

Revised  
10-2-2015  
DA

## ORDINANCE TO REGULATE PARKING OF VEHICLES IN THE TOWN OF HOLLIS

### ARTICLE I GENERAL

SEC. 1. TITLE: This Ordinance shall be known and may be cited as the Ordinance to Regulate Operation and Parking of Vehicles of the Town of Hollis, Maine.

SEC. 2. AUTHORITY: This Ordinance is adopted by the Select Board pursuant to the Title 30 Section 2152(3) of the Maine Revised Statutes Annotated. Title 29A section 2068.

SEC. 3. PURPOSE: This Ordinance is designed to control operation and parking of vehicles in the Town of Hollis, Maine.

SEC. 4. INTENT: The Select Board of Hollis, Maine intend to maintain in said Town suitable parking signs and marking indicating time, manner, and place of signs and markings as they deem necessary to control and direct traffic and parking within the municipality. No person shall park or leave motor vehicles unattended contrary to this ordinance and such signs and/or marking. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of, prior or existing ordinances or articles of the Town of Hollis, but shall be an additional provision for the regulation of traffic and parking in these zones and areas provided for herein.

### ARTICLE II DEFINITIONS

SEC. 1. DEFINITIONS:

- (a) **VEHICLE**: Every device in upon or by which any person or property is or may be transported or drawn upon a highway, including but not limited to motorized vehicles.
- (b) **MOTOR VEHICLE**: Every vehicle which is propelled but not operated on rails.
- (c) **AUTHORIZED EMERGENCY VEHICLE**: Vehicles of the Fire Department, Police Department, ambulances, and emergency vehicles operated for municipal business.
- (d) **BICYCLE**: Every device propelled by human power upon which a person may ride, having two tandem wheels, including any device generally considered as a bicycle.
- (e) **TRAFFIC**: Pedestrians ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.
- (f) **RIGHT OF WAY**: The privilege of immediate use of roadway.
- (g) **STOP**: Complete cessation of movement.
- (h) **PARK**: When prohibited means the standing of a vehicle whether occupied or not, otherwise than temporarily.

- (i) **ANGLE PARKING:** The motor vehicle shall be parked obliquely to the curb with the right wheel resting at the curb.
- (j) **PEDESTRIAN:** Any person on foot.
- (k) **DRIVER:** Any person who drives or is actually in control of a vehicle.
- (l) **STREET, HIGHWAY, OR ROADWAY:** That portion of a public way open to the public for the use of vehicular traffic.
- (m) **DRIVEWAY OR PUBLIC ROAD:** Every way or place in private ownership and used for vehicle travel by the owner but not of other persons.
- (n) **SIDEWALK:** That portion of a street between the curb or ditch and the adjacent property lines intended for the use of pedestrians.
- (o) **INTERSECTION:** The area embraced within the prolongation or continuation of the lateral side lines of two highways which join one another.
- (p) **THROUGH STREETS:** Every street or highway so marked by appropriate STOP SIGNS.
- (q) **OFFICIAL TRAFFIC SIGNS:** All signs, signals, marking and devices placed or erected by officials having jurisdiction for the purpose of regulating, warning, or guiding traffic.

### **ARTICLE III ENFORCEMENT**

SEC. 1. **AUTHORITY OF POLICE DEPARTMENT:** It shall be the duty of the State Police/York County Sherriff's Department to enforce this ordinance.

SEC. 2. **ORDERS TO BE OBEYED:** No person shall willfully fail or refuse to comply with any lawful order or direction of a Police Officer.

SEC. 3. **REPORTING VIOLATIONS:** It shall be the duty of the Police Officers in jurisdiction of Hollis at any given time, acting in accordance with instructions issued by the Chief of Police to report:

- (a) The state Vehicle Registration number of the vehicle in violation.
- (b) The date and time such vehicle is parked in violation of any of the provisions of this ordinance.
- (c) Any other facts, the knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- (d) Each officer shall also attach to such vehicle a notice to the owner or operator thereof, that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report to the police station in regard to such violation.

