and impounded.

#### **4-148 Reclaiming Impounded Dogs**

When any dog is impounded under the provisions of this section, notice shall be given to the owner, if known, by any reasonable means within three (3) days of the date of the impounding. If the owner cannot be ascertained, a notice shall be posted at the City Hall describing the dog and the place and the time of taking. If the owner does not reclaim the4 dog within ten (10) days following the notice of the impounding or posting of said notice, the keeping a dog and for the posing notices shall be set by the City Manager with the approval of the City Council.

#### **4-149**

Whoever keeps a dog contrary to the provisions of this ordinance shall be punished by a fine of not less than \$20.00 nor more than \$100.00 to be recovered for the use of the City of Calais.

Each day of violation shall constitute a separate offense, each subject to the penalty set forth herein.

#### **Amendment to Dog Control Ordinance**

**May 26 1983**

#### **4-148**

No person shall own, keep or harbor any dog or group of dogs which by loud, frequent or habitual barking or yelping, shall disturb the peace of any person or persons.

**4-149**

Whoever keeps a dog contrary to the provisions of this ordinance shall be punished by a fine of not less than \$20.00 nor more than \$100.00 to be recovered for use of the City of Calais.

Each day of violation shall constitute a separate offense, each subject to the penalty set forth herein.

**WORK REQUIREMENT ORDINANCE**

**4-161 Preamble**

The City of Calais pursuant to 22 M. R. S. A. {5045 and 30 M. R. S. A. {1917 hereby ordains and establishes a work requirement for all persons receiving general assistance who are capable of working This work requirement shall be operated and administered by the City of Calais for general assistance recipients in accordance with the following provisions.

**4-162**

No person shall, as a condition of general assistance eligibility, be required to do any amount of work that exceeds the value of the net general assistance that nperson would otherwise receive under municipal general assistance standards. Any person performing work under this subsection shall be provided with net general assistance the value of which is earned at a rate of at least the state’s minimum wage.

**4-163**

In no case shall eligible persons performing work under this subsection replace r3regular municipal employees.

**4-164**

In no case shall work performed under this subsection interfere with An eligible person’s

- (a) Existing employment
- (b) Ability to follow upon a bonafide job offer; or
- (c) Attendance at an interview for possible employment.

**4-165**

In no case shall eligible persons be required to perform work beyond his or her capabilities. However, when an illness or disability is claimed, an eligible person may be required as a condition for receiving assistance to present a doctor's statement detailing the extent of the disability or illness.

**4-166**

In no case shall an eligible person with an immediate need be required to perform work under this subsection prior to receiving general assistance. The administrator shall meet immediate needs upon receiving written assurance from eligible person that he or she is willing to work for the assistance received. Work shall be performed prior to receiving general assistance when payment for such work can be provided in time to meet the eligible person's needs.

**4-167**

Expenses related to work performed under this subsection by an eligible person shall be considered in determining the amount of net general assistance to be provided to the person.

**4-168**

An otherwise eligible person who refuses a suitable job offer under this subsection without just cause, shall be ineligible for general assistance for a period of up to 60 days. This person may become eligible during this period if he becomes employed. The administrator shall consider refusal of a suitable job offer to include:

- (a) Not showing up for work.
- (b) Leaving work without notification before time completed.
- (c) Below average work performance. The supervisor shall document work performance by indicating the nature of the work to be completed, the average time required for such work, and the time the eligible person required for performing such work

**4-169**

In no case shall an eligible person be asked to work for more than 40 hours per week. An eligible person who has full or part-time employment, shall be exempt from the work requirement to the extent that the work requirement in combination with his or her regular employment exceeds 40 hours per week.

**4-170**



Failure of an otherwise eligible person to accept a suitable job offer under this subsection shall not effect the general assistance eligibility of any member of the person's household who is not capable of working, including at least:

- (a) A dependent minor child;
- (b) An elderly, ill or disabled person; and
- (c) A person whose presence is required in order to provide care for any child under the age of 6 years, or any ill or disabled member of the household.

#### **4-171**

In administering the work requirement the administrator will provide that:

- (a) General assistance for work performed by an eligible person shall be itemized separately in reports to the Commissioner of the Human Services and included in the reimbursable net general assistance costs (see 22 M. R. S. A. { 4499). Uniform forms for record-keeping shall be prepared by the administrator.
- (b) Eligible persons assigned to a work program will sign a work order that has been read to them so that they will understand the conditions of their general assistance. The work order shall detail the amount of time eligible persons need to work to meet their needs and the type of work that they are being requested to perform.

### **OBSCENITY DISPLAY ORDINANCE**

#### **4-181 Prohibited Conduct**

In any premises open to the general public, it shall be unlawful for any person to knowingly display, or knowingly permit or allow to display, for purposes of sale, any book, magazine, picture, photograph, drawing or similar visual image of a person or portion of the human body, or which the outside covers or other portions exposed to public view are obscene or contain sexually explicit material, as either term hereinafter defined. It is the express intent of this ordinance to make it unlawful to knowingly display such material in plain view of minors in such places.

