



TRAFFIC ORDINANCE

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ARTICLE I. IN GENERAL

Sec. 1-1. Authority to establish emergency regulations.

The Police Chief shall have the authority to make emergency traffic regulations, and such regulations shall remain in effect until the next meeting of the City Council.

Sec. 1-2. Enforcement.

It shall be the duty of the police department of this City to enforce the provisions of this ordinance. Officers of the police department are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this ordinance, provided that in the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, officers of the police department may temporarily direct traffic, as conditions may require, notwithstanding the provisions of this ordinance.

Sec. 1-3. Police Chief--General duties.

The Police Chief shall determine and designate the character or type of all official traffic signs and signals and their location. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform throughout the City.

Sec. 1-4. Same--Authorized to mark crosswalks.

The Police Chief is hereby authorized to establish and to designate and shall thereafter maintain, or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

Sec. 1-5. Same--To mark safety zones, traffic lanes.

- (a) For the protection of pedestrians, the Police Chief, from time to time, is authorized to locate safety zones, by suitable designations, within the roadways or highways.
- (b) The Police Chief is also authorized to mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the provisions of this ordinance.

Sec. 1-6. Display of unauthorized signs and signals.

It shall be unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal or device, which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic other than signs denoting construction or obstructions in the street, or which hides from view any official traffic sign or signal. Every such prohibited sign, signal, or device is hereby declared to be a public nuisance, and the Police Chief is hereby empowered to remove the same or cause it to be removed without notice.

Sec. 1-7. Moving vehicle to avoid regulations.

The moving of vehicles from one location to another or removing chalk marks from tires to avoid the provisions of this ordinance shall be deemed a violation thereof.

Sec. 1-8. Removal and impoundment of certain vehicles.

Any police officer in the course of his duty, in his discretion, may remove, or cause to be removed, any vehicle left upon any street or way when such vehicle is not in the apparent charge of any driver or other person, or in violation of any provision of this ordinance, to any suitable place where the same shall remain impounded until reclaimed by the owner or some person acting under the owner's authority. Whatever costs shall be incurred by the officer in the removal of any such vehicle shall be a charge upon the owner thereof, and such charge shall be paid before delivery of the impounded vehicle to the owner.

Sec. 1-9. Parades.

- (a) Except for parades or processions exempted in the following paragraph, no parade or procession shall occupy or march on any public street without first obtaining a permit from the Chief of Police or his designee. Such permit shall be granted after the applicant files an application giving the name and address of the applicant, the name of the organization, the date and time of the event, and the location and route of the event. For traffic safety purposes, the Chief of Police or his designee may restrict the time, place or manner of any parade or procession. The chief officer of such parade or procession shall be responsible for compliance with all route requirements set by the Chief of Police or his designee. The Chief of Police or his designee will furnish such police escort as may be necessary to protect persons and property and maintain public peace and order.
- (b) No permit is required for parades or processions conducted by the police and fire departments or authorized military or naval forces of the state or of the United States.

ARTICLE II. OPERATION

Sec. 2-1. Driving on sidewalks restricted.

It shall be unlawful for the operator of any vehicle to drive such vehicle on any sidewalk, except for the purpose of crossing the same when necessary, and then only by the shortest way between the street and the abutting estate.

Sec. 2-2. Driving on streets closed to traffic.

It shall be unlawful for the operator of a vehicle to drive over that part of any street which is being mended, repaired or paved, if wholly closed to travel.

Sec. 2-3. Driving through safety zone prohibited.

It shall be unlawful for the operator of a vehicle at any time to drive over or through a safety zone as is established by ordinance.

Sec. 2-4. Vehicles not to obstruct other vehicles.

It shall be unlawful for any operator of a vehicle to place such vehicle in any street so as to prevent or obstruct the passing of other vehicles, and it shall be unlawful for any operator to double park a vehicle or stop the same abreast of another vehicle lengthwise or otherwise in any street at any time.

Sec. 2-5. Unlawful to drive through a funeral procession.

It shall be unlawful for the operator of any vehicle to drive between or attempt to cut across the line of a hearse and the other vehicles and pedestrians constituting a funeral procession.

Sec. 2-6. Unlawful riding.

It shall be unlawful for any person to ride on any bus or vehicle upon any portion thereof not designated or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or within truck bodies in space intended for merchandise.

Sec. 2-7. Establishment and designation of schedule of streets for the restricted truck traffic.

The City Council is hereby authorized to establish and designate from time to time those streets, or portions thereof, where public safety requires restricting or eliminating truck traffic. All such streets shall be designated by appropriate signs. The City Council may revoke, alter or amend the designation of any street as a restricted truck traffic area.

Sec. 2-8. Operation of motor vehicles in excess of 12,000 pounds on a street designated as a restricted truck traffic street.

