

## **TOWN OF BROWNFIELD**

### **PARKING ORDINANCE**

Approved by the Board of Selectmen, this regulatory ordinance is adopted pursuant to 30-A M.R.S.A. Section 3009.

AN ORDINANCE REGULATING PARKING UPON THE PUBLIC STREETS OF THE TOWN OF BROWNFIELD AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT HEREWITH.

Be it enacted by the Board of Selectmen for the Town of Brownfield as follows:

#### **SECTION I – Stopping, Standing or Parking Prohibited in specific places**

No person shall stop, stand or park a vehicle or motorcycle, except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a law enforcement officer, or traffic control device, in any of the following places:

1. On any area designated as a fire access;
2. On a sidewalk;
3. In front of or within a public or private road, driveway, alleyway, fire lane, or loading zone;
4. Within an intersection;
5. Within ten feet of a fire hydrant;
6. On a crosswalk;
7. Within 15 (fifteen) feet of the rear corner of the curbs at an intersection, except where otherwise designated;
8. Within 15 (fifteen) feet upon the approach to any stop sign located at the side of a roadway;
9. On the roadway side of any vehicle stopped or parked at the edge of a curb or street;
10. Upon any bridge
11. At any place where official signs, white or yellow painted curbs or other road painting or markings so prohibit;
12. In any other place or manner which obstructs vehicular or pedestrian traffic along a public or private way
13. On Route 160 on both sides of the road between CMP pole #46S in a northerly direction of 7,050 feet to CMP pole #23 in order to reduce the risk of a traffic accident due to people parking on both sides of the where there is no shoulder on either side of the highway.
14. On Route 160 on both sides of the road between CMP pole #163 to pole #167 for a distance of 600 feet, to the Green Bridge over the Saco River in order to reduce the risk of pedestrian / vehicular accidents for people accessing the Saco River.

## **SECTION II – Obstruction of Free Passage**

No person shall stop, stand, park or leave a vehicle or motorcycle on any street in such a manner or under such condition so as to obstruct the free passage of other vehicles or motorcycles in either direction, or so as to leave available less than fifteen feet of the width of the roadway for free movement of vehicular traffic, unless specifically permitted by a law enforcement officer.

A person is guilty of obstruction public ways if he unreasonably obstructs free passage of foot or vehicular traffic on any public way and refuses to cease or remove the obstruction upon a lawful order to do so given him by a law enforcement officer.

As used in this section, “public way” means any public highway or sidewalk, 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.

## **SECTION III – Reverse Direction Parking Prohibited**

No person shall allow, permit or suffer any vehicle or motorcycle to stand or park on any street facing oncoming traffic.

## **SECTION IV – Parking within Special Allowable Times**

The provisions of this Ordinance prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specific or as indicated on official signs except when it is necessary to stop a vehicle or motorcycle to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or official traffic-control device.

## **SECTION V – Snow Ban Parking Restrictions**

Between November 1 and April 15 no vehicle or motorcycle shall be parked on any street or way from 11:00 p.m. to 7 a.m., so as to interfere with or hinder the removal or snow from said street or way by the Town plowing or loading and hauling. Parking may be prohibited with notification to facilitate daytime snow removal.

## **SECTION VI – Removal of Vehicles at Owner’s Expense**

The Board of Selectmen or Public Works Director or their Authorized Designee(s) may cause any vehicle or motorcycle parked in violation of Section V, or any other provision of this Ordinance, to be moved and placed in a suitable parking space off of the street, at the expense of the owner of such vehicle or motorcycle, and without the Town being liable for any damage that may be caused by such removal.

## **SECTION VII – Overnight Parking Prohibited**

No person shall park, leave or abandon any vehicle or motorcycle on any street or public way between the hours of 1:00 a.m. and 5:00 a.m. This restriction specifically prohibits sleeping in parked on any street or public way between the hours of 1:00 a.m. and 5:00 a.m.

## **SECTION VIII- Handicapped Parking**

No person shall park any vehicle or motorcycle in any parking space designated as a “Handicapped” or “Disabled” parking unless the vehicle or motorcycle bears a special registration plate or placard issued under M.R.S.A. Title 29-A, section 521 or 523, or a similar plate.