#### **4-182 Penalty**

The penalty for violation of this ordinance shall be a fine of not less than \$50.00 and not more than \$100.00. Each day of violation shall constitute a separate offense, each subject to the penalty set forth herein.

#### **4-183 Definitions**

- (a) "Obscene" means that contemporary community standards:
- (1) The predominant appeal of the work taken as a whole is to the prurient interest; i.e., a shameful or morbid interest in sexual conduct, nudity, or excretion, and
  - (2) The work depicts or describes in a patently offensive manner sexual conduct defined by Section 4-183 (a) and
  - (3) The work, taken as a whole, lacks any serious literary, artistic, political or scientific value.
- (b) "Sexual Conduct" means patently offensive representations or descriptions of sexual intercourse, or acts of apparent sexual stimulation or gratification such as cunnilingus, anilingus, sadism, masochism, fellatio, masturbation, bestiality, sodomy, excretory functions or lewd exhibition of genitalia.
- (c) "Work" means anything tangible which is capable of being used or adapted to arouse interest whether through the medium of reading, observation, hearing or in any other manner.
- (d) "Person" means any individual, partnership, firm, association, corporation, trustee, lessee, agent, assign or other legal entity..
- (e) "Display" means to exhibit as an inducement for individual sale to view, peruse, or purchase. "Display" shall not include works as materials exhibited in an area conspicuously prohibited to minors which prohibition is enforced.
- (f) "Knowingly" means having actual or constructive knowledge of the content and character of the work. A person shall be deemed to have constructive knowledge of the content and character of a work if he has knowledge of facts which would put a reasonably prudent person on notice as to the nature of the work.
- (g) "Patently Offensive" as used in this ordinance means that which goes beyond the customary limits of candor applying contemporary community standards.
- (h) "Minor" means any person under the age of 18 years.
- (i) "Sexually Explicit Material" means any pictorial material depicting human sexual intercourse, human or animal masturbation, bestiality, oral intercourse, anal intercourse, human-animal intercourse, excretory functions, homosexual acts, direct physical stimulation or touching of unclothed genitals or pubic areas of the human male or female, flagellation or torture by or upon a person in the context of a sexual relationship or sexual stimulation. The material shall be judged without regard to any covering which may be affixed or printed over the material in order to obscure genital areas in a depiction otherwise falling within the definition of these Subsections. Works of art of anthropological significance are not included within the definition of this Subsection.

Obscene works and explicit sexual material shall not be displayed so as to be visible from any street, way or sidewalk whether within or without a building.

#### **4-185 Concealment of Covers**

Obscene works and explicit material displayed within any building to which the public, including minors, are admitted shall be concealed or covered by a wrapper or jacket where the covers of said works or material contain photos, drawings, depictions and /or words the display of which is prohibited by this ordinance.

#### **4-186 Concealment of News Racks**

Persons displaying obscene works and sexually explicit materials within a building to which minors are admitted shall be considered to be in compliance with this ordinance where materials are stored in racks which conceal the covers of such works and material except for the title strip at the top.

#### **4-187 Display in Areas Barred to Minors**

Where such works and materials are openly displayed in a room or other enclosure from which minors are barred, said works and materials shall not be visible in any other portion of the premises to which minors are admitted.

### **TAXICAB ORDINANCE**

#### **4-201 Definitions**

The following words and phrases when used in this ordinance have the meanings as set out herein:

(a) Call box stand means a place alongside a street, or elsewhere, where the Calais City Council or some official designated by it has authorized a licensee or licensees to install a telephone or call box for the taking of calls and dispatching of taxicabs.

(b) Certificates means a certificate of public convenience and necessity issued by the Calais City Council or some official designated by said City Council authorizing the holder (licensee) thereof to conduct a taxicab business in the City of Calais.

(c) Cruising means the driving of a taxicab on the streets, alleys or public places of the City of Calais in search of, or soliciting prospective passengers for hire.

(d) Driver's permit means the permission granted by the City of Calais to a person to drive a taxicab upon the streets of the City of Calais.

(e) Holder or Licensee means a person to whom a certificate of public convenience and necessity has been issued.

(f) Open stand means a public place alongside the curb of a street or elsewhere, in the City of Calais which has been designated by the Calais City Council or some official designated by it as reserved exclusively for the use of taxicabs.

(g) Person includes an individual, a corporation or other legal entity, a partnership, and any unincorporated association.

(h) Rate Card means a card displayed in each taxicab which contains the rates of fare then in force.

(i) Taxicab means a motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of not more than 8 persons and not operated on a fixed route.

#### **4-202 Certificate of Public Convenience and Necessity Required**

No person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City of Calais without having first obtained a certificate of public convenience and necessity in accordance with the provisions of this ordinance.

