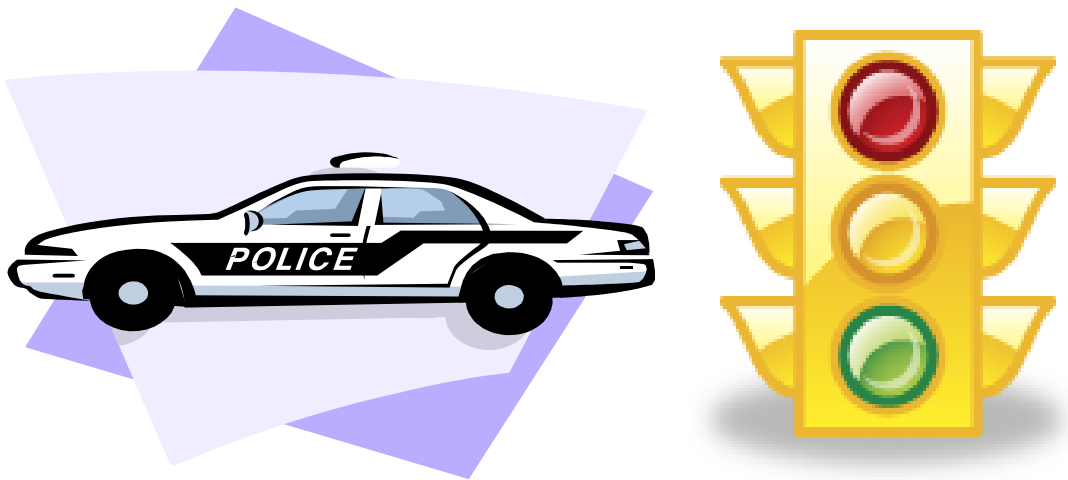


Town of Van Buren



TRAFFIC ORDINANCE

TRAFFIC REGULATIONS

ARTICLE 1. GENERAL DEFINITION'S

Section 1: When used in this ordinance:

- (1) The term "**driver**" shall mean the operator of a motor vehicle.
- (2) The Term "**crosswalk**" shall mean that part of any way reserved for the exclusive use of pedestrians by marks on the surface of the roadway or by such other markings or contrivances as the Chief of Police may deem suitable.
- (3) The term "**loading zone**" means that part of any way reserved for the exclusive use of vehicles engaged in transportation or vehicles in the process of loading or unloading of passengers or materials.
- (4) The term "**business district**" includes all ways adjacent to a section three hundred feet or more in length, fifty percent or more of which is occupied by buildings used for business purposes.
- (5) The term "**includes**" when used in a definition contained in this ordinance shall not be deemed to exclude other things otherwise within the meaning of the term defined.
- (6) When hours of time are given in these ordinances, it shall mean Eastern Standard Time or Daylight Saving Times whichever is in effect, either by ordinance or custom in the Town of Van Buren.
- (7) The term "**motor vehicle**" or "**vehicle**" shall mean to include all motor vehicles such as automobiles, trucks, motorcycles, and all kinds and types of conveyance from person (s) and/or property; except those propelled or drawn by humans and motorized wheelchairs.
- (8) The term "**handicapped**" shall mean those person(s) who are classified as being disabled or handicapped by some physical infirmity and in addition thereto have been issued a valid registration certificate and plate(s) or placard by the State of Maine or some other state, and the registration plate(s) is properly attached to and displayed on the vehicle.
- (9) The term "**overtime parking**" shall mean and cover those vehicles, which have been found to be parked, as permitted by this ordinance, beyond the time allocated for the parking space occupied.
- (10) The term "**restricted parking**" shall mean and cover those vehicles which have been found to have been parked in those areas in which no parking is allowed by this ordinance whether parking in such areas is not allowed at any time, or where parking is restricted or not permitted only during certain times of the day or night, or during certain seasons of the year.
- (11) Unless the context otherwise indicates, all other words and terms shall be construed in accordance with the provisions of the motor vehicle laws of Maine, (**Title 29-A Maine Motor Vehicles-Statues**).

