

Sabattus, Maine – Code of Ordinances

PARKING AND TRAFFIC CONTROL ORDINANCE

Section 1. Title, Purpose, and Definitions

Title: Municipal Code Parking Ordinances, Town of Sabattus, Maine, shall be known and may be cited as the "Parking and Traffic Control Ordinance of the Town of Sabattus."

Purpose: The purpose of this chapter is to regulate traffic, parking and the use of the streets, ways, and roads of the Town of Sabattus, and to provide for the enforcement of such for the public health, safety, convenience and welfare of the town.

Definitions:

Vehicle - Shall mean every device in, upon, or by which any person or property is or may be transported upon a street, way or road except devices moved by human power or used exclusively on tracks or skis.

Park - Shall mean the standing of a vehicle, whether occupied or not, other than temporary, for the purpose of and while actually engaged in loading or unloading.

Standing - Shall mean any stopping of a vehicle whether occupied or not.

Streets, Ways, or Roads - Shall mean the entire width between property lines or every way or place of whatever nature when any part thereof is owned by the Town of Sabattus and open to the use of the public for vehicular traffic.

Roadway - Shall mean that portion of a street, way or road designated or ordinarily used for vehicular traffic.

Person - Shall mean every natural person, firm, agency, co-partnership, association, company, entity, or corporation.

All-night parking - Shall mean parking for any period of time between the hours of 12:01 a.m. & 6:00 a.m. during such periods of the year as specified herein. Physicians or emergency personnel on bona fide emergency calls are exempt from this provision.

Official Traffic-Control Device, Sign - Shall mean all signals, signs, markings, and devices placed or erected by the authority of the board of selectman or public official having jurisdiction for the purpose of regulating, warning, or guiding parking or traffic.

Sabattus, Maine – Code of Ordinances

Bicycle - Includes a motorized bicycle or tricycle, and "toy vehicles", including but not limited to, skate-boards, roller skates, wagons, sleds and coasters.

Section 2. Authority to restrict parking

The chief of police for the purpose of, and based on the public health, safety, welfare, and convenience, is authorized to designate temporary no parking areas. The chief or his designee shall constantly examine and make recommendations to the board of selectmen, concerning issues of safety, hazards, crosswalks and safety zones for motorists and pedestrians. The board of selectmen shall inform the road commissioner, who shall be responsible for installing and maintaining appropriate signs and/or devices that will indicate the changes to such areas or zones.

The board of selectmen shall, for the purpose of and based on the public health, safety, welfare, and convenience, restrict parking in certain areas along streets, ways, and roads, and, except regarding parking of vehicles during winter months, shall direct the road commissioner to install and maintain appropriate signs and/or devices indicating such.

Section 3. Speed restrictions

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control to be operated at a speed which is greater than that which is reasonable and prudent upon any public street, way or public area within the Town of Sabattus.

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control to be operated at a speed which is greater than that indicated in the following areas:

- (a) *Martin's Point (so-called)* - 10 MPH
- (b) *School yards, Driveways and Parking lots* - 10 MPH
- (c) *Municipal parking lot* - 5 MPH in Municipal parking lot
- (d) *Public Works grounds* - 10 MPH on Public Works grounds

Section 4. Restricting parking on narrow streets

There shall be no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street indicated by signs when the width of the roadway does not exceed thirty (30) feet.

Sabattus, Maine – Code of Ordinances

When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

SECTION 5. Restricted parking, certain vehicles

It shall be unlawful to leave parked or standing any vehicle or combination of vehicles in excess of twenty-five (25) feet in length on any street, way or road designated by the Board of Selectmen. Vehicles engaged in the delivery of or picking up merchandise are exempt from this section provided that they are parked in a manner which will not interfere with the normal traffic flow.

Section 6. Vehicles prohibited in parks and recreational areas

Motor vehicles, including all types of motor-driven cycles and rv's, shall be prohibited from operating on any town owned and/or operated parks, other town operated recreational areas, including school recreational areas. Parking in town owned or town operated recreational areas shall be permitted only in such areas reserved for use as parking areas.

