

TOWN OF MONMOUTH

Parking Ordinance

Adopted April 11, 2007

Amended July 18, 2007

Amended September 30, 2015

Amended September 13, 2017

Section 1. Authority

This Ordinance shall be known as the Monmouth Parking Ordinance. It is enacted to regulate parking within the Town of Monmouth and to provide for the enforcement of regulated parking.

The authority vested in the Board of Selectmen to enact an ordinance to regulate parking in the Town of Monmouth is found in Title 30-A, M.R.S.A., Chapter 141: Ordinances, Section 3009.

This Ordinance is approved by the Board of Selectmen on January 17, 2007.

Section 2. Definitions

Motor Vehicle shall mean any self propelled vehicle not operated exclusively on tracks, including motor cycles and mopeds, but not including aircraft, watercraft or any other vehicle prohibited by law from operating on the public ways.

Park shall mean the standing of any vehicle whether occupied or vacant, other than temporary or for the purpose of loading or unloading.

Person shall mean any individual, firm, agency, partnership, association, company, corporation or entity.

Sign shall mean any sign, traffic control device, signal, marking or other device placed or erected in accordance with this Ordinance for the purpose of warning, regulating, directing or otherwise guiding parking.

Standing shall mean any stopping of a vehicle whether occupied or vacant.

Street shall mean the entire right-of-way width of any road, highway, avenue, place or way open to the public for use by vehicular traffic.

Vehicle shall mean any motor vehicle as defined by Title 29-A, M.R.S.A., section 101.

Section 3. Unlawful Parking

No person shall allow, permit, or suffer any vehicle, motor vehicle or self propelled machinery under his/her control, or registered in his/her name with the Secretary of State, Bureau of Motor Vehicles to be in violation of any of the following provisions of this Ordinance upon, or in any street, parking area or other public place within the Town of Monmouth so that:

A. It blocks the ingress or egress to any public or private road, driveway or pedestrian crosswalk.

- B. It is double parked, so called, except by permission of the Chief of Police or designee, or except commercial vehicles for the purposed of delivery, pick up or performing other necessary service, but only in such a manner that does not impede the passage of other vehicles.
- C. Any part of said vehicle is in, over or on the area of the sidewalk, or any adjoining or adjacent marked parking space, except as allowed by State Law.
- D. It obstructs or impedes the passing of other vehicles.
- E. It is within ten (10) feet of any fire hydrant.
- F. It is more than two (2) feet from the curb.
- G. It is within twenty (20) feet of the intersection of any street line, except as otherwise provided in the Ordinance.
- H. It is not facing the direction of traffic flow.
- I. It is left to stand or to be parked from November 1 to April 15, inclusive, between the hours of 10 P.M. and 6 A.M.
- J. It is parked in such a manner that interferes with or hinders the plowing, loading, or removal of snow at any time.
- K. U-turns, so called, shall be illegal in areas posted.
- L. Is parked in any marked disabled parking space without a disability registration plate or a temporary disability placard issued by the Secretary of State, Bureau of Motor Vehicles or in violation of Title 29-A, M.R.S.A.,section 521 and Title 30-A, M.R.S.A., section 3009.

Section 4. No Parking Zones

No person shall allow, permit, or suffer any vehicle, motor vehicle or self propelled machinery under his/her control or registered in his/her name with the Secretary of State, Bureau of Motor Vehicles to be parked in any of the following designated "No Parking Zones":

- A. MAPLE STREET - South side from Main Street easterly to the west side of Mud Mill Stream, so called.
- B. BLUE ROAD – Both sides from Main Street westerly for one hundred (100) feet.
- C. ACADEMY ROAD- West side from Main Street northerly for one hundred (100) feet. East side from Main Street northerly seventy five (75) feet. East side from intersection of Norris Hill Road southerly for six hundred and forty (640) feet. West side from entrance to the Middle School southerly for one hundred and seventy six (176) feet to the Monmouth Academy property line.
- D. NEW STREET – West side from North Main Street to Wilson Pond Road.
- E. HIGHLAND TERRACE – On the outside of the circumference of the circle only.

F. NORTH MAIN STREET – On the south side from the intersection of the Old Lewiston Road westerly a distance of fifteen hundred (1500) feet to the eastern side of the main parking lot of the textile mill, easterly a distance of fifty (50) feet beginning at the intersection of North Main Street and Highland Terrace, easterly a distance of one hundred and thirty eight (138) feet commencing three hundred and sixty (360) feet from the intersection of North Main Street and Highland Terrace and on the north side from the intersection of North Main Street and New Street easterly for distance of five hundred and ninety five (595) feet.

G. BEACH ROAD – West side from the intersection of Main Street to the end of the public way. These areas shall be posted by conspicuous signs at all times.

H. MAIN STREET – On the east side of Main Street, beginning at the railroad right-of-way, northerly a distance of two hundred ten (210) feet to the parsonage driveway, between the hours of 8:00 P.M. and 6:00 A.M. On the west side of Main Street, beginning at Flanders Drive, southerly a distance of one hundred seventy five (175) feet to the intersection of Maple Street, between the hours of 10:00 P.M. and 6:00 A.M.

