

Chapter 13 VEHICLES AND TRAFFIC*

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ARTICLE 1. PARKING RESTRICTIONS

Sec. 13-1. Title, purpose, and definitions.

- (a) *Title.* Chapter 13 of the Municipal Code of Winslow, Maine shall be known and may be cited as the "Traffic and Parking Ordinance of the Town of Winslow."
- (b) *Purpose.* The purpose of this chapter is to regulate traffic, parking, and the use of the streets, ways, and roads of the Town of Winslow, and to provide for the enforcement of such for the public health, safety, convenience and welfare.
- (c) *Definitions.*
 - (1) *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.
 - (2) *Park:* Shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.
 - (3) *Standing:* Shall mean any stopping of a vehicle, whether occupied or not.
 - (4) *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 Winslow and open to the use of the public for vehicular traffic.
 - (5) *Roadway:* Shall mean that portion of a street, way or road designated or ordinarily used for vehicular traffic.
 - (6) *Person:* Shall mean every natural person, firm, agency, co-partnership, association, company, entity, or corporation.
 - (7) *All-night parking:* Shall mean parking for a period of time between the hours of 12:00 a.m. and 6:00 a.m. of the day, during such period of the year as specified herein. Physicians or emergency personnel on bona fide emergency calls are exempt from this provision.
 - (8) *Official traffic-control devices, signs:* Shall mean all signals, signs, markings, and devices placed or erected by authority of the town council or public official having jurisdiction for the purpose of regulating, warning, or guiding parking or traffic.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-2. Authority to restrict parking.

- (a) The chief of police for the purpose of and based on the public health, safety, welfare, and convenience, is authorized to designate crosswalks and safety zones for pedestrians and inform the director of public works who shall be responsible for installing and maintaining appropriate signs and/or devices indicating the type of such areas or zones.
- (b) The town council shall designate intersections along streets, ways, and roads as areas to "Yield" and to cause appropriate signs to be installed designating such.
- (c) The town council 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 director of public works to install and maintain appropriate signs and/or devices indicating such.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-3. Stopping, standing or parking prohibited in specified areas.

No person shall leave any motor vehicle stopped, standing or parked, except when necessary to avoid conflict with other traffic or in compliance with law or at the direction of a police officer, in any of the following places:

- (1) On a sidewalk;
- (2) Across the front of a private or public driveway;
- (3) Within a minimum of fifteen (15) feet of an intersection;
- (4) In a properly marked loading zone, unless authorized for loading and unloading;
- (5) Alongside or opposite a street or highway excavation;
- (6) Within fifteen (15) feet on either side of a fire hydrant;
- (7) Blocking entrance to fire station; and
- (8) At any place where official signs prohibit parking or standing.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-4. Restricted parking on narrow streets.

- (a) 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 such signs when the width of the roadway does not exceed thirty (30) feet.

- (b) 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.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-5. 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 town council. Vehicles engaged in the delivery of or picking up merchandise are exempted from this section provided that they are so parked as to not interfere with traffic flow.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-6. Motor vehicles prohibited in parks and recreational areas.

Motor vehicles, including all types of motor-driven cycles, shall be prohibited from operation on any town-owned and town-operated parks and other town-operated recreational areas, including school recreational areas, except public maintenance and construction vehicles. Parking in town-owned or town-operated recreational areas shall be permitted only in such areas reserved for use as parking areas.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-7. Parking of vehicles during winter months.

No vehicle except ambulances, fire trucks, police vehicles, public works, or public utilities vehicles, or any other vehicle in an emergency, shall be parked on any public streets, ways, or roads in the town from the hours of 12:00 a.m. to 7:00 a.m. each year from November 15 to April 15 of the following year. Notice of this section shall be published each year in a newspaper of general circulation within the Town of Winslow.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-8. Obstructing public snow removal; towing of vehicles.

- (a) Any police officer of the town may cause any vehicle on any public street, way, or road, which interferes with or hinders the removal of snow from any public place, or the safe or convenient movement of traffic during public snow removal, to be removed from the street, way, or road and placed in a suitable parking area at the expense of the owner of such vehicle. Neither the State of Maine or the Town of Winslow nor any officer, official, or employee of the Town of Winslow shall be liable for any damages that may be caused by such removal of any such vehicle.
- (b) The Winslow police department shall remove any such motor vehicle illegally parked pursuant to this section by a duly licensed wrecker, and the costs, and expenses of the removal of such motor vehicle shall be at the expense of the owner.