Section 7: Parking of vehicles during winter months

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered in his name, to stand or be parked in any public street or way from November 15 to April 15 inclusive of each year between the hours of 12:01 a.m. and 6:00 a.m. for a period of more than one-half (1/2) hour, but in no event shall standing or parking between the hours of 12:01 a.m. and 6:00 a.m. be legal if it interferes with or hinders the plowing, loading or removal of snow from such public street or way.

No person shall park or leave standing any vehicle or self-propelled machinery upon a public way within the limits of the Town of Sabattus in such a manner as to interfere with or hinder the plowing or removal of snow at any time. Any Sabattus police officer may cause any vehicle parked in violation of this ordinance to be removed from the way and placed in a suitable parking place at the expense of the person having control of such vehicle or the owner of such vehicle. Neither the town of Sabattus nor its agent shall be liable for any damage which may be caused by such removal.

Sabattus, Maine – Code of Ordinances

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered in his name, to stand or be parked in any municipal parking lot (so-called) in violation of this section.

Section 8. Parking so as to impede snow removal operations

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control, or registered in his name to be left standing, parked or unattended on any public way which has been posted as an emergency snow removal area.

It shall be the responsibility of the road commissioner or his authorized designee, to clearly post "emergency snow removal, no parking" signs, on each road involved, that when posted are placed not more than seventy-five (75) feet apart.

Section 9. Snow removal from private places

Snow removal by any person from any private place or private right-of-way shall be carried out in such a manner that shall not interfere with either vehicular or pedestrian traffic in either direction.

Snow removed from any private place or private right-of-way shall not be deposited along the side, in or on, or adjacent to any public place or public street, way or road so that it impedes public traffic, either vehicular or pedestrian, or causes any public place or public street, way, or road to be obstructed in any manner as to width or length.

Any person or persons who violate Section 9 shall be subject to a fine according to the Town of Sabattus Fee Schedule and, notwithstanding any other penalty provisions provided by this section, the Board of Selectmen may institute any and all actions and proceedings, either legal or equitable, including seeking injunctions for violations and including the imposition of fines, that may be appropriate or necessary to enforce the provisions of this article in the name of the Town of Sabattus and/or to collect or enforce any damages or claims related thereto.

Section 10. Handicapped parking

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered to him to be parked in a parking space designated for use by handicapped persons unless such vehicle displays a special

Sabattus, Maine – Code of Ordinances

registration plate or placard issued pursuant to section 521 of Title 29-A, M.R.S.A., or a similar plate or placard issued by another state.

A public parking space is "designated" for use by handicapped persons if it is marked by a posted sign consisting of a profile view of a wheelchair with occupant in white on blue background and the warning "handicapped parking". The sign must be adjacent to and visible from the parking space it marks.

A parking space on private property is "designated" for use by handicapped persons if it is:

1. Marked by a sign conforming to the standards set forth in subsection (b) above; and
2. Identified in a handicapped parking schedule maintained in police department files.

Any person in violation of this section shall be subject to a fine according to the Town of Sabattus Fee Schedule.

The chief of police, or his designated agent, may enter into an agreement with the owners of private off street parking areas, which are open to the public, to provide for the policing of parking spaces reserved for use by handicapped persons.

Section 11. Penalties, Fines, Authority to impound vehicles for failure to pay fines

A. Except as otherwise provided, any person who violates any of the provisions of this ordinance shall be subject to a fine according to the Town of Sabattus Fee Schedule for each offense to the use of the town of Sabattus; except that, violations of section 4, 5, 15 and 16, upon issuance of a parking tag, may pay a token fine according to the Town of Sabattus Fee Schedule, violations of sections 3, 6, 7, 8, and 14 may pay a token fine according to the Town of Sabattus Fee Schedule and violations of section 10 may pay a token fine according to the Town of Sabattus Fee Schedule, within fifteen calendar days of issuance of a parking tag for such violation and prior to the issuance of a court summons.

