

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

February 13, 1948

To Ralph A. Gallagher, Esq.
Judge, Lincoln Municipal Court

Your letter of the 12th at hand, relating to the proposition of installing parking meters in the town of Damariscotta. You state that you have informed the town officials of Damariscotta that in your opinion there would have to be an amendment to the town ordinances, or perhaps two amendments, one to strike out the present amendment allowing not over three hours parking and another amendment to enable the town through a vote of the inhabitants to install meters and charge a 50¢ fine for those who violate the ordinance.

I agree with you that you should amend your town ordinances to conform to the proposition that you are undertaking, and also have an article in the warrant at the next town meeting, plain enough so that the voters will know what they are voting on; and if the voters decide to have parking meters, of course the town ordinances will have to be changed to conform to same.

In regard to the constitutionality of the erection of meters and charging for parking, that is a risk the town will have to take; but no one has raised the question in Maine as yet, except in the Municipal Court at Rockland, where the matter was thrown out by Judge Dwinal. This case related to a meter installed in front of a man's place of business, so that he was obliged to pay for parking in front of his own store to unload furniture.

The Federal Government is taking measures to compel the City of Augusta to remove parking meters around the Post Office building where Rural Free Delivery carriers park their cars when loading or unloading mail or waiting for mail at the Post Office.

I feel that it would be safe for your town to go ahead on this proposition in the manner outlined in your letter...

Ralph W. Farris
Attorney General

RWF:c