

Parking Ordinance

Town of Sidney, Maine

I. PURPOSE

The purpose of this Ordinance is to promote public safety by maintaining free passage for motor vehicles and pedestrians on public ways.

II. AUTHORITY

This Ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. §3001 and is enacted pursuant to 30-A M.R.S.A. §3009.

III. DEFINITIONS

"Motor vehicle" means a self-propelled vehicle not operated exclusively on tracks.

“Park or parking” means the stopping or standing of a vehicle, whether occupied or not and whether or not the motor is running.

“Public way” means a way, owned and maintained by the State, a county or a municipality, over which the general public has a right to pass.

“Standing” shall mean any stopping of a vehicle, whether occupied or not and whether or not the motor is running.

“Stop or stopping” shall mean any halting or cessation of movement, even momentarily, of a vehicle, whether occupied or not, and whether the motor is running or not.

"Trailer" means a vehicle without motive power and mounted on wheels, designed to carry persons or property and to be drawn by a motor vehicle and not operated on tracks.

IV. OBSTRUCTION OF FREE PASSAGE

No person shall stop, stand, park or leave a motor vehicle, trailer or any other equipment or object on any public way in such a manner or under such condition so as to obstruct the free passage of pedestrians or other motor vehicles in either direction, or so as to leave available less than fifteen feet of the width of the traveled way for free movement of vehicular and pedestrian traffic.

No person shall stop, stand, park or leave a motor vehicle, trailer or any other equipment or object within a road intersection or within ten feet (10') of a street corner.

V. OBSTRUCTION OF SNOW REMOVAL EQUIPMENT

No person shall stop, stand, park or leave a motor vehicle, trailer or any other equipment or object on any public way in such a manner or under such condition so as to interfere with or hinder the removal of snow from said public way by the Town plowing or loading and hauling. All parking may be prohibited with notification to facilitate snow removal.

VI. NO PARKING SIGNS

No person shall stop, stand, park or leave a motor vehicle, trailer or any other equipment or object on any public way where signs are posted at the direction of the Board of Selectmen, giving notice of no parking on the public way.

VII. PENALTIES

Any person who violates the provisions of this ordinance shall be subject to a minimum civil penalty in the amount of \$100.00 and a maximum civil penalty in the amount of \$250.00 per day.

VIII. ENFORCEMENT

- A. This Ordinance may be enforced by the Code Enforcement Officer or by any other municipal official specifically designated by ordinance or other law or by the municipal officers, with such authority.
- B. Pursuant to 30-A M.R.S.A. §3009-A, the Board of Selectmen may contract with the Kennebec County Sheriff's Department for the enforcement of this Ordinance.
- C. Upon determining that a violation has occurred, the enforcing officer shall notify the violator of the violation, order the immediate removal of the vehicle, and impose an appropriate civil penalty.
- D. If the motor vehicle, trailer or equipment is not removed in accordance with the notice issued by the enforcing officer, the enforcing officer may cause any motor vehicle, trailer or other equipment parked in violation 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 motor vehicle, trailer or other equipment, and without the Town being liable for any damage that may be caused by such removal. The enforcing officer shall notify the owner of the removal and shall inform the owner of the location of the motor vehicle, trailer or equipment and the fees due for release. The vehicle, trailer or equipment may not be released to the owner

until the towing and storage fees are paid to the Town.

- E. Motor vehicles, trailers and equipment that are not claimed within thirty days from the date of the enforcing officer's notice shall be disposed of by the Town pursuant to the laws governing abandoned property.

IX. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining provisions of this Ordinance.

X. EFFECTIVE DATE

The Ordinance shall take effect on August 26, 2013.

Selectman Meeting and Public Hearing, dated August 26, 2013.

Selectmen: John Whitcomb, Doug Eugley, Peter Schutte, Kelly Couture, Laura Parker

Vote: 4 for/1 absent (LP)