- (c) The owner of such illegally parked motor vehicle pursuant to this section may obtain possession of such vehicle after removal, only upon payment of all costs and expenses of such removal, plus the payment of all parking fines and other civil penalties pursuant to the applicable penalty provisions.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-9. Handicapped parking.

- (a) No person shall park a vehicle in a parking space designated for use by handicapped persons unless such vehicle displays a special registration plate or placard issued pursuant to Section 252 of Title 29, M.R.S.A., or a similar plate or placard issued by another state.
- (b) 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." Such sign must be adjacent to and visible from the parking space it marks.
- (c) 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.

The chief of police, or his designated agent, may enter into agreements with owners of private off-street parking which is opened to the public, to provide for the policing of parking spaces reserved by such owners for use by handicapped persons.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-10. Penalties, authority to remove vehicles; authority to impound vehicles for failure to pay fines.

- (a) Any person in violation of any of the provisions of this article shall be subject to a fine of twenty-five dollars (\$25.00) payable to the Town of Winslow. If such payment is not made within thirty (30) days after the date of such violation, the fine shall be fifty dollars (\$50.00). If the owner of any vehicle in violation of any of the provisions of this article cannot be located, the Winslow police department may cause such vehicle to be removed at the owner's expense and pursuant to this section.
- (b) Any person in violation of the provisions of this article may waive all court action by making payment of such fine as stated by paragraph (a) above to the treasurer of the Town of Winslow within twenty-one (21) days from the date of such violation.
- (c) In addition, any vehicle in violation of the provisions of this article, and which has accumulated two (2) or more overdue parking violations after the effective date of this

chapter may be removed by the Winslow police department and stored until all fines and penalties for all outstanding violations have been paid, along with all towing and storage charges, pursuant to the following:

- (1) Any vehicle in violation of this subsection may be removed from any street, way, or road by the chief of police or his designee or any police officer to a predetermined impoundment location by a towing company and duly licensed wrecker;
- (2) The chief of police or his designee or the police officer requesting such removal of such vehicle shall make a reasonable effort to notify the owner that such vehicle has been removed for failure to pay such overdue parking fines. In cases where the registered owner cannot be directly contacted by such member of the police department, the chief of police or his designee shall give notice to such registered owner at his or her last known address as indicated by the motor vehicle records of the Maine Secretary of State, by regular mail, within five (5) days of such removal of such vehicle, which notice shall state the place of storage, the parking violations alleged, the cost of the outstanding parking fines, and a statement that such vehicle cannot be retrieved without a receipt from the treasurer of the Town of Winslow stating that all such outstanding fines have been paid in full. Such person in violation of this article and subject to this subsection must present such receipt for payment in full from the treasurer of the Town of Winslow to the towing company, and shall also furnish to such towing company reasonable proof of ownership or right to possession of such vehicle, and sign a receipt therefor to such towing company before release of such vehicle shall be allowed.

- (d) Notwithstanding any other penalty provisions provided by this section, the town council 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 Winslow and/or to collect or enforce any damages or claims related thereto.

(Ord. No. 7-1986, 12-8-86; Ord. No. 1-2003, 5-12-03)

ARTICLE 2. SNOW REMOVAL

Sec. 13-11. Snow removal from private places.

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

(Ord. No. 7-1986, 12-8-86)

Sec. 13-12. Penalty.

Any person or persons who violate this article shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) and, notwithstanding any other penalty provisions provided by this section, the town council 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 Winslow and/or to collect or enforce any damages or claims related thereto.

(Ord. No. 7-1986, 12-8-86)

ARTICLE 3. MISCELLANEOUS VEHICLE AND TRAFFIC RESTRICTIONS

Sec. 13-13. Vehicles transporting waste and refuse.

