

## **Introduction**

The Maine State Pier (the Pier) is a City-Owned, multi-use marine facility serving multiple public and private users and the general public. Management of the many uses and functions of the Pier require cooperative relationships between the public and private tenants and visitors who depend on and enjoy the Pier for everyday business, transportation, and recreation. This Operations Agreement (Agreement) is a tool to promote communication and to establish operational protocols to support the function of the Pier as a cohesive whole.

## **Administration**

This Agreement is promulgated by and will be administered by the City of Portland Waterfront Coordinator. Changes to this Agreement will not be undertaken without the knowledge and consent of the signatories.

## **Policy Basis**

This Agreement intends to implement existing City Council policies directing decisions impacting use of the Pier. Such policies are in addition to and do not replace the land use ordinance provisions of the Eastern Waterfront Port Zone and other applicable local, state, and federal regulations.

### *Policies informing this Agreement:*

- City Council Direction established in 2006, with the *Policy Statement for the Maine State Pier*
- City Council Order 54-09/10, 2009, Order *Establishing Short Term Future Development for the Maine State Pier*, and, the multiple lease arrangements negotiated and signed with Pier

## **Existing Uses, Leases and Site Plans**

This Agreement additionally respects and intends to be consistent with existing lease agreements between the City and current and future tenants of the Pier, as well as any subdivision and site plan approvals issued by the Planning Authority in reliance of such leases. Existing leases include:

- Casco Bay Island Transit District
- Portland Tug Boat Company
- Ready Seafood and Catch a Piece of Maine

- Shucks Lobster
- Schooners *Wendameen and Bagheera*, Portland Schooner Company
- Slope *Frances*, HDH Marine LLC

In addition to the above uses, the City of Portland operates facilities and events on the Pier, including:

- Cruise ship port of call and home port landings
- Transient vessel berthing
- Emergency Services, including three vessels and crew quarters
- Compass Park, including festivals, concerts, public fishing, and a public landing
- Buoy Park, including street artists and public landing with water taxi service.

Finally, The Portland Ocean Terminal and Ocean Gateway have adjacent paved circulation areas that outlet vehicles onto the northerly portion of the Pier near the Commercial Street/Franklin Street intersection for international ferry and cruise ship operations.

**All users of the Pier agree to the following:**

1. Retain **Functional Access** to the Pier edge and loading areas for intended purposes consistent with the design intent of the Pier. Maine State Pier is primarily a marine facility and marine operations are the highest priority use of the Pier.
2. Respect the interior of the Pier, walkways, and all parks as **pedestrian friendly environments**. Inform all deliveries, visitors, and vendors to expect pedestrian crowds and to drive at the slowest possible speeds and with the greatest possible care. Reckless, rude, and impatient driving will not be tolerated. Maine State Pier is a “No Wake Zone.”
3. Know and adhere to the **security plans** for the Pier. Report any unusual behavior or lapses in security protocols to the City as soon as possible.
4. Manage customer, client, vendor, and employee **parking** to only those spaces permitted by applicable leases or other written agreements with the City. Encourage off-site locations for all employee shift parking and other long-term parking (greater than 4 hours.) The Pier is not a parking lot.

5. Address **safety** issues immediately through direct action for areas under private (lease described) control, or by communicating with other Pier users if the issue observed lies beyond the control of the observer. All safety issues will be reported to the City as soon as possible.
6. Manage delivery, vendor, and maintenance visits to the pier to promote **off-peak truck travel** to the Pier whenever possible.
7. Use staff to **manage vehicle traffic** whenever needed. Each Pier user generates traffic (passenger vehicles, pedestrians, and trucks) at levels that can negatively impact the use of the pier by others. Use of event staff, truck flaggers, crossing attendants, and other measures may be periodically or regularly necessary. All Pier users agree to be proactive in the use of such measures, and to use the feedback and suggestions of other Pier users to determine when such measures are needed.
8. **Inform the Pier Contact List** by email of any scheduled events, construction, or other impact to the Pier circulation as far in advance as possible, with reminders to follow as the event approaches. Occupants agree to a “no surprises” goal for all out of the norm operations and events.
9. **Attend Pier User Meetings**, as may be scheduled.
10. Keep **contact information** current on the Business Contact and Emergency Call List.

*Business Contact – Email, Post, and Telephone*  
*Emergency Call List – 24 hour*

**Seen and Agreed to:**

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Signature

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**Attachments: TBD**