## **SECTION IX- Restricted Parking**

No person shall park any vehicle or motorcycle such as to prohibit the access or egress of Fire or Rescue vehicles into or out of a fire station or at the scene of a fire or other emergency.

## **SECTION X- Use of Sidewalks**

The use of bicycles, skateboards, roller-skates and in-line skates on any public sidewalks between June 15 and Labor Day is strictly prohibited. Bikes may be "walked" along sidewalks.

## **SECTION XI – Notice**

It shall be the duty of the Board of Selectmen or their designee to erect appropriate signs giving notice of any parking time limit imposed or parking prohibition and no such regulations shall be effective unless said signs are erected and in place at the time of the alleged offense.

## **SECTION XII- Maintenance**

The Public Works Director with the approval of the Board of Selectmen shall place and maintain, or cause to be placed and maintained, traffic-control signs, signals and devices when and as required or authorized under this Ordinance, and may place and maintain such additional traffic-control devices as he/she may deem necessary to regulate traffic under this Ordinance or under State Law, or to guide or warn traffic, including angle parking signs, and markings, turning markers, and signs prohibiting left, right or U-turns, the location of which he is authorized to determine. All traffic-control devices so erected and not inconsistent with the provisions of State Law or this Ordinance shall be official traffic control devices.

## **SECTION XIII- General Penalty**

Unless another penalty is expressly provided by State Law, any person convicted of a violation of any provisions of this Ordinance shall be punished by a fine of not more than \$100.00 except as otherwise provided in the following subsection of this section; and any such fines or penalties shall accrue to the Town.

Any persons violating any parking provisions of this Ordinance shall be subject to the general penalty imposed for violation of this Ordinance; however, such person may elect, in lieu of such penalty, to pay the sum of \$10.00 for the first offense of such violation, and \$25.00 for the second and subsequent offenses except for handicapped parking violations, the penalty for such handicapped parking violations to be set at \$50.00 per offense in accordance with 30-M.R.S.A. Section 3009 Subsection 1 D (3). Such payment shall in no event be constructed as an enforced imposition of a fine or penalty, but on the other hand shall be constructed to be an amount which an offended may voluntarily contribute towards the cost and expense of furnishing to the public a less expensive alternative method or regulating and administering traffic law violations. If, however, such payment is not made at the Municipal Office with 72 hours after notice of such violation is served, by traffic ticket or otherwise, this alternative method is not available or applicable, and the penalty provided in this Ordinance shall be imposed.

## **SECTION XIV- Subsequent Penalty (ies)**

After one hour if a vehicle or motorcycle is still parked in violation after being cited for a first offense, the second offense penalty will apply and the vehicle or motorcycle may be subject to being towed at the owner's expense and the owner may be required to pay the "Second Offense" payment to avoid prosecution in District Court.



#### **SECTION XV- Validity**

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

#### **SECTION XVII- Former Traffic Ordinances Repealed**

All former traffic ordinances of this Town are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed prior to the enactment of this Ordinance.

#### **SECTION XVIII- Certification and Public Notice**

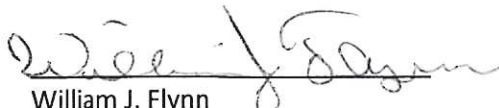
The Town Clerk shall certify to the passage of this Ordinance and cause notice of same to be published in the Shopping Guide.

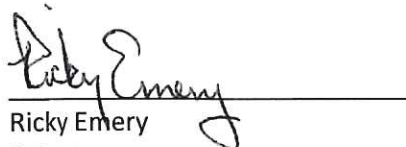
#### **SECTION XIX- Effective Date**

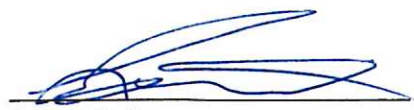
This ordinance shall take effect on November 12, 2019.

#### **TOWN OF BROWNFIELD**

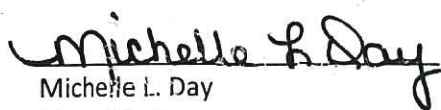
#### **BOARD OF SELECTMEN**

  
William J. Flynn  
Chair, Board of Selectmen

  
Ricky Emery  
Selectmen

  
Erik T. Walker  
Selectmen

**A true copy, Attest:**

  
Michelle L. Day  
Town Clerk