I. COBBOSSEE ROAD – Beginning two hundred eighty (280) feet east of Tamarack Drive, easterly a distance of three thousand eight hundred twenty (3,820) feet; no parking both sides of the street, to Pease Hill Road; no parking on the pavement, both sides of street.

J. STATE ROUTE #135 – Beginning at the intersection of Sanborn Road, easterly one thousand three hundred fifty (1,350) feet; no parking both sides of the street.

K. STATE ROUTE #126 – On the east side, beginning thirty on (310 feet south of the intersection of Oak Hill Road, southerly a distance of fifty (50) feet. On the east side, beginning at the bridge that separates Woodbury and Sand Ponds, easterly a distance of five hundred ninety (590) feet to the Litchfield town line.

L. PLEASANT STREET – On the south side, beginning at a point eighty nine (89) feet from the intersection of Main Street, easterly a distance of one hundred thirty (130) feet.

M. LAUNCH DRIVE – On the north and south sides of the roadway beginning at the intersection of State Route #135, extending easterly a distance of two thousand four hundred twenty (2,420) feet to the designated parking areas.

N. STATE ROUTE 202 – On the south side, beginning at the intersection of Annabessacook Rd, easterly a distance of one hundred (100) feet.

*Cross Reference: Parks Ordinance. Section 6. Vehicles and Parking.

Section 5. Emergency Vehicles

The provisions of the Ordinance shall apply to authorized emergency vehicles as defined by Title 29-A M.R.S.A., sections 946 and 1368, except as follows:

A. A driver, when operating any such vehicle in an emergency , except when otherwise directed by a Police Officer, may park or stand such emergency vehicle notwithstanding the provisions of the Ordinance.

B. The foregoing exception, however, shall not protect the driver of such vehicle from the consequences of his/her reckless disregard for the safety of others.

Section 6. Town Manager – Emergency Powers

A. The Town manager is hereby authorized to direct the erection of signs indicating no parking upon any street or way when such parking would interfere with traffic, or create a hazardous condition, on a temporary basis.

B. The Town manager is authorized to mark parking lanes consistent with this Ordinance on any street within the Town of Monmouth.

Section 7. Removal of Vehicles

Any vehicle stopped, standing or parked in violation of Sections 3 through 6 of this Ordinance, may be removed after a reasonable attempt is made to notify the owner, unless an emergency exists, by the Chief of Police or designee, to a garage or storage place and impounded therein. The Police Officer may use such force as may be necessary to enter the vehicle and cause the same to be placed in a condition to be moved and may employ any reputable and properly bonded/insured person engaged in the business of towing and storage of vehicles. Neither the Town of Monmouth nor the Officer shall be liable for any damage which may be caused to any vehicle ordered moved under the provisions of the Ordinance unless such damage is caused by gross negligence of the officer or the Town of Monmouth.

After removing the vehicle from the street, the Chief of Police or designee shall make every reasonable effort to notify the owner of any such vehicle, as promptly as possible. A written notice by certified mail, telling that such vehicle has been impounded shall be sent by the Chief of Police to the registered owner's last known address, as may be shown by the record of the Secretary of State. If the owner is unknown, the Chief of Police shall cause notice of such impoundment to be published in any newspaper printed in Kennebec and Androscoggin Counties, which gives the registration number, if known, the vehicle identification number, and the make, type, and year of said vehicle including the place of impoundment.

Section 8. Liabilities of the Vehicle Owner

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

A. Pay any penalty due to the Town Office

B. Furnish satisfactory evidence of identity and ownership of the vehicle to the Chief of Police or designee, and to the person impounding the vehicle.

C. Pay to the person impounding the vehicle all reasonable charges for the towing and storage of the vehicle.

D. Sign a receipt for the vehicle.

E. The performance of these conditions shall not be admissible in a court of law as evidence against any person to prove a violation of this Ordinance.

Section 9. Penalties, Fines

Any violation of the provisions of this Ordinance shall be cause for a fine in accordance with the following:

Sections 3A through 3J and 3K: \$15.00 for each offense

Section 3J: \$25.00 for each offense

Section 3L: As mandated by Title 30-A, M.R.S.A., Section 3009.

Sections 4A through L, 5 and 6: \$15.00 for each offense

Section 4M: \$50.00 each offense

Section 4N: \$25.00 each offense

Section 10. Administration

The Chief of Police of the Town of Monmouth shall be responsible for the administration and the enforcement of this Ordinance and shall maintain written records of issuance of parking tickets and fines collected. All fines for violations of this Ordinance shall be paid at the Town Offices during normal business hours.

Section 11. Validity , Severability

Should any section or part thereof, of this Ordinance be held invalid by any court of competent jurisdiction, it shall not affect the validity of the entire Ordinance or any part thereof, other than the part declared invalid.