No person shall operate any commercial vehicle exceeding twelve thousand (12,000) pounds, (gross weight, manufacturer's rated capacity) at any time upon any of the streets or portion of such street, designated as a restricted truck traffic area pursuant to section 2-7 above, except that such vehicles may be operated thereon for the purposes of delivering or picking up materials or merchandise, provided however that where such vehicles are used for such purposes, they enter restricted truck traffic areas at the intersection nearest the destination of the vehicle. Upon leaving the destination point, such vehicles shall leave the restricted truck traffic area by the shortest possible route. This section shall not apply to emergency vehicles, vehicles operated by the state highway department, vehicles operated by any public utilities firm, or vehicles operated by the public works department in the performance of their duties.

ARTICLE III. STOPPING, STANDING AND PARKING

Sec. 3-1. Fines.

- (a) Any person stopping, standing, or parking in a space for a period of time which is in violation of any section of this Article, shall be liable to a fine of twenty-five dollars (\$25.00) for each violation or two hundred dollars (\$200) if parked in a handicap designated space. Failure to pay such fine within fourteen (14) calendar days of the violation shall cause such fine to be increased to fifty dollars (\$50.00) or to two hundred and fifty dollars (\$250) if ticketed for parking in a handicap designated space.
- (b) Payment of any fines assessed by reason of this section shall be in the order said fines occurred until all outstanding fines have been paid. The order of payment hereunder shall include any charges for towing and storage.
- (c) Failure to pay a fine provided for in subsection (a), above, within the allowable twenty-one day period will, in addition to the fine increase and payment of charges for towing and storage, make the violator subject to a summons to the district court to enforce payment of the fines and charges for towing and storage.
- (d) In addition to the aforementioned fines and charges, the individual summoned into district court in accordance with this subsection (c) shall be subject to an additional fine of up to fifty dollars (\$50.00).

Sec. 3-2. Owner's responsibility.

No person shall allow, permit, or suffer any vehicle registered in his name to stand or park in any street or highway in violation of any of the provisions of this ordinance, or any amendment thereof.

Sec. 3-3. Police Chief to regulate parking time limits; posting charges.

The Police Chief is hereby authorized to change the designation of any parking time limit when in his discretion such change is necessary. All such changes in the parking time limit shall be appropriately posted in all sections affected by such change.

Sec. 3-4. Required manner of parking; exceptions.

Except when necessary in case of an accident to a vehicle or in obedience to traffic regulations or traffic signs or signals the operator of a vehicle shall park such vehicle headed in the direction of traffic, and with the curb-side wheels of the vehicle within one (1) foot of the edge of the roadway, except as provided in this section:

- (a) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at an angle to the curb indicated by such marks or signs.
- (b) The Police Chief shall determine upon what street angle parking shall be permitted and shall mark or sign such streets or cause the same to be marked or signed.

Sec. 3-5. Prohibited in specified places.

It shall be unlawful for the operator of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with traffic or in compliance with the directions of a police officer or traffic-control sign or signal:

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) Within twenty-five (25) feet of a point where the curb lines extended would intersect at a street corner, or within such other distance in any specific location as shall be determined by the Chief of Police and indicated by markings on the pavement or curb or by suitable signs, or both.
- (4) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or trafficcontrol signal located at the side of a roadway.
- (5) In any place where the use of any driveway will be obstructed.
- (6) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic.
- (7) Within ten (10) feet of either side of any fire hydrant when the location of such fire hydrant is indicated by signs, or suitable markings.
- (8) At angles in streets, and at or near intersections where the standing of vehicles would obstruct the free movement of traffic and in front of and opposite fire stations, passenger bus turnouts, where the Police Chief shall deem necessary and shall indicate by signs.
- (9) A space in a private parking lot open to the public marked by signs prohibiting parking or striping on the pavement, provided the owner or operator of the parking has entered into an agreement with the City for police enforcement of parking restrictions.
- (10) A space in a City owned parking lot open to the public marked by signs or striping on the pavement prohibiting parking.
- (11) On any street in a Residential-A or Residential-B zone between 9:00 p.m. and 7:00 a.m., if the vehicle is a commercial vehicle registered as such by a state and has a registered gross vehicle weight in excess of 18,000 pounds.
- (12) Other such places which are from time to time established by ordinance.

Sec. 3-6. Loading zones.

For the purpose of restricting parking in front of doorways and entrances of buildings where people congregate, or where unusual loading or unloading of merchandise exists, the Police Chief shall have authority to determine the locations of loading zones, and he shall cause to be erected and maintained appropriate signs indicating such zones.

Sec. 3-7. Parking for the disabled.