### **ARTICLE IV EMERGENCY VEHICLES**

SEC. 1. **EXEMPTION TO EMERGENCY VEHICLES:** The provision of this ordinance shall not apply to authorized emergency vehicles as defined in this ordinance while the driver of such vehicle is operating the same in the necessary performance of public duties.

## ARTICLE V THROUGH STREETS

SEC. 1. THROUGH STREETS DESIGNATED: All streets on which have been erected stop signs per order of the Select Board or the Maine Department of Transportation shall be considered to enter upon through ways.

## ARTICLE VI PARKING

SEC. 1. METHOD OF PARKING: The Owner or Operator shall not park or leave unattended any vehicle on any street or highway in violation of the provisions of this ordinance, or any amendment thereof. All parking shall be parallel to curb unless otherwise specified. Angle parking, as defined in this ordinance, may be used where specified.

SEC. 2. OBEDIENCE TO SIGNS OR MARKINGS: No person shall park or stand a vehicle other than in manner indicated by official markings or signs.

SEC. 3. GENERAL PARKING REGULATIONS: It shall be unlawful for the owner or operator of any vehicle to park or leave unattended any vehicle at the following locations:

- (a) On sidewalk and foot crossings
- (b) In front of a public or private driveway
- (c) Within 25 feet of street intersection
- (d) Within 10 feet of hydrant
- (e) Alongside or opposite a street or highway excavation
- (f) On the roadway side of any vehicle stopped or parked parallel to the ditch or curb
- (g) With the left or the vehicle adjacent to the ditch or curb
- (h) Upon any place where official signs or markings prohibits stopping or parking
- (i) Within 50 feet of any dry hydrant
- (j) Firemen vehicle lot(s) at Station(s)
- (k) North Side of Plains Rd at the Sports Complex
- (l) Both sides of Route 202 within 500 feet of the Buxton-Hollis Town line
- (m) Both sides of Route 5 the length of the Hollis Municipal Equestrian Park
- (n) Both sides of River Road from the double power line to Town Farm Road

Parking in Violation of this ordinance (parking in a no parking area) is a civil violation punishable by a \$50.00 fine. Violators, which have been ticketed, that pay the fine to the Town Clerk will not be summoned to court.

SEC. 4. SPECIAL PARKING/ HANDICAPPED PARKING REGULATIONS: It shall be unlawful for the owner or operator of any vehicle to park or leave unattended any vehicle at the following locations:

HANDICAPPED PARKING: It shall be unlawful for any vehicle to park in a parking space(s) designated as a handicapped parking space without first displaying a special registration plate or placard issued under Title 29A, Section 521 of M.R.S.A. or a similar plate issued by another state, providing that such area(s) after being designated as a handicapped parking space(s) are signed and posted adjacent to and visible for each handicapped parking space a sign consisting of a profile view of a wheelchair with occupant in white on blue background, and bearing the following warning: Handicapped Parking.

SEC. 5. DOUBLE PARKING: No operator or owner shall park or leave unattended any vehicle in any manner which causes two or more vehicles to be parked or left abreast in a double parked manner.

SEC. 6. EXEMPTIONS: This article shall not apply to Police, Fire, Rescue, Highway Department, and funeral vehicles whether official, or private vehicles used at that time in conjunction with official business of police, fire, rescue, highway, or funeral business. The Select Board may issue special designated permits to events that may necessitate a need for special parking. Such permits shall be granted after consultation with the Police Chief, Fire Chief, or their designees.

SEC. 7. OVERTIME PARKING: The owner or operator of any vehicle shall not park or leave unattended any vehicle in defiance of any posted time restricted parking.

SEC. 8. NIGHT PARKING: No vehicle shall be parked on Old Alfred Road (by the bridge) between the hours of 9:30 pm and 5:00 am. This regulation shall not apply to physicians on emergency or professional calls. No vehicle shall be parked at any time on a public way in such a manner as to interfere with snow plowing or snow removal.