#### **4-203 Application for Certificate**

An application for a certificate shall be filed with the City Clerk upon forms provided by the City of Calais, and said application shall be verified under oath and shall furnish the following information:

(a) The name and address of the applicant

(b) The financial status of the applicant, including principal real and personal property owned and the amount and nature of any unpaid judgments. .

(c) Past experience of applicant in the transportation of passengers.

(d) Number and description of vehicles, including passenger capacity, to be operated or controlled by applicant and the location of proposed depots and terminals to be used if any.

(e) Insignia, trade name, markings and markings signs or lights to be used in designating vehicles.

(f) Any facts which the applicant believes supports his claim that the public convenience and necessity require the granting of a certificate

(g) Such Further information as the City of Calais may require.

#### **4-204 Public Hearing**

Upon the the filing of an application, the City Clerk shall fix a time and a place for the public thereon. Notice of such hearing shall be given to the applicant and to all persons to, whom a certificates of public convenience and necessity have therefore been issued. Such notices may be given in person or by ordinary mail to the addresses on file at the City Clerk in each case. Due notice of such hearing on the public bulletin board in the City Hall and by causing a copy of said notice to be published at least one week in advance of said hearing in a newspaper of general circulation in the City of Calais. Any interested person may file with the City Clerk a memorandum in support or opposition to the issuance of a certificate.

#### **4-205 Issuance Of Certificate**

If the Calais City Council, after hearing thereon, finds that further taxicab service in the City of Calais is required by the public convenience and necessity and that the applicant is fit, willing and able to perform such transportation and to conform to the provisions of this ordinance and any regulations issued pursuant thereto, then the City Clerk shall issue a certificate stating the name of the applicant, his address, the number of vehicles authorized under the certificate and the date of issuance. Otherwise the application shall be denied.

In marking the above findings, the Calais City Council shall take into consideration the number of taxicabs already in operation, the population of the City, whether or not existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions and the character, experience and responsibility of the applicant.

The Calais City Council may from time to time fix the number of taxicab licensees and/or the total number of taxicabs in said City, having regard for the factors mentioned above and any significant change thereof. Such limitations shall be stated in Section 4-231 (a) .

#### **4-206 Indemnity Bond or Liability Insurance**

No certificate of public convenience and necessity shall issue to any applicant until he furnishes proof that he has complied with the laws of the State of Maine relative to proper coverage for public liability and property damage, which said coverage must be maintained continuously while the applicant is operating or controlling taxicabs in the City of Calais.

#### **4-207 License Fees**

No certificate shall be issued until the applicant has paid an initial fee of Fifty Dollars (\$50.00). Annual renewals of such certificate shall be made upon payment of a fee of Twenty-five Dollars (\$25.00) . All certificates shall be for the calendar year. Any persons holding taxicab licenses from the City of Calais at the time this ordinance becomes effective shall not be required to pay an initial fee as stated above.

#### **4-208 Transfer of Certificates**

No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred without the consent of the Calais City Council.

#### **4-209 Suspension and Revocation of Certificates.**

A certificate issued the provisions of this ordinances may be revoked or suspended by the Calais City Council, if the holder thereof has

- (a) violated any of the provisions of this ordinance,
- (b) discontinued operations for more than 90 days,
- (c) has violated any ordinances of the City of Calais, or the laws of the State of Maine or of the United States of America, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation, or
- (d) receives a suspension or revocation of his driving/or vehicle registration privileges under the laws of the State of Maine.

#### **4-210 Taxicab Driver's Permit**

No person shall operate for hire upon the streets of the City of Calais, and no person who owns or controls a taxicab shall permit it to, be so driven and no taxicab licensed by the City

of Calais shall be driven at any time for hire, unless the driver of said taxicab shall have first obtained a taxicab driver's license issued under the provisions of this ordinance.

#### **4-211 Application for Drivers Permit**

An application for a taxicab driver's permit shall be filed with the City Clerk on forms provided by the City of Calais; and such application shall be verified under oath and shall contain the following information:

- (g) full and correct name of the applicant and his address.
- (h) date and place of birth.
- (c) experience of applicant in driving and in the transportation of passengers. .
  - (i) education background.
  - (j) history of past employment.
  - (k) dates of any license suspensions or revocations together with the reasons therefore.
  - (l) statement of any criminal convictions, giving dates, courts, nature of offense, sentence and final disposition of case.
  - (m) names and addresses of at least four residents of the City of Calais who have known the applicant for a minimum of 5 years and who will vouch for the sobriety, honesty, and good character of the applicant.

A fee of Five Dollars (\$5.00) shall be paid to the City Clerk when the application is filed.

#### **4-212 Qualifications**

The applicant must display to the City Clerk a valid driver's license issued by the State of Maine and furnish any further information which may be required by the City Clerk relative to his application and the information disclosed thereon or to his qualifications for a driver's driver's permit issued hereunder. No taxicab driver's permit shall issue to any person under the age of 18 years.