- (a) All vehicles of every nature, while transporting any waste, garbage, refuse, rubbish, or waste of whatever kind or nature shall have the same so parked, contained, and covered by a tarpaulin, canvas or other such protection so that there is no reasonable probability or likelihood that such waste or refuse or any part thereof has, can, or will be scattered or dropped from said vehicle while in transit or upon arrival at any dump or solid waste disposal site used by or authorized for use by the Town of Winslow; and none of any such waste or refuse shall be scattered, dropped, or in any manner deposited on any public or private way or on any public or private property, except with the consent of the owner in accordance with the law and the ordinances and orders of the town. Any dropping or scattering of any of said materials or that such waste or refuse is uncovered as required herein [sic] while in transit or upon arrival at the dump or solid waste disposal site used by or authorized for use by the Town of Winslow shall be prima facie evidence that such materials were improperly packed or contained in said vehicle. Any such vehicle arriving at any dump site or solid waste disposal facility used by or authorized for use by the Town of Winslow which vehicle is carrying any such waste or refuse which is uncovered, as required by this section shall not be allowed to dump its refuse contents.

- (b) It shall be the duty of the chief of police and every police officer and the health officer to cause the summons and prosecution of any person failing to comply with the provisions of this section; and every such violation of this section shall further be considered a civil violation subject to a fine of not more than one hundred dollars (\$100.00), and may further result in the revocation or suspension of the dumping permit privileges of the vehicle owner or person in violation of this section. Notwithstanding any other penalty provisions provided by this section, the town council 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 section in the name of the Town of Winslow and/or to collect or enforce any damages or claims related thereto.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-14. Prohibition concerning advertising matter placed on motor vehicles.

- (a) No person shall place, leave or attach any pamphlets or advertising matter in, about or upon any motor vehicle not owned by that person while such vehicle is parked on any highway, street, municipality owned parking area, way, road, or any other public place, except that this action shall not apply to traffic tickets, summons or legal notices placed on any such motor vehicle by an officer of the law. "Public place" shall mean a place to which the public at large or a substantial group has access, including but not limited to public ways including any public highway, private way laid out under authority of statute, way dedicated to public use, way upon which the public has a right of access or has access as invitees or licensees, or way under the control of park commissioners or a body having like powers, and public place shall also include but not be limited to schools, government-owned custodial facilities, and parking lots of apartment houses, churches, hotels, public buildings, and transportation terminals.
- (b) Any person or persons who violate this section shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Notwithstanding any other penalty provisions provided by this section, the town council 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 section in the name of the Town of Winslow and/or to collect or enforce any damages or claims related thereto.

(Ord. No. 7-1986, 12-8-86)

Sec. 13-15. Parking and traffic restrictions on North Garand Street and Boston Avenue.

- (a) Effective thirty (30) days from the passage of this section, there will be absolutely no parking on North Garand Street and Boston Avenue commencing at the intersection of Clinton Avenue and those streets, thence north to the intersection of Danielson Street and the above-stated street, with the exception of public service and emergency vehicles.
- (b) These parking regulations shall be in effect from 7:00 a.m. to 4:00 p.m., Monday through Friday; and these streets shall be designated as tow-away zones.
- (c) Commencing fifteen (15) feet north and on the east side of the intersection of Clinton Avenue and North Garand Street for a distance of fifty (50) feet shall be designated a loading zone only, with no other vehicle traffic allowed other than delivery trucks or vehicles.
- (d) Any person or persons parking a vehicle in violation of this section shall be ticketed by any member of the police department, and the violating vehicle shall be removed from the street by a wrecker and placed in a storage area at the owner's expense.
- (e) Any person or persons found to be in violation of this section shall be subject to the fines set

forth in section 13-10 of the Winslow Town Code.

(Ord. No. 4-1988, 8-8-88)

Sec. 13-16. Parking Ban on Clinton Avenue.

- A. There will be absolutely no parking on the south side of Clinton Avenue commencing at the intersection of Monument Street and proceeding west for a distance of two hundred thirty (230) feet.
- B. Any person or persons parking a vehicle in violation of this ordinance shall be ticketed by a member of the Winslow Police Department and the violating vehicle shall be removed from the street by a wrecker and placed in a storage area at the owner's expense.
- C. Any person or persons found to be in violation of this ordinance shall be subject to the fines set forth in Sec. 13-10 of the Winslow Town Code.

(Ord. No. 1-2003, 5-12-03)