SEC. 9. PARKING NEAR FIRE HYDRANTS DURING FIRES: No vehicle shall be parked within 100 feet of a fire hydrant being used at a fire.

SEC. 10. FACING DOWN HILL: When vehicles are parked or left unattended facing downhill, the front wheels shall be turned toward the curb and the emergency brake shall be locked on.

SEC. 11. OBSTRUCTING TRAFFIC: No vehicle shall be parked or left unattended on any street or highway in such a way as to obstruct traffic or to create a traffic hazard

SEC. 12. PARKING ON STREETS NOT MARKED: On all streets in the Town of Hollis upon which no parking signs or street markings appear regulating parking, parking shall be at the right curb or side and parallel to the street.

SEC. 13. PARKING FEE: To establish a uniform fine assessment and collection procedure for violations of this ordinance pertaining to prohibited vehicle parking provisions, the following fine assessment is established: Any violation shall be assessed a \$10.00 fee payable to the Town Clerk. If the fine is not paid within 30 days from the date of the violation, the amount due will

be \$20.00. If not paid within 45 days from the violation, the legally registered owner may be summoned to the 10<sup>th</sup> District Court in Biddeford, Maine, to answer to a complaint of violation of this ordinance. In a court action resulting from the violation of this ordinance, the amount of the fine may be increased by the presiding judge at his discretion to cover the additional municipal costs resulting from court action and to prevent future violation of the ordinance by the individual in question.

## **ARTICLE VII**

SEC. 1. **SEPARABILITY**: The invalidity of any provision or portion of this ordinance shall not invalidate any other part.

## **ARTICLE VIII BICYCLES**

SEC. 1. **RIDING ON SIDEWALKS**: No person shall ride or propel a bicycle on the sidewalk in the business section; nor on any other sidewalk adjacent to the street except in a prudent manner and at a reasonable rate of speed, yielding the right of way to pedestrians and giving audible signal of approach.

## **ARTICLE IX PENALTIES**

SEC. 1. **PENALTIES FOR VIOLATIONS**: Whoever violates any of the foregoing ordinance except Article VI shall, upon conviction, be punished by a civil penalty not more than \$50.00. The Maine District Court shall have jurisdiction of all offenses hereunder.

## **ARTICLE X REMOVAL**

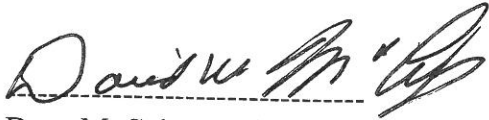
SEC. 1. **VEHICLES MAY BE REMOVED**: Members of the Police Department and Highway Department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety under circumstance hereinafter enumerated at the expense of the Owner:

- (a) Any vehicle unattended left upon any bridge when such vehicle constitutes an obstruction to traffic.
- (b) When a vehicle upon a roadway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
- (c) When any vehicle is left unattended upon a street or highway and is so parked illegally as to constitute a violation of this ordinance or constitute a definite hazard or obstruction to the normal movement of traffic.
- (d) When a vehicle is parked on a public way in a manner that interferes with snow plowing or snow removal.

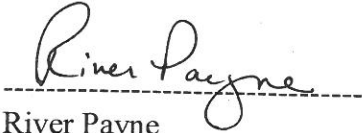
ARTICLE XI TITLE

SEC. 1. This ordinance may be known and cited as THE ORDINANCE TO REGULATE TRAFFIC IN THE TOWN OF HOLLIS and it shall supersede all previous traffic ordinances.

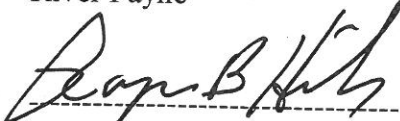
Enacted by Select Board: October 7, 2015



Dave McCubrey, Chairman



River Payne



Roger Hicks