#### **4-213 Police Investigation**

All Applications for taxicab driver's permits shall be submitted to the Chief of Police for his approval prior to issuance and the Chief of Police may conduct such investigation as he deems appropriate to determine the fitness of the applicant for said permit.

#### **4-214 Consideration of Application**

The City Clerk shall upon consideration of the application and any reports from the Chief of Police, approve or reject the application. If the application is rejected, the applicant may request a hearing before the Calais City Council to offer evidence why his application should be reconsidered. Such hearing shall be public unless the applicant shall otherwise request.

#### **4-215 Issuance of Permit -Duration**

Upon approval of an application for a taxicab driver's permit, the City Clerk shall issue a permit to the applicant which shall bear his name, address, color, age, signature and such other data as the City Clerk may require thereon. Such permit shall be in effect for the remainder of the calendar year. A permit for every calendar year thereafter shall, issue upon the payment of \$ 2.50 unless the permit for trhe preceding has been revoked or is under suspension.

#### **4-216 Suspension or Revocation of Permits**

The Chief Of Police is hereby given authority to suspend any taxicab driver's permit issued under this ordinance for a deriver's failure or refusing to comply with the provisions of this ordinance, such suspension to last for a period of not more than 15 days. The Calais City Council shall have the power to suspend a permit or revoke the same for a failure to comply with any provision of this ordinance or for any violation of city ordinances, State or Laws by nature. In the event of any suspension by the Chief of Police, the driver may request a hearing before the Calais City Council and there present evidence in his behalf. In all cases of suspension or revocation by the Calais City Council the driver shall receive notice and be given opportunity to be heard.

#### **4-217 Vehicles- Equipment and Maintenance**

(a) All vehicles used under the provisions of this ordinance must be properly registered and inspected and in fill compliance with the laws of the State of Maine relating to motor vehicles for hire.



(b) All vehicles used under the provisions of this ordinance shall be kept clean and sanitary condition at all times when in use. Said vehicles shall be further be maintained in safe mechanical condition at all times when in use.

(c) All such vehicles are subject to reasonable inspection by the Calais City Police Department for compliance with terms of this ordinance and drivers, owners or license holders controlling said vehicles shall make the same available for such inspections at all reasonable times and places. Such inspections shall be made at least once each calendar quarter and upon discovery of any unsafe mechanical condition has been corrected, the taxicab shall not be used for the conveyance of passengers. A Reasonable time shall be allowed for the correction of other conditions not affecting the safety of the operation of the taxicab.

#### **4-218 Designation of Taxicabs**

Each taxicab shall be plainly marked and identified by signs, not otherwise in violation of any state law, as taxicabs. owners or operators may further mark said vehicles with identifying names and/or devices so long as the same are not misleading nor in conflict with a name or device already in use by another license holder.

#### **4-219 Rate Card**

Unless the Calais City Council shall, otherwise order, the display of a rate card shall be optional.

#### **4-220 Display of Licenses and Permits**

Each taxicab operated under the provisions of this ordinance in the City of Calais shall have displayed in it in a position visible to the passengers therein a card bearing the name and address of the license holder operating said taxicab. There shall further be displayed a card bearing the name and address of the driver than operating said taxicab. Said cards shall be clean and legible. They shall be furnished and maintained by the license unless the City of Calais provides them. Taxicab drivers shall have on their persons at all times while operating a taxicab, their taxicab driver's permit together with their State of Maine Driver's license

#### **4-221 Solicitation, Acceptance And Discharge of Passengers**

(a) Solicitation of Passengers by Driver: No driver shall solicit passengers for a taxicab except when sitting in the driver's seat or while standing at the curbside of the taxicab. Drivers shall not solicit passengers in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any person, or follow Any person for the purpose of soliciting patronage.

(b) Receipt and Discharge of Passengers on Sidewalk Only: Drivers of taxicabs shall not receive or discharge passengers in the traveled portion of the roadway, but shall pull up to the right-hand sidewalk as nearly as possible, or in the absence of a sidewalk, to the extreme right-hand side of the road and there receive or discharge passengers, except upon one-way streets where passengers may be discharged at either sidewalk or side of the road in the absence of sidewalks.

(c) Cruising: No driver shall cruise in search of passengers except in such areas and at such times as shall be designated by the Calais City Council. Such areas and times shall only be designated when the Calais City Council finds nthat taxicab cruising would not congest traffic or be dangerous to pedestrians and other vehicles. Any orders relating to cruising by taxicabs shall be set forth in Section 231 (b) of this ordinance. Nothing in this ordinance however shall be construed to prevent a driver from picking up a passenger or passengers who signal him for that purpose in any place, provided that the driver shall not obstruct traffic nor create any hazard by stopping for that purpose.

(d) Additional Passengers: No driver shall permit other persons to occupy or ride in said taxicab, unless the person or persons first employing the taxicab shall consent to the acceptance of additional passenger or passengers.

(e) Restrictions on Number of Passengers: No driver Shall permit more persons to be carried in a taxicab as passengers than the rated seating capacity of his taxicab. A child in arms shall not be counted as a passenger.