- (12) The term "**sidewalk**" shall mean: Any area designated or designed for pedestrian traffic; whether separated from the portion of the street or highway designated for vehicular traffic by curbing or otherwise.
- (13) **Authorized Emergency Vehicle:** Vehicles of the fire department, police vehicles and such ambulances and emergency vehicles as are designated by the Town Council.
- (14) **Authorized Sign:** Any sign posted for traffic control by the State of Maine Statute, parking signs, signs authorized by town ordinance, or any sign authorized by statute and controlled by the Town of Van Buren and the Department of Transportation.
- a. All streets having direct access to Main Street shall be designated as through way with stop signs at entrances to Main Street.
 - b. The Town Council is hereby empowered and authorized to erect or cause to be erected standard signs which regulate vehicular and pedestrian traffic
- (15) **Unauthorized Sign:** Any sign posted by any person not governed by State Statute or ordinance that controls traffic on parking, and not posted by the Town of Van Buren or Department of Transportation.
- (16) **Owner:** The holder of the registration certificate of any motor vehicle and shall be deemed, prima facie evidence to be the person who parked said automobile in any prosecution for violation of the Town of Van Buren Traffic Ordinance.
- (17) **ATV:** All Terrain Vehicles

ARTICLE 2. POLICE AUTHORITY

Section 1. All regulations of this ordinance are subject to the provisions that all persons must at all times comply with any direction, by voice or hand, of any member of the police force, as to stopping, placing, starting, departing, or approaching from any place, the manner of taking up or setting down passengers or loading or unloading passengers loading or unloading goods at any location.

Section 2. The Chief of Police, with the written approval of the Town Manager, shall determine and designate the character of all official warning and direction signs and signals. The Chief of Police shall place and maintain the same, and all signs herein authorized and required for a particular purpose shall be uniform.

Section 3. The Chief of Police, with the written approval of the Town Manager, shall establish safety zones and crosswalks where deemed necessary in their opinion, to designate and maintain the same by appropriate devices, marks or lines, upon the surface of the roadway. When crosswalks are established and maintained outside of a business district, the Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 4. Wherever traffic is regulated by a mechanical or electrical "stop and go" signal:

- (1) Red Alone or "Flashing" Red Signals shall mean "stop". Motorist facing this signal shall stop

before entering the intersection and remain standing until “green “ or “go” is shown alone. A right turn is permitted, after stopping, unless posted otherwise. Vehicles making a right turn must yield to pedestrians and all vehicle traffic. “Flashing” Red Light: STOP. Motorist must come to a complete stop and proceed only when they way is clear.

- (2) Yellow "Steady" Signals shall mean "caution." Traffic signal is about to change to red. Motorist shall begin to slow down. A yellow light clears the intersection before the red light. Vehicles facing this signal shall yield to motorist and pedestrians.

Yellow "Flashing" Signals shall mean "caution slow down" motorist must slow down and proceed with caution before entering the intersection and crosswalks. Flashing yellow lights are found at construction areas and on some vehicles as well as at intersections.

- (3) Green Alone Signals shall mean "go." Motorist facing this signal may proceed when the way is clear of traffic and pedestrians. Motorist shall yield the right of way to pedestrians and vehicles lawfully within the crosswalks or intersection at the time when such signal was exhibited.

Section 5. At intersections and crosswalks protected by signal systems or police officers, the respective right of vehicles and pedestrians shall be exercised under the direction of the traffic signals or police officers.

Section 6. No person shall violate the instructions of any mechanical or electrical traffic signal, traffic sign, marks upon the streets, barriers, or signs authorized or approved by the Town Manager or Chief of Police, nor willfully deface, injure, move or interfere with the same.

Section 7. No public utility or town department shall erect, place or maintain any barrier or sign unless of a type first approved by the Town Manager or Chief of Police.

Section 8. No person shall place, maintain or display any device, other than an official warning or direction sign or signal erected under authorized authority, upon or in view of a street, which purports to be or is an imitation of, or resembles an official warning or direction sign or signal, or which attempts to direct the movement of traffic or the actions of drivers, and such prohibited device shall be a public nuisance, and the Chief of Police may remove, or cause it to be removed, without notice.

Section 9. To provide for the safety and convenience of the public, the Chief of Police, with written approval of the Town Manager, shall designate certain streets or areas on which angle parking, parallel parking, or no parking shall be permitted.

Section 10. In streets or areas marked or signed for angle parking, or in streets or areas parked or signed for parallel parking, no vehicle shall be parked in any other manner than as signed or marked.

Section 11. The Chief of Police, with written approval of the Town Manager, may designate certain areas as taxicab stands for the exclusive use of taxicabs duly licensed to operate as such in the Town of Van Buren. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 12. The Chief of Police, with written approval of the Town Manager, may designate public streets to prohibit parking for more-than two hours between the hours of 7:00 am to 6:00 p.m. in the Retail Business Zone in the Town of Van Buren. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 13. The Lot on the South side of Coolidge Street also known as Lafayette Street is designated as the municipal parking lot known as the "Hammond Hotel Lot". This lot has one access, namely the Lafayette Street Access. The lot south of the Yacht Club is designated as the municipal parking lot. This lot has a "One Way Access" namely the Main Street access. The lot North of "Doctor Cyr" building on Lafayette Street. This lot has one access, the Lafayette Street access. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

(a) One Way Access to Roads or Parking Lots: On a public way marked or posted for "one-way" a vehicle shall be driven only in the direction designated.