B. If payment is not made within fifteen days after the date of the violation, the chief of police or his designee shall cause a notice to be sent to the registered owner at his last known address, as listed in the records of the secretary of state, which notice shall state the date, time, location, offense charged, and fine amount. The notice will also state that the registered owner has fifteen (15) days from the date of the notice to pay the fine in order to avoid a court summons.

Upon the passing of the required fifteen (15) day waiting period as noted in (B) above, the chief of police or his designee shall cause a complaint and summons to issue in the

Sabattus, Maine – Code of Ordinances

district court. The fine shall be according to the Town of Sabattus Fee Schedule. If the owner of any vehicle in violation of any of the provisions of this article cannot be located, the Sabattus police department may cause such vehicle to be removed at the owner's expense and pursuant to this section.

In addition, any vehicle found in violation of any of the provisions of this ordinance, and which has accumulated three (3) or more overdue parking violations which were issued after the effective date of this chapter may be removed by the Sabattus police department and stored until all fines and penalties for all outstanding violations have been paid.

Section 12. Vehicle removal

Any vehicle stopped, standing or parked in violation of this ordinance may be removed by or under the direction of or at the request of the chief of police of the town of Sabattus, or one of his authorized officers to a garage or other storage place and impounded therein. Such police officers may use such reasonable force as may be necessary to enter such vehicle and cause the same to be placed in a condition to be moved, and may employ any reputable person engaged in the business of towing and storing vehicles for such purpose.

Notwithstanding any language herein contained, the removal or storage of a vehicle pursuant to this ordinance and the payment of the charges specified herein no way relieves or prevents prosecution for the violations of any provision of the ordinance of the Town of Sabattus.

The chief of police of the Town of Sabattus, or one of his duly authorized officers shall make every effort to notify the owner of any such vehicle, as promptly as possible, of its removal from the streets, ways, or public places under the control of the Town of Sabattus and as soon as possible a written notice that such vehicle has been impounded shall be sent by the chief of police to the owner at his last known address, as may be shown by the records of the secretary of state. If the owner is unknown, the chief of police shall cause notice of such impound to be published in any newspaper printed in Androscoggin County, giving the registration number (if known), the vehicle identification number, and the name, type and year of said vehicle.

Section 13. Liability of owner

Before the owner of such vehicle or his representative may remove it from the possession of the person towing it or storing it, he shall:

Sabattus, Maine – Code of Ordinances

1. Furnish satisfactory evidence of his identity and of his ownership of said vehicle to the chief of police or his duly authorized officer, and to the person having possession of said vehicle.
2. Pay to the person having possession of said vehicle all reasonable charges for the towing and the storage of said vehicle.

Section 14. No parking zones

No person shall park or leave standing any vehicle or portion thereof, whether attended or unattended, upon the paved, improved or main traveled portion of any way designated "no parking zones"

No person shall allow, permit, or suffer any vehicle, motor vehicle or self-propelled machinery or portion thereof, whether attended or unattended, under his control, or registered in his name to be in violation of this ordinance upon any street, way, highway, road, parking area or public place under the control of the Town of Sabattus so that:

- a. It in any manner blocks a public way, a private driveway or a pedestrian crosswalk.
- b. It is double parked, so-called, except by the verbal permission of the chief of police or one of his duly authorized police officers while on traffic control, or except commercial vehicles for the purpose of delivery, pickup or performing other necessary services, but only in such a manner as shall not impede the free and safe passage of other vehicles.
- c. Any part of said vehicle is in, over or on the area of a sidewalk or any adjoining or adjacent marked parking space.
- d. It obstructs or impedes the passing of other vehicles.
- e. It is within ten (10) feet of any fire hydrant.
- f. It is within ten (10) feet of any crosswalk.
- g. It is within ten (10) feet of the intersection of any street line.
- h. It is within any area, alley or drive so designated as a "fire lane".

Sabattus, Maine – Code of Ordinances

- i. It is parked headed in a direction other than the direction of lawful movement and at the extreme right of the roadway.
- j. It is parked in any place where there are official signs, permanently or temporarily erected, prohibiting parking or standing.