(f) Refusal to Carry Orderly Passengers Prohibited: No driver shall refuse or neglect to carry Any orderly person or persons, upon request, unless previously engaged or unable or forbidden to do so by the provisions of this ordinance.

(g) Prohibitions of Drivers: It shall be a violation of this ordinance for any taxicab to sell intoxicating liquors or to solicit business for any house of ill repute or prostitute or use his vehicle for the purpose other than the transporting of passengers.

#### **4-222 Open Stands – Establishment - Use**

(a) The Calais City Council may from time to time establish Open Stands in such places as it deems necessary upon the streets of the City of Calais for the use of taxicabs operated in the City. Said stands will be created after considering the need for them and the convenience of the general public. The Calais City Council shall prescribe the number of cabs that shall occupy such open stands. No such stands shall be created in front of any place of business where the abutting owner objects to the same or where such stand would tend to create a traffic hazard.

(b) Open stands shall be used by the different drivers on a first come, first served basis. The driver shall pull on to the open stand from the rear and shall advance forward as the cabs ahead pull off. Drivers shall stay in the immediate vicinity of their cabs; they shall not solicit passengers; or engage in loud boisterous talk while at an open stand. Nothing in this ordinance shall be construed as preventing a passenger from boarding the cab of his choice at open stands.

(c) Open stands designated by the Calais City Council shall be listed under Section 4-231 (c) of this ordinance.

#### **4-223 Call Box Stands- Establishment- Use**

(a) The Calais City Council may from time to time designate Call Box Stands either upon the streets of the City of Calais or some lot or lots adjacent to said streets. Such designation may also be made upon the written application of any taxicab license holder, if the same is found to be in the public interest and does not constitute a hazard to pedestrians and other traffic. Call box stands created by the Calais City Council may be limited as to the number of taxicabs and license holders using the same as said Council sees fit to do, and appropriate regulations may be prescribed for the use of the same. Such stands shall not be established on the streets where abutting land owner objects.

(b) Call Box Stands designed by the Calais City Council shall be listed under Section 231 (d) of this ordinance.

#### **4-225 Taxicab Service**

All persons engaged in the taxicab business in the City of Calais operating under provisions of this ordinance shall render an overall service to the public desiring to use the taxicab. they shall provide full service within the hours which they advertise as being their

normal operating period. they shall not refuse calls anywhere within the limits of the City of Calais, as long as that place is reasonably and safely accessible by motor vehicle and if it is impossible for the call to be answered within a reasonable time, they shall notify the prospective passenger how long it will be before the call can be answered and give the reason therefore. Any failure to give reasonable service or to answer a call within the City of Calais without sufficient cause or failing or refusing to give overall service, shall be deemed a violation of this ordinance and his certificate may be revoked after notice and hearing by the Calais City Council.

#### **4-226 Police Department- Duty to Enforce Ordinance**

The Police Department of the City of Calais is hereby given the authority and is instructed to watch and observe the conduct of holders and drivers operating under this ordinance. Upon discovering a violation of the provisions of this ordinance, the Police Department shall report the same to the City Manager for referral to the Calais City Council or such other action as appropriate under the terms of this ordinance.

#### **4-227 Penalty**

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding One Hundred Dollars, which said fine shall be recovered for the use of the City of Calais. Such fine shall be in addition to Any suspension or revocation of licenses or permits which may be ordered under the other provisions of this ordinance. Where the violation involves the operation of a taxicab without holding a certificate or the driving of a taxicab without holding a driver's permit, each day's operation or driving shall constitute a separate violation.

#### **4-228 Sever-ability**

Each of the provisions of this ordinance is sever-able, And if any provision shall be declared invalid the remaining provisions shall not be affected but shall remain in full force and effect.

#### **4-229 Repealing Provision**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

#### **4-330 Effective Date**

This ordinance shall become effective on the 15th day of April, 1960 and shall be published in full in a newspaper of general circulation in the City of Calais at least once prior to said date.

#### **4-331 Limitation of License Holders and Cabs**

(a) Having regard for the public need, the distribution, local traffic conditions and the average number of taxicab operators previously in business in the City of Calais, the Calais City Council finds that a maximum of Six (6) taxicab license holders is sufficient to serve the City of Calais adequately so long as the population remains below 5000 persons according to the latest U. S. Census figures. No limitation is imposed in the number of cabs each license holder may operate.

(b) Designation of Cruising Areas: None.

(c) Designation of Open Stands: None.

(d) Designation of Call Box Stands: The former Knight Memorial Church Lot on Main Street is hereby designated a Call Box Stand for the use of all taxicab license holders of the City of Calais. Taxicabs may remain there awaiting calls for the purpose of picking up passengers who come to the lot. This designation may be revoked at any time the landowner withdraws permission for the same to be used. Licensees using the lot must comply with all terms of the existing agreement between the landowner and the City of Calais. Payment of rent for the same by the taxicab license holders must be made in advance each month on or before a date set by the City Clerk. Failure to make said payments as directed shall be cause for suspension of the taxicab license, which license shall remain suspended until all arrears on said rent have been paid in full to the City Clerk. The Chief of Police shall assist the City Clerk in the enforcement of any suspension ordered under this provision, and in collection of Any rent due from any taxicab license holder.