(b) Do Not Enter to Roads or Parking Lots: On a public way marked or posted "Do Not Enter" a vehicle shall not be driven upon that direction or way designated.

Section 14. The Chief of Police, with written approval of the Town Manager, may designate handicapped parking spaces. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

ARTICLE 3. PEDESTRIANS

Section 1. Pedestrians shall cross all public ways not within a business district, at right angles to the curb, and when not using a crosswalk shall yield the right of way to all vehicles.

ARTICLE 4. DRIVERS

Section 1. Every driver approaching an intersection, crosswalk, corner or curve not protected by a signal system or a police officer, shall proceed in a cautious manner and in such a way as not to cause damage or injury to other vehicles and pedestrians.

Section 2. Every driver approaching an intersection protected by a police officer shall indicate to such officer the course he/she intends to take.

Section 3. No vehicle shall enter any sidewalk except for the purpose of passing through driveways. The fine will be \$25.00 with the same stipulations mentioned in Article 9, Section (2).

Section 4. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This requirement shall not apply at intersections where traffic is controlled by traffic control signals or police officers. The fine will be \$25.00 with the same stipulations mentioned in Article 9, Section (2).

(a) Driver: Each driver in a funeral or other procession shall drive to the right-hand lane of the

roadway as practical and follow the vehicle ahead as is practical and safe.

Section 5. Limitations on Turning Around and or Backing: The driver of a vehicle shall not back up or turn a vehicle into an intersection or over a crosswalk and shall not in any event or at any place back up or turn a vehicle unless such movement can be made safely.

Section 6. U-turn: It shall be unlawful for the operator of any vehicle to make a "U- turn" on any street in the Urban Compact Zone in the Town of Van Buren. An operator may not turn a vehicle to proceed in the opposite direction on a curve or on the approach to or near the crest of a grade, where the vehicle cannot be seen by the operator of another vehicle approaching in either direction unless such movement can be made safely.

ARTICLE 5. PARKING

Section 1. Except when necessary in obedience to traffic regulations, traffic signs or signals, the driver of a vehicle shall not stop, stand or park such vehicle in a street or roadway other than parallel with the edge of the roadway or curb, right hand wheels of the vehicle within six inches of the edge of the roadway or curb and facing the direction of traffic; except as provided in the following: Upon those streets that have been marked or signed for angle parking; and in places used for the loading or unloading of merchandise or materials, the vehicles used for the transportation of the same, may back into the curb but not onto the curb, whenever it is impossible to load or unload from the side of the vehicle.

Section 2. No vehicle shall remain backed up to the curb except when actually loading or unloading, and in no event shall such vehicle block the street for longer than a five-minute period at a time.

Section 3. No person having control or charge of a motor vehicle shall allow such vehicle to stand on any street unattended without first, setting the brakes thereon and stopping the motor of said vehicle; and when standing upon a perceptible grade, without turning the front wheels of such vehicle to the curb or side of the street or highway.

Section 4. No vehicle shall be parked on any public street or highway for more than two hours between the hours of 7:00 a.m. to 6:00p.m.

Section 5. No vehicle shall be parked or allowed to stand, whether attended or unattended, in any loading zone between the hours of 6:00 a.m. and 5:00p.m. except for the purpose of loading or unloading merchandise or passengers.

Section 6. All vehicles attended or unattended are prohibited from parking on any bridge at any time.

Section 7. One Hour Parking: When signs are erected giving notice thereof, no person shall park a vehicle for longer than (1) hour in front of the Town Office Municipal Building from Monday through Thursday from 9 a.m. to 5 p.m., Friday and Saturday from 9 a.m. to 9 p.m. except Sundays and public holidays.

Section 8. 15 Minute Parking: When signs are erected giving notice thereof, no person shall park a vehicle for longer than 15 minutes between the hours of 8 a.m. and 5 p.m., Monday through Friday and from 8 a.m. to 12 p.m. on Saturday in front of the U. S. Post Office in the Town of Van Buren.

Section 9. In areas marked either for angle parking or parallel parking, the driver of all vehicles shall use proper care when parking so that all parts of the vehicle are inside the designated lines, and when not so parked, shall be considered as obstructing the free passage of other vehicles.

