

# Traffic Control and Parking

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## ARTICLE 3 PARKING

This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009(C) and shall be known as the Parking Ordinance for the Town of Farmingdale.

### **Sec. 6-301 Traffic Infractions.**

Any violation of the provisions of this Article is a traffic infraction within the meaning of 29-A M.R.S.A. § 101(85). Any person who violates a provision of this Article shall be subject to the civil penalties provided under 29-A M.R.S.A. § 103 and 2604, or as otherwise provided by statute or this ordinance.

### **Sec. 6-302 Definitions.**

Unless otherwise provided in this Article, terms used in this Article shall have the same meanings and definitions used under 29-A M.R.S.A. § 101.

### **Sec. 6-303 Snow Removal.**

No person shall place or deposit snow or ice on or upon the traveled way of any public street or sidewalk. Any person who violates this provision, after receiving a warning from the Road Commissioner or a constable, shall be subject to a civil penalty as noted in the Fee Schedule. Authorized individuals engaged in snow removal activities for the Town of Farmingdale or the State of Maine are exempt from this requirement.

### **Sec. 6-304 Parking.**

1. No vehicle, except for an emergency vehicle on an emergency call, shall stop in such a way as to obstruct any public street or private street or driveway entrance thereto, or sidewalk or crossing except for the purpose of taking on or letting off a passenger, or for loading or unloading freight, for a reasonable and acceptable period of time. An exception may be made in case of an accident or as directed by a police officer or fireman on duty or any authorized construction vehicle involved in actual construction.
2. No vehicle shall park within the intersection of any streets or within twenty (20) feet of a street corner or within seven (7) feet of any hydrant wherever located. An exception may be made in the case of emergency and public utility vehicles.
3. No vehicle shall park within (5) feet of the edge of a Town of Farmingdale maintained roadway so as to cause a visual hazard to passing vehicles.
4. Motor vehicles shall be prohibited from parking facing the flow of traffic on the wrong side of the public way.
5. No vehicle shall be double parked, so called, except by permission of the Chief Constable, Fire Chief or respective designee, except commercial vehicles for the purpose of delivery, pick up or performing other necessary service, and only in such a manner that does not impede the passage of other vehicles.

### **Sec. 6-305 Winter Parking**

Any vehicle parked, disabled, or abandoned on any public way, Town owned or maintained parking lot or any public maintained way that interferes with or hinders the removal of snow or sanding may be removed at the order of a Constable without notice to the owner beginning November 1<sup>st</sup> and ending April 1<sup>st</sup>.

### **Sec. 6-306 Parking Close to Emergency Vehicles (fire, police, ambulance)**

1. No person shall park a vehicle, with or without occupants, other than fire or police vehicle or an ambulance, on a public way within one hundred (100) yards of a fire or other emergency in which Emergency personnel are engaged.

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2. To protect public safety, the Fire Chief, Chief Constable, or their designated representative shall have the authority to remove any motor vehicle on a public maintained way in the Town of Farmingdale in order to perform their duties as Fire Chief or Chief Constable when there is a public safety concern. This activity will be accomplished at the expense of the registered owner with no liability to the Town, the Chiefs or their designees.

## Sec. 6-307 No Parking Where Posted

1. No vehicles shall be parked on any street where it is clearly marked NO PARKING. All No Parking Signs shall be approved by the Board of Selectmen, Maine Department of Transportation or the Superintendent of Schools, as appropriate. The following locations shall be posted with No Parking signs:

Bowman Street. North side of Bowman Street from 29 Bowman Street to Maine Avenue.  
South side of Bowman Street from the easterly side of 32 Bowman Street to Maine Avenue.

Hall-Dale Middle and High Schools. No parking at designated locations.

Hallowell-Litchfield Road. West side of road southerly from Caldwell Drive for 200 feet.

Northern Avenue. North side of Northern Avenue from Friendship Lane to Maine Avenue.  
South side of Northern Avenue from the westerly side of 58 Northern Avenue (across from 59) to Maine Avenue.

Outlet Road. Easterly side of Jamie Pond Bridge, for 400 feet, both sides of street.

2. The Farmingdale Board of Selectmen voted to enact the No Parking Ordinance for several sections along Maine Avenue effective October 2, 1985 after a public hearing conducted July 1, 1985. This was subsequently approved by the Commissioner, Maine Department of Transportation, October 23, 1985.
  - A. There shall be no parking any time on both sides of Maine Avenue (U.S. Route 201) beginning at the Hallowell/Farmingdale Town Line and extending southerly to a point opposite CMP Pole #138/99, a distance of approximately 500 ft.
  - B. There shall be no parking any time on the westerly side of Maine Avenue (U.S. Route 201) beginning at a point opposite CMP Pole #112, a distance of 275 ft. This area is located in the vicinity of Maine Avenue (U.S. Route 201) and Hasson Street.
  - C. There shall be no parking any time on both sides of Maine Avenue (U.S. Route 201) starting at a point opposite CMP Pole #112 (200 ft. southerly of Hasson Street) and extending southerly to a point opposite CMP Pole #78 (approximately 200 ft. southerly of Park Street), distance of 0.50 mile.
  - D. There shall be no parking any time on the westerly side of Maine Avenue (U.S. Route 201) beginning at a point opposite CMP Pole #64.1 and extending southerly to a point opposite CMP Pole #59, a distance of 350 ft. This area is in the vicinity of

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the intersection of Maine Avenue (U.S. Route 201) and Hill Street (originally Pine Hill Street).