#### **4-232 to 4-239 Reserved**

## **DISCHARGE OF FIREARMS ORDINANCE**

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### **I. Discharge of Firearms Within the Restricted Area**

Except as otherwise provided by law, no person shall discharge any firearm in that part of the City of Calais defined as the “restricted area” in paragraph II below, except under the following circumstances:

(A) A law enforcement officer in the performance of their duty;

(B) In the legal defense of a person, family, or property;

(C) At military exercises, funerals, reviews, or memorial events, if no projectile, is

discharged from the firearm;

### **II. Restricted Area**

The restricted area is defined as the area within the confines of North and South Streets extending to the Saint Croix River, within the confines of North, Union and Main Streets, and within the boundaries of the Calais Cemetery.

### **III. Discharge of Firearms Outside the Restricted Area**

The discharge of firearms outside the “restricted area” must adhere to the Statutes of the State of Maine.

### **IV. Firearm**

A Firearm is defined as a weapon from which a shot is discharged by gunpowder.

### **V. Penalty**

Any person who violates any portion of this ordinance shall be subject to a fine of up to \$250.00 for each offense.

## **SIDEWALK MERCHANDISE DISPLAY ORDINANCE**

### **4-271**

It shall be unlawful to display any goods, wares, merchandise upon the sidewalks or streets of the City of Calais except in conformity with the terms of this ordinance.

### **4-272**

Any person or firm desiring to display goods, wares, or merchandise on the sidewalk immediately abutting upon premises owned or leased by the applicant shall first apply for a permit to do so from the City of Calais.

**4-273**

No such permit shall be issued until the Chief of Police acting under the supervision the City Manager shall determine that goods, wares, or merchandise may safely displayed on a portion of the sidewalk abutting the premises of the applicant And not to exceed two feet in width along the inner edge of said sidewalk.

**4-274**

Any applicant for such permit shall file with the City Clerk an application in prior form to be prescribed by the City Clerk together with the indemnity bond sufficient to protect and hold harmless the City Of Calais from any damages resulting from any claim or suit for personal injuries which may be occasioned by such sidewalk display of goods wares, or merchandise by the applicant and to reimburse the City of Calais for any expenses incurred in defending such suits, whether they are successful or not, the form of said Bond to be prescribed by the City Clerk. The applicant may substitute in lieu of the indemnity bond aforementioned, file with the City Clerk proof of liability insurance in which the City of Calais has been named as an additional insured said insurance meeting approval by the City as to all policy conditions, terms, and extent of coverage.

**4-275**

The City shall have the right to inspect any display permitted under this ordinance and order the immediate correction or removal of any unsafe display which constitutes a hazard to the public using the sidewalk. Failure to comply with such an order shall be cause for revocation or suspension of the permit of the displayer.

**4-276**

The fee for said payment shall be Five Dollars (\$5.00) payable in advance and all permits shall run on a calendar year basis from January 1st of each year.

**4-277**

Any person or firm violating this ordinance shall, upon conviction, forfeit not less than \$10.00 nor more than \$25.00 to be recovered for the use of the City of Calais. Each day of violation shall constitute a separate offense for the purposes of this ordinance.

#### **4-278**

The City Manager shall have the power to suspend or revoke any permit issued hereunder in accordance with Section 4-275 above. In the event of a suspension or revocation, the party aggrieved may appeal to the City Council in writing within 10 days after the notice of said suspension or revocation. The suspension or revocation shall be in full effect nevertheless while the appeal is pending. The City Council may thereafter affirm or annul said suspension in whole or in part as it may see fit.

### **SPECIAL AMUSEMENTS PERMITS ORDINANCE**

#### **4-281 Introduction**

Under the provisions of Chapter 501, Public Laws of 1977, the City of Calais must adopt an ordinance governing procedures for the issuance of Special Amusements Permits for music, dancing, and/or entertainment on premises licensed by the State for consumption of liquor.

#### **4-282 Procedure**

All Special Amusement permit applications shall be acted upon by the Calais city Council after notice and public hearing. Notice of such hearings shall be published at least once in the Calais Advertiser or some other newspaper of general circulation in the city of Calais at least 7 days prior to the public hearing date. The City Clerk shall receive all such applications and see to the publication of notice as required herein. The applicable law of Maine shall govern the actions of the City Council under this Ordinance.



**4-283 Fees**

The applicant shall be requested to pay to the City Clerk, an application fee of Twenty-five Dollars (\$25.00) and an additional fee sufficient to cover the cost of publication of the notice.

**4-284 Effective Date**

This ordinance shall become effective July 1<sup>st</sup>, 1978.