Section 10. No trucks, except those registered for 6,000 lbs. gross weight or less, shall be parked at any time, except for loading or unloading and no vehicle shall be parked for a period longer than 2 hours from the hours of 7:00 a.m. to 6:00 p.m. other than on Sunday or legal holidays, on Main Street between Franklin Street and Poplar Street.

Section 11. Parking in a suburban residential zone, urban residential zone, and urban residential zone as defined in the Town's Traffic or Zoning Ordinance shall be restricted as follows:

- (a) No vehicle shall be parked on any public street, in the aforementioned residential zones, for the more than two hours, unless in connection with a social event taking place at a residence in the immediate vicinity, or in connection with church services and functions; but, in no event, for more than eight hours of continuous parking by the same vehicle. Provided, no such vehicle shall be parked at any time on any such street so as to interfere with, hinder, or impend the flow of traffic; or the removal of or plowing of snow from said street. For the purpose of this subsection, the term vehicle shall mean automobiles and trucks registered for 6,000 lbs. weight or less.
- (b) No vehicles, except as defined in the above subsection shall be parked at any time on a public street then the aforementioned residential zones, except for loading or unloading purposes and then only for so long as is reasonable to carry out the purposes of doing so.

Section 12. No vehicle shall be stopped or allowed to stand as follows: Within 7 feet of any fire hydrant; within an intersection; on a crosswalk; within 15 feet from an intersection of the curb lines: or if none, then within 15 feet of the driveway entrance to the fire station or any hydrant; and alongside or opposite any vehicle, building construction, street excavation or obstruction or in front of any driveway, alleyway, road or street when such stopping, standing or parking would obstruct the free passage of another vehicle.

Section 13. No vehicle shall be parked, at any time, on any sidewalk, or area designated or designed for pedestrian traffic, within the sidewalk shall mean that area where the Town has, either by curbing or by some other method, attempted to separate the place where pedestrians walk from the vehicular traveled portion of the street or highway.

Section 14. No vehicles shall be parked, at any time, in any parking space or area that has been designated as restricted to "handicapped parking" and marked appropriately with signs or

markings that clearly show the space or spaces are to be used by those persons who have obtained proper and valid handicapped registration plates or placard from the State of Maine or some other State. Furthermore, such designated spaces are to be used only when the disabled person is operating the properly registered vehicle or is a passenger therein. The placard must be displayed or affixed so that the information on the placard is clearly legible from outside the motor vehicle.

Section 15. Any police officer or parking enforcement officer, finding a vehicle parked in violation of any provision of this article, shall attach to said motor vehicle a ticket to the registered owner thereof, or the known operator thereof, setting forth the particular provisions(s) violated and the date and time of such violation. The registered owner or the operator of said vehicle shall, within 48 hours of the time stated on such ticket, pay the Town of Van Buren, as a penalty for and in full satisfaction of each such violation noted on the ticket a fine. The fines shall be as follows:

- (a) Overtime Parking: The fine will be \$25.00. If such fine is not paid within the 48 hour period, the Chief of Police shall cause a written notice of such violation to be mailed to the registered owner or operator of said vehicle notifying he/she that if the fine (\$25.00), together with the sum of \$4.50 for mailing such notice making the total \$30.50 is not paid to the Town of Van Buren Police Department within 7 days of the postmark of such written notice, the fine will increase to \$10.00 for each such violation. If the increased fine is not paid to the Town within 10 days following the expiration of said 7 days, such failure to pay shall constitute a violation of this ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 9 thereof.
- (b) Restricted Parking: The fine will be \$25.00. If such fine is not paid within the 48 hour period, the Chief of Police shall cause a written notice to be sent to the registered owner or operator with the same stipulations mentioned in sub-section (a).
- (c) No Parking or No Parking Here to Corner: It shall be unlawful to leave standing or park any vehicle on any public streets in the Town of Van Buren at any time where signs or marking indicates, "No Parking" or "No Parking Here to Corner". The triangular marking at the end of any public street "curbing" indicates "No Parking Here to Corner." The fine will be \$25.00 with the same stipulations mentioned in sub-section (a).
- (d) Blocking - Parking in Front of Driveways: It shall be unlawful to leave standing or park any vehicle in front of a driveway or blocking vehicle movement to such driveway or public way to any business establishment or residence adjoining to a public way. The fine will be \$25.00 with the same stipulations mentioned in sub-section (a). The vehicle may be towed at the owner's expense.
- (e) Library Parking: Parking in front of the library are restricted to Library employees and patrons only. No loitering will be allowed after business hours. It shall be unlawful to leave standing or park any vehicle at the library parking lot after business hours. The fine will be \$25.00 with the same stipulations mentioned in sub-section (a). The vehicle may be towed at the owner's expense.
- (f) Sidewalk Parking: The fine will be \$25.00. If such fine is not paid within the 48 hour period, the

Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle notifying he/she that if the fine of \$25.00 plus \$4.50 for mailing is not remitted within 7 days of the postmark of such written notice, the fine shall increase to \$25.00 for each such violation. such increased fine is not paid within 10 days of said 7 days, such failure to pay shall constitute a violation of this ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 thereof.