- E. There shall be no parking any time on westerly side of Maine Avenue (U.S. Route 201) beginning at a point opposite CMP Pole #34 and extending southerly to CMP Pole #30, a distance of 500 ft. This area is in the area just southerly of the fire station.

## **Sec. 6-308 Temporary Parking Restrictions.**

Temporary parking restrictions may be enforced as necessitated by large private or public events or as ordered by the Chief Constable or a designated representative.

## **Sec. 6-309 Disability Parking**

It shall be unlawful to park a motor vehicle or motorcycle without a special disability registration plate or placard issued under 29-A M.R.S.A § 521 or 523 or similar plate issued by another state, in a parking space clearly marked for Disability Parking. Disability parking spaces shall be identified by a sign posted adjacent to and signs painted on the pavement visible from each handicapped parking space. Any vehicle or motorcycle parked in a parking space clearly marked as a Disability Parking space must be cited for a fine of not less than \$200 and not more than \$500.

## **Sec. 6-310 School Fire Lanes**

1. In the interest of providing proper safety services to school buildings within the Town the Fire Chief, or Chief Constable in conjunction with the Superintendent of Schools or a respective designee, is hereby authorized to establish fire lanes at and around school buildings within the Town of Farmingdale. Designated fire lanes shall be clearly marked with signs indicating the existence of the fire lane and the prohibition against parking at that location.
2. Any vehicle found to be parked, standing or in any other way blocking any designated fire lane shall be in violation and as such shall be subject to a penalty. In addition, any vehicle in violation may be removed and impounded at the owners' expense with no liability to the Town of Farmingdale or its designee.

## **Sec. 6-311 Waiver of Court Action; Fee Schedule.**

Any person charged with a violation of any parking ordinance may waive court action by payment of the appropriate current fee for the particular parking violations to the Farmingdale Town office within ten (10) working days of the offense. It shall be prima-facie evidence that the person in whose name an illegally parked vehicle is registered is the responsible individual (s). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The schedule of fees for parking violations shall be set by the selectmen. All fees paid in lieu of court action shall accrue to the Town of Farmingdale. A copy of the fee schedule will be on file in the Town office. Any 365 consecutive days without a violation shall be deemed to be no prior violations. Any parking violations within 365 consecutive days shall be deemed as multiple violations.

The civil penalty for violation of this Chapter, relating to unlawful parking, shall be as follows:

1. Fee as noted on the basic Fee Schedule.

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2. Twice the established basic fee for the second violation.
3. Three times the established basic fee for the third violation and each violation thereafter.

## **Sec. 6-312 Towing Policy, Impoundment; Recovery Procedure.**

1. Any vehicle parked on a public street in the Town of Farmingdale in violation of the parking ordinance or in any manner that is a threat to the safe and proper regulation of traffic or snow removal by the Town of Farmingdale or the State of Maine, may be removed, at the direction of the Chief Constable, the Fire Chief, the Kennebec County Sheriff's Department or the State Police, by any reputable person engaged in the business of towing and storing vehicles, to a suitable garage or storage space and impounded.
2. The Chief Constable, Fire Chief, or their designated representative, may use force as may be necessary to enter such vehicle and cause the same to be placed in a condition to be moved.
3. Notwithstanding any language contained herein, the removal and storage of a vehicle pursuant to this section, and the payment of the charges specified, shall in no way relieve or prevent prosecution for the violation of any provisions of the Town Ordinances.
4. The Chief Constable or designee shall make an effort to notify as promptly as possible the owner of any vehicle of its removal from the Town accepted streets or public parking areas of the Town. A written notice that such vehicle has been impounded shall be sent to the owner at the last known address as shown by the records of the Secretary of State. The requirements and duties outlined in this section shall apply equally to any vehicle removed from land owned or maintained by the Town of Farmingdale.
5. It shall be the responsibility of the Fire Chief to notify the Chief Constable of any vehicle removed or impounded under his direction. The Fire Chief will provide any and all information to the Chief Constable about the location of the vehicle when towed, where it was towed and for what reason.
6. Before the owner of an impounded vehicle may remove it from the possession of the person towing or storing it, the owner or a designated individual shall:
  - A. Furnish satisfactory evidence of their identity and of their ownership of such vehicle to a Farmingdale Constable. Pay all reasonable charges for towing and/or storage and all outstanding violation fees. Verification that all outstanding towing and storage charges have been paid must be provided to the Town of Farmingdale by written confirmation from the towing and/or storage agency.

## **Sec. 6-313 Fees.**

Reference Appendix 1 "Fee Structure" for applicable fee rates which apply to this Article.

## **Sec. 6-314 Severability**

In the event that any portion of this ordinance is found by any court of competent jurisdiction to be invalid, the remaining provisions shall continue in full force and effect.

## **Sec. 6-315 Ordinance in Force**

This Ordinance shall be in full force and effect from and after its passage as provided by State of Maine applicable laws. Passage and approval of this ordinance is intended to

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replace and repeal any previous ordinances with regard to prior Traffic Control and Parking Ordinances adopted by the Town of Farmingdale, Maine.

Passed and adopted by the Board of Selectmen, Town of Farmingdale, State of Maine on the day of February 2009 by the following:

Selectman:

s / Rickey McKenna

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Rickey McKenna, Chair

s / Roger Mallar

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Roger Mallar

s / Eugene Moreau

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Eugene Moreau

Approved this 4th day of February 2009

Attest: Phyllis Weeks, Town Clerk

s / Phyllis Weeks

Signed: \_\_\_\_\_

Approved: February 4, 2009

Revised: June 28, 2014