**JUNK YARD ORDINANCE**

**4-301**

It shall be unlawful for any person, partnership, or corporation to establish any junk yard within the limits of the City of Calais without first obtaining a permit from the Municipal Officers of said City.

**4-302**

Application for said permit shall be filed in writing with the City Clerk who shall cause notice of the application to be printed in a local newspaper of general circulation at least one week prior to the date set for a hearing on said application by the Municipal officer of said City. The cost of publication of said notice must be paid in advance by the applicant for said permit.

**4-303**

A public hearing on said application will be held by the City Council which may then or at a later date reject or approve the application subject to any reasonable restrictions, conditions, or limitations, and if approved, the City Council will direct

the City Clerk to issue said permit upon payment of a \$10.00 fee therefore by the applicant.

**4-304**

Permits issued under this ordinance shall expire on the last day of the calendar year during which they are issued.

**4-305**

Renewal of said permits shall be accomplished yearly after the same notice by publication and hearing as required for the establishment of such junk yard in the first instance, provided however that the fee for renewal of said permits will be \$5.00 plus the cost of publishing notice.

**4-306**

For the purposes of this ordinance, "junk yards" are defined as places where discarded materials, to wit: metals, old rope, old bags, waste paper, rags, rubber, glass, bottles, and All Articles are kept for storage and sale in the usual course of business by dealers in such commodities.

**4-307**

Any person found guilty of a violation of this ordinance shall be punished by a fine not to exceed \$100.00. Each day of operation and maintenance of such a junk yard in violation of this ordinance shall constitute a separate and distinct offense.

**ORDINANCE TO REGULATE PUBLIC SOLID WASTE DISPOSAL AREAS**

**4-321**

The City Council shall designate certain areas as solid waste disposal areas where rubbish may lawfully be deposited.

**4-322**

The use of any public solid waste disposal area located in the City of Calais shall be restricted to, the dumping of rubbish by persons having their residence in said City of Calais. The City Council may, however, enter into local agreements with other communities for solid waste disposal which would permit residents of those communities to utilize the solid waste disposal area.

**4-323**

The hours of operation of opening and closing the solid waste disposal area will be the responsibility of the City Council of the City of Calais. They are further authorized to regulate and control said waste disposal areas in a manner deemed to be in the interest of the citizens of Calais.

**4-324**

The term rubbish is defined to mean all waste material commonly known by that terminology, excluding bodies of animals or fish, excreta of animals or birds, or any other object of that nature. Any material of a questionable nature will be dumped at the solid waste disposal area only after prior authorization of the Public Works Director.

**4-325**

The City Council has the authority to require all vehicles disposing of rubbish at the solid waste disposal area to display a “ Solid Waste Disposal Permit” on the front windshield or drivers side window of each vehicle. The council will regulate the distribution of permit and distribute the permit to each resident for each vehicle owned by said resident.

**4-326**

Signs, posters, or any other public property used in control of the solid waste disposal area shall not be defaced or destroyed in any manner.

**4-327**

An Attendant shall be employed at the Solid Waste Disposal Area. Said attendant will designate personally or by sign those areas where rubbish shall be dumped. The attendant shall designate separate areas for the disposal of white metals, auto bodies, tires, and any other object specified by the City Council. Dumping any rubbish in location other than those designated will be a violation of this ordinance.

**4-328**

No person, firm or corporation, or their agent having the right to use the solid waste disposal area as in this ordinance provided, shall be permitted to enter upon or use said area for dumping except during the hours which the facility is open. The Council may, where it deems necessary, permit access to the disposal area when the facility is closed for those people, firms or corporations, and their agents involved in health care facilities, restaurants, etc., where an accumulation of rubbish would result in a health hazard.

**4-329**

No person firm, corporation, or their agents, shall, except by written permission of the Calais City Council remove any article or object which has been deposited or dumped and left at the disposal area.

**4-330**

Attendants at solid waste disposal areas shall be constables having the power to enforce this ordinance.

**4-331**

Any person, firm or corporation found guilty of violating this ordinance shall be subject to a fine of not more than \$100.00 for each offense, to be reserved for the use of the City of Calais.

## **REFUSE COLLECTION ORDINANCE**

### **4-341 Preamble**

The City Council finds that the regulation of commercially operated refuse collection services is necessary to the public health and safety of the City.

### **4-342 Definitions**

- a. Commercial Refuse Collector: An individual, partnership, firm or corporation removing and transporting any forms of solid waste from residential, commercial or industrial facility or property within the City for a valuation consideration.
- b. Refuse: As used in this ordinance, refuse includes all forms of solid waste, including, but not limited to, garbage, rubbish, ashes. It does not include human or animal waste materials.
- c. Solid Waste: Garbage, consisting of: wastes from the preparation, cooking and consumption of food; market refuse, waste from the handling, storage and sale of produce; rubbish, consisting of: combustible rubbish such as paper, cartons, boxes, barrels, wood and excelsior, tree branches, yard trimmings, wood furniture, and bedding, non-combustible rubbish such as metals, tin cans, metal furniture, dirt, glass crockery, And other mineral refuse; consisting of residue from fire used in cooking, and for heating buildings; tree refuse, consisting of sweeping, dirt, leaves, catch basin dirt and contents of letter receptacles; dead animals, small and large; abandoned automobiles; industrial refuse, consisting of: solid wastes, resulting from industrial processes an manufacturing, such as: food-processing wastes ,boiler house cinders, lumber scraps and shavings and metal scraps and shavings.