(g) **Truck Parking:** The fine will be \$25.00. If such fine is not paid with the 48 hour period, the Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle that if the fine of \$25.00 plus \$4.50 for mailing is not remitted to the town within 7 days of the postmark of such written notice, the fine shall increase to \$30.00 for each such violation. If such increased violation is not paid to the town with 10 days of said 7 days, it shall constitute a violation of this ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 hereof.

(h) **Handicapped Parking:** The fine will be \$25.00. If such fine is not paid with the 48 hour period, the Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle that if the fine of \$25.00 plus \$4.50 for mailing is not remitted to the Town within 7 days of the postmark of such written notice, the fine shall increase to \$30.00 for each such violation. If such increased violation is not paid to the Town within 10 days of said 7 days, it shall constitute a violation of this ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 hereof.

Section 16. Evidence of Unlawful Parking: Wherever, in the town ordinance it is provided that it shall be unlawful for a person to park a vehicle, the fact that a vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of said vehicle by the person in whose name said vehicle is registered.

Section 17. Removal of Violating Vehicle (s):

(a) Any vehicle, of any kind or description, parked upon a public street or Municipal Parking Lot of the Town of Van Buren at a place, in a manner, or for a length of time prohibited by an ordinance of the Town or so as to impede the town's snow removal operation or traffic in the public street, municipal parking lot; or any vehicle parked upon a sidewalk of the town, is hereby declared to be an obstruction in such street, sidewalk or municipal parking lot and a menace to the safe and proper regulation of traffic whether vehicular or pedestrian.

(b) Any vehicle parked in such a manner as described in this ordinance and Section 16 may be removed under the direction of, or at the request of the Chief of Police, the police officer in charge of his/her shift, the director or assistant director of public works to a garage or storage place within the Town and impounded therein.

(c) Any person named in subsection (b) may use such force as may be necessary to enter such vehicle and cause the same to be placed in a condition to be moved any may employ any reputable person, engaged in the business of towing and storing vehicles, for such purpose. Neither the Town nor any police officer, nor any

person acting under the direction of a police officer, shall be liable for any damage or expenses incurred that may be caused by such removal. ("Whether there will be liability in a given instance is governed solely by the Maine Tort Claims Act.) ie., Title 14 Section 164 "Immunity from civil liability" etc.

- (d) Notwithstanding any language herein contained, the removal and storage of a vehicle pursuant to this section, and the payment of the charges specified in this deterred owner, or the operator thereof, as his last known address, as shown by the records of the Secretary of State.

Section 18. Notification of Impoundment, Recovery Procedure:

- (a) The police department shall make reasonable effort to notify, as promptly as possible, the registered owner, or the operator of any vehicle of its removal from the streets or sidewalks and municipal parking lots of the town; as soon as possible that said vehicle has been impounded. Notification shall be sent to the registered owner, or the operator thereof, as his last known address, as shown by the records of the Secretary of State.
- (b) Before the owner of an impounded vehicle may remove it from the person towing or storing it, he shall:
 - 1. Furnish satisfactory evidence of his identity and of his or her ownership of such vehicle.
 - 2. Pay established towing charges (s) and/or storage charge (s) to the person having towed and/or stored said vehicle.
 - 3. It shall be unlawful for a person to reclaim or remove an impounded vehicle unless the procedure established in (b-1) and (b-2) above have been followed.

Section 19. Emergency Vehicle Parking: No person shall park in the "Police Parking Only" area or park in front of the Fire Department and Ambulance Department exits (garage doors) which, will cause the obstruction or the free movement of emergency vehicles. The fine will be \$50.00 with the same stipulations mentioned in Article 9, Section (2).

Section 20. Temporary Order Sign³: Any violation of signs posted by order of the Police Chief or officer on duty shall be fine \$25.00 with the same stipulations mentioned in Article 9, Section 2.

Section 21. Parking Facing Traffic: No vehicle shall be park facing oncoming traffic on