- (a) It shall be a civil violation for the operator of any vehicle to park such vehicle in an officially designated disability parking space, whether the designated disability parking space is located on public ways or public parking lots or on private parking lots open to the public, unless the operator of any such vehicle has been issued a license or placard issued in accordance with the requirements of state statutes and this section.
- (b) Issuance of permits. Disabled persons and disabled veterans must apply to the office of the Secretary of State for issuance of special disability license plates or placards, as provided for in 29-A MRSA section 521, as amended. Temporary disability placards are issued by the Secretary of State as provided for in 29-A MRSA section 521, as amended.
- (c) The Police Chief shall designate the disability parking spaces on all public ways and public parking lots. Owners of private off-street parking lots open to the public may designate such parking spaces for the disabled on their private off-street parking lot areas open to the public.
- (d) All such parking spaces that are designated must be clearly marked as a disabled parking space. "Clearly marked" is defined to mean painted signs or distinctive colors on pavement or vertical standing signs with appropriate symbols or writing which are visible in existing weather conditions.
- (e) The Police Chief shall ensure that parking spaces as defined herein are used appropriately by disabled persons whether the spaces are designated on public ways or parking lots or on private parking lots open to the public. Any person found to be parking in a disabled parking space as that term is defined herein without special license plates or placards as those terms are defined herein, or a temporary handicap placard, shall be fined in accordance with section 3-1.

Sec. 3-8. Prohibition of parking in fire lanes.

- (a) It shall be a civil violation for the operator of any vehicle to park such vehicle in a properly designated fire lane.
- (b) The Police Chief may designate fire lanes in any public way or publicly owned parking lot.
- (c) Owners of private off-street parking lots open to the public may enter into an agreement with the City to enforce fire lane parking restrictions. The owners of private off-street parking lots must designate those spaces that are to be considered a fire lane in their private off-street parking lot areas open to the public. All such fire lane parking restrictions must be clearly marked as "fire zone--no parking". "Clearly

marked" is defined to mean painted signs or distinctive colors on pavements or vertical standing signs with appropriate symbols or writing which are visible in existing weather conditions.

- (d) The police department shall ensure that the prohibition against parking in fire lanes in either public or private areas is enforced.
- (e) Any person parking in a designated fire lane parking space shall be fined in accordance with section 3-1.

ARTICLE IV. SCOFFLAW PROVISIONS

Sec. 4-1. Impoundment of motor vehicles for failure to pay parking violation charges.

Any vehicle, which has accumulated two (2) or more overdue parking violation charges may be removed and stored until all charges both for all outstanding violations and also the towing and storage charges have been paid.

Sec. 4-2. Procedure and notice.

The police officer requesting such removal shall at the time of such removal notify the police dispatcher of the intended storage location of the removed motor vehicle. Such information shall be recorded by the dispatcher for the use of the Chief of Police or his authorized representatives. The Chief of Police or his authorized representatives shall notify the registered owner of such vehicle within five (5) business days of the impoundment thereof, the storage location of such vehicle and the requirements for the release of the vehicle.

Sec. 4-3. Custody of vehicles.

Any person having custody of an impounded vehicle in accordance with sections 4-1 and 1-8 shall not release it until the Chief of Police or his authorized representatives certify that all charges for violations have been paid and that all charges for towing and storage have been paid, and the individual requesting the vehicle's release presents satisfactory evidence of his right to possession of the vehicle and signs a receipt therefore.

Sec. 4-4. Discovery of violation.

Any police officer who locates a vehicle in actual violation of the preceding sections of this article may, at his option, request the dispatcher to ascertain the most accurate current data available pertaining to the violating vehicle for the purpose of removing and impounding such vehicle. If the most current data available on such vehicle demonstrates that such vehicle is in violation of this article by having two (2) or more overdue parking violation charges, the police officer may then elect to order the towing of the vehicle to a predetermined impoundment location.

Sec. 4-5. Towing procedure.

Once towing has been initiated, one of the three (3) following conditions may occur:

- (a) If the tow truck is enroute to the scene but has not yet arrived, and the owner or driver has arrived, then the owner or driver must pay the tower, on arrival, in the amount of one-half (½) of the towing charge and must pay the Chief of Police or his authorized representative for all overdue parking violation charges to effect on-the-scene release of the vehicle.
- (b) If the tow truck and vehicle owner or driver arrive on the scene at approximately the same time, the owner or driver must pay the tower the amount of one-half (½) of the towing charge and must pay the Chief of Police or his authorized representatives for all overdue parking violation charges to effect on-the-scene release of the vehicle.
- (c) If the vehicle is actually towed away for impoundment, then the vehicle owner or his designee must pay the Chief of Police or his authorized representatives for all overdue parking violation charges and must pay the tower for all towing and/or storage charges in order to gain release of the vehicle provided the owner or designee has satisfactorily presented evidence of his right to possession of the vehicle.

ARTICLE V. VIOLATIONS

Violations of any provision of this ordinance shall be subject to the penalties as prescribed in the Administrative Ordinance, Article II, Section 2-9, unless a different penalty is provided herein.

APPROVED

Waterville City Council
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