### **4-343 License Requirement**

It shall be unlawful for any person, partnership, firm or corporation to engage in commercial refuse collection without first obtaining a license from the City.

#### **4-344 License Application Procedure**

- a. The license year shall run from January 1st each year.
- b. The City Clerk shall be the licensing agent for the City.
- c. The application shall include full identification of the applicant, year and model of all vehicles to be used, gross weight of truck and chassis, type of collection container and method of collection together with such relevant information as the City Clerk may require.
- d. The annual license fee shall be \$100.00 plus \$0.0025 times the total weight of all collection vehicles. If the gross weight total exceeds 30,000 pounds, the fee shall be \$100.00 plus \$0.0010 times the total gross weight of all vehicles.
- e. Licenses shall be transferable only with the approval of the licensing agent.

#### **4-345 Collection Vehicles**

- a. Collection vehicles shall be completely enclosed to prevent the escape or loss of waste material from the vehicle.
- b. Collection vehicles used to transport enclosed refuse collection containers need not be further enclosed themselves.

#### **4-346 Use of Municipal Land fill Areas**

Commercial refuse collectors shall comply fully with all regulations governing the use of any municipal landfill area. Failure to comply with such regulations shall be sufficient grounds for suspension or revocation of license.

No commercial refuse collector shall deposit any refuse or solid waste in any Calais sanitary landfill from any other place outside the City of Calais without the prior approval of the Calais City Council as evidenced by a written certificate duly attested by the Calais City Clerk and indicating the specific area, towns, cities, plantations, or unorganized towns from which such refuse or solid waste may originate and be

deposited in Calais. Any violation shall be sufficient cause for revocation of the License of the Commercial Refuse Collector involved.

Upon the request of the City Manager at any time any Commercial Refuse Collector licensed in Calais shall promptly furnish to the City Manager his, her, or its collection schedules in writing disclosing all collection activities outside Calais. Such information shall be considered confidential and not disclosed to other Collectors nor to the public at large but may be used as evidence in any involving deposit of refuse or solid waste in any Calais sanitary landfill area.

#### **4-347 Regulations**

The City Clerk is authorized to promulgate regulations, subject to the prior approval of the City Council, to aid in the enforcement of this ordinance.

#### **4-348 Supervision and Enforcement**

The City Police Department shall be responsible for the enforcement of this ordinance. The Public Works Department shall aid in the supervision of commercial refuse collectors using municipal landfill areas.

#### **4-349 Appeal Procedure**

Any applicant or licensee aggrieved by a decision, interpretation, or other act of the City Clerk may appeal to the City Council.

#### **4-350 Suspension or Revocation of License**

A commercial refuse collection license may be suspended or revoked for violation of any provision of this ordinance by the City Clerk. Suspensions shall be for a definite period and shall be stayed during the pendency of any appeal. The penalty of revocation shall be used only for substantial and intentional violations or in the case of second offenses.

#### **4-351 Penalty**

Conviction of a violation under Section 4-340 shall be punishable by a fine of not more than One Hundred Dollars (100.00) to be recovered for the use of the City Each day of operation shall constitute a separate violation.

#### **4-352 to 4-359 Reserved**

### TRASH AND GARBAGE CONTAINER ORDINANCE

#### 4-371 Purpose

The use of paper bags, cardboard cartons, and plastic bags for the temporary disposal of garbage and trash out of doors creates a health hazard, in that dogs, rodents, and other animals are thereby attracted. Such containers are then ripped open, the contents scattered and blown about, creating dangerous and unsanitary conditions.

#### 4-372 Prohibited Practice

Paper bags, cardboard cartons, and plastic bags shall not be used for the out-of-doors storage and temporary disposal of trash and garbage, unless the same are placed inside metal or solid plastic containers, with covers, reasonably sufficient to protect the contents from dogs rodents, and other animals. This shall also apply to all trash and garbage placed at curbside for pick-up.

#### 4-373 Penalty

Upon conviction, a violation of this ordinance shall result in the imposition of a fine of not in excess of Twenty-five Dollars (\$25.00) for the first offense. Upon conviction of a second to subsequent offense, a fine of not more than Fifty Dollars (\$50.00 ) shall be imposed. All such fines shall be recovered for the use and benefit of the City of Calais. The Calais Police Department is further authorized to issue written warnings in the \case of initial complaints and allow a reasonable time for compliance.