Greene Street: Either side of Greene Street from Main Street west to the Greene/Sabattus town line.

High Street:

- a. On the southerly side between the two driveways to the Catholic Church.
- b. On the northerly side from Holden Street to Long Beach Road.
- c. On the southerly side from Union Street to Long Beach Road.

Main Street: On the easterly side of Main Street from Union Street to the entrance to the old town office parking lot.

Section 15. 30 Minute parking

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered in his name to be parked for a period of time longer than thirty (30) minutes between the hours of 6:00 a.m. and 6:00 p.m. Monday through Saturday.

Main Street:

- a. On the easterly side beginning at a point ten (10) feet south from the intersection of High Street to the entrance to the old municipal parking lot.
- b. On the westerly side beginning at a point 10 feet south from the intersection of Greene Street to a point 20 feet north of Church Street. This section shall not apply during Sunday church services.

Section 16. 20 Minute parking

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered in his name to be parked for a period of time longer than twenty (20) minutes between the hours of 6:00 a.m. and 6:00 p.m. Monday through Saturday.

High Street:

- a. On the southerly side from a point 20 feet east to Union Street.
- b. On the northerly side from Holden Street west to the intersection of Main and High Streets.

Sabattus, Maine – Code of Ordinances

Section 17. Overweight vehicles

No vehicles weighing in excess of 18,000 pounds or having 10 or more wheels shall be operated over the following roads except in case of emergency, highway or utility maintenance work, or delivery to a location on the listed road itself:

- a. No Name Pond Road
- b. Pleasant Street
- c. Phelan Street
- d. Union Street
- e. Elm Street

Section 18. One way streets

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control or registered in his name to be operated on the following streets or public ways except in the direction indicated below:

Union Street: Southerly from High Street to Main Street.

Section 19. Motor vehicles prohibited from sidewalks

No person shall allow, permit or suffer any vehicle, motor vehicle or self-propelled machinery under his control to be operated upon any public sidewalk within the limits of the Town of Sabattus, excluding the direct crossing of same.

Section 20. Stop and yield intersections

Every driver of a vehicle, motor vehicle or self-propelled machinery approaching a stop intersection indicated by a red traffic light or sign, shall make a complete stop on the near side of the intersection at the point nearest the intersecting roadway where the driver has a view to approaching traffic on the intersecting roadway before entering the intersection.

Stop signs shall be erected and maintained by the road commissioner in accordance with the following schedule on the first named street at its intersection with the second named street: *First named:* Lake street *Second named:* Elm street

Sabattus, Maine – Code of Ordinances

Section 21. Bicycles & Skateboards - As Noted in 29-A M.R.S.A. Sub-Section 2063

Riding to the right: A person operating a bicycle, as defined in section 1-c-9 of this ordinance, shall ride it as far as practicable to the right side of the way, except when making a left turn.

Seating: A person operating a bicycle may not ride other than astride a regular and permanently attached seat. A bicycle may not be used to carry more persons than the number for which it is designed and equipped.

Hitching rides: A person riding on a bicycle or toy vehicle may not attach it to a moving vehicle on a way.

Rights and duties: A person riding on a bicycle on a way has the rights and is subject to the duties applicable to the operator of a vehicle.

Speed: A motorized bicycle may not be operated in excess of 20 miles per hour.

Impoundment and penalties: The chief of police or any sworn police officer of the Town of Sabattus, when satisfied that a juvenile under the age of 17 years has ridden a bicycle in violation of this section, may impound the bicycle for a period not to exceed 5 days for the first offense, 10 days for the second offense and 30 days for subsequent offenses. A person 17 years of age or over who violates this section may be fined according to the Town of Sabattus Fee Schedule.

Section 22. Date of Effect

This ordinance shall take effect and be in force thirty (30) days after its approval by the Selectmen of the Town of Sabattus and shall supersede all previous traffic and parking control ordinances.

Section 23 Validity

Should any section, or part thereof, of this ordinance be held by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Sabattus, Maine – Code of Ordinances

Accepted:

Original Adoption:

Revision Dates:
