Town of Dover-Foxcroft

ORDINANCE PERTAINING TO OPERATION OF VEHICLES ON TOWN WAYS

MARCH 28, 2016

Section 1. Operation and Registration of Bicycles.

Bicycles shall be operated within Dover-Foxcroft according to State Law.

Section 2. Parking on Public Ways and Parking Lots

A. Parking on the following streets is restricted to parallel parking only:
   1. All streets in Dover-Foxcroft
   2. Double parking upon any street within the limits of the town is hereby prohibited.
   3. Angled parking so designated by painted lines shall constitute parallel parking for the purposes of this ordinance.

B. There shall be no parking in areas designated as no parking zones

C. It shall be unlawful to park a vehicle for more than two (2) consecutive hours on any street or public parking area within Dover-Foxcroft unless said area is posted with a time restriction other than 2 hour.

   The two hour restriction in this Subsection (C) shall not apply between the hours of 6:00 PM of each day and 8:00 AM of the following morning.

E. The Town Manager shall cause to be appropriately marked and designated such loading zones, taxicab stands, and prohibited parking zones on East Main Street, South Street, North Street, West Main Street, Summer Street, and Lincoln Street as the Selectmen shall designate. Such loading zones shall be restricted for use in loading and unloading of merchandise. When a prohibited parking zone is so designated and marked, it shall be unlawful for any vehicle other than a truck, delivery van or similar vehicle to park therein, or for such vehicle to park therein longer than may be reasonably required for loading and unloading. When a taxicab stand is so designated and marked, it shall be unlawful for any vehicle other than a taxicab to park therein.

F. It shall be unlawful for any person to park any motorized vehicle or any trailer occupying a parking space larger than one hundred eighty (180) square feet (whether or not the parking space be marked as such on the ground) on any public right of way or public parking lot within the Town of Dover-Foxcroft. This provision shall not apply to public vehicles, ambulances, fire functions for which they are designed. The provisions
of Subsection K of this Section 2 shall not apply to a violation of this Subsection. The Dover-Foxcroft Board of Selectmen may adopt a procedure for issuing permits for a motor vehicle larger than 180 square feet to occupy a public parking space. Permits shall designate the specific location and time limit parking is allowed.

G. From November 15 of one year to April 15 of the following year, it shall be unlawful for any person to leave any vehicle parked within the limits of any public street or way or public parking lot within said Town, so as to interfere with municipal snow removal operations, between the hours of 11:00 PM of each day and 6:00 AM of the following day. In addition to any penalty imposed by this ordinance, the Police Department may tow away and store any vehicle found in violation of this Subsection, at the owner’s expense.

H. It shall be unlawful to leave any vehicle with a license gross vehicle weight over 10,000 pounds parked within the limits of any public street or way for more than one hour. The penalty for violation of this Subsection shall be Fifty Dollars ($50.00.)

I. Except where otherwise provided therein, all persons charged with a violation of this or any other ordinance of the Town of Dover-Foxcroft relative to parking may waive all court action by payment fee of Twenty-Five Dollars ($25.00) to the Town within seven days from the date of the alleged violation. Except as otherwise herein provided, the penalty for violation of any provision of this Section shall be $25.00.

J. 1. The term “vehicle” shall mean any conveyance in, upon, or by which any person or property is or may be transported on the highways.

2. The term “parking” shall mean the stopping of a vehicle, attended or unattended, upon a public way or in a public parking lot, or otherwise than in obedience to traffic regulations or traffic signs or signals, for a period longer than reasonably necessary to load or unload passenger freight.

3. The fact that a vehicle is unlawfully parked shall be prima-facie evidence of the unlawful parking of such vehicle by the person in whose name the vehicle is registered.

K. The Board of Selectmen is designated as the licensing authority to regulate rates of fare, routes, and standing places of vehicles for hire except where jurisdiction rests with the Public Utilities Commission. All such vehicles shall carry a liability insurance policy in the amount and in form satisfactory to the Board of Selectmen as a condition precedent to the granting of license to operate.

Section 3. Gross Vehicle Weight Limit, Essex Street
No loaded truck of over 20,000 pounds gross weight (vehicle and load) shall be permitted on Essex Street from the intersection of Vaughn Street to the Landfill Road, except for service trucks while providing service to one or more residences on that section of Essex Street and except for public vehicles doing road repair, construction, or maintenance work, or local
residents going to or from their homes. Notwithstanding any other provisions of these ordinances, the fine imposed for the violation of this section of the ordinance shall be not less than One Hundred Dollars (100.00).

As used in this Section, the term “loaded truck” shall include any truck carrying a load (other than passengers) not permanently attached to the vehicle, and the term “service vehicle” shall include, but shall not necessarily be limited to fuel oil trucks, rubbish removal trucks, delivery trucks, and snow plowing or standing trucks.

Section 4. Use of Sidewalks
A. It shall be unlawful for any person to operate or to park any motorized vehicle, whether it be a truck, automobile, motorcycle, all-terrain vehicle, or other motorized means of conveyance, upon any public sidewalk in the Town of Dover-Foxcroft for a period longer than reasonably necessary to cross the same or to load or unload passengers and freight.

B. The provisions of this Section shall not be applicable to motorized wheelchairs, or to municipal equipment being operated for authorized maintenance purposes.

Section 5. Heavy Loads Limited
SUMMARY: The following rules and regulations restrict heavy loads on posted State and State Aid Highways from November 15 to June 1.

Definitions
A. The definitions contained in Title 29, Section 1 of the Maine Revised Statutes Annotated shall govern the construction of the words contained in this regulation.

B. Gross weight is the combined weight of the vehicle and its load.

C. Special Mobile Equipment shall mean every self-propelled vehicle not designated or used primarily for the transportation of person or property and incidentally operated or moved over the highways, including road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well drillers, and wood-sawing equipment used for hire. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this Section.

Designated Closed Ways
In order to prevent excessive damage to Town roads, the Town Manager may close all or part of a highway to heavy weight vehicles during any time from November 15 to June 1. No vehicles shall travel over closed ways except those permitted by this regulation. The Town Manager may delegate this authority to the Public Works Foreman.

Notice
Notice shall be given erecting at each end of the closed highway a poster indicating the following: 1) the date of the posting; 2) a description of the highway closed; 3) a summary of the vehicles exempt from the closing; 4) the name, business address, and the telephone number of the Division’s Engineer; 5) statutory and regulatory references.

Exemption – Frozen Highways
This regulation shall not apply to any closed highway which is solidly frozen.

Exempt Vehicles
The following vehicles are exempt from this regulation:

A. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.

B. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment.

C. Any vehicle engaged in highway maintenance under the direction of the Town of Dover-Foxcroft.

D. Any two-axle home heating fuel delivery truck registered in excess of 23,000 pounds that has an exemption certificate issued by the Maine Department of Transportation. Exempt trucks shall not carry loads exceeding 23,000 gross weight.

E. Any vehicle engaged in the transportation of bulk milk or bulk feed which is registered in excess of 23,000 pounds with an exemption certificate issued by the Maine Department of Transportation carrying a partial load with a weight equal to or less than indicated on the exemption certificate as documented by delivery slips or bills of lading accompanying the vehicles. The allowable weight indicated on the exemption certificate will be calculated based on various reduced loads per inch width tire manufacturer’s rating.

PENALTY:
The penalty for violation of the provisions of this Section 5 shall be not less than Fifty Dollars ($50.00).

Section 6. Temporary Street Closings
The Chief of Police or designee may, on the written application of any person, on forms to be provided by the Town, approve the temporary closing of any Town street or road, or any portion thereof, upon a finding by the Police Chief that the temporary closing will not create a hazard to the traveling public; and subject to suitable arrangements to post the street or road concerned and to designate alternative routes for vehicle travel during the temporary closing.
Except under emergency circumstances, e.g., removal of fallen trees or lines or repair of broken water pipes, any application for this purpose must be submitted to the Police Chief at least 48 hours prior to the requested start of the closure. The Police Chief shall review the application and inform the applicant of his or her decision within 24 hours after receipt of the completed application. If the application is denied, the Police Chief’s decision shall be in writing and shall state the reason for denial.

Any person who violates any temporary road closure that has been approved by the Police Chief and posted in accordance with this ordinance commits a civil violation for which, upon conviction, a fine of not more than Two Hundred Fifty Dollars ($250.00) may be imposed.

Section 7. Prior Ordinances
This ordinance supersedes all prior rules, regulations, and ordinances regarding the same subject matter.

Section 8. Effective Date
This ordinance as amended shall become effective on March 28, 2016.
TOWN OF DOVER-FOXCROFT

Amendments: Town of Dover-Foxcroft Ordinance Pertaining to the Operation of Vehicles on Town Ways

Resolved by Order of the Municipal Officers
Adopted: March 28, 2016

Certified by:

Elwood E. Edgerly, Chairman

Cynthia Freeman Cyr, Vice Chairman

Jané K. Conroy, Selectman

Gail D’Agostino, Selectman

Stephen G. Grammont, Selectman

Scott A. Taylor, Selectman

W. Ernie Thomas

I hereby certify as the duly qualified Clerk of the Town of Dover-Foxcroft, Maine that the aforementioned Resolution was adopted by Order of the Municipal Officers of the Town of Dover-Foxcroft at their regular meeting, following a public hearing, held on Monday, March 28, 2016 at the Dover-Foxcroft Municipal Building Meeting Room, at which a quorum was present and voting and that such Resolution was voted in accordance with the Town of Dover-Foxcroft Board of Selectmen.

Lisa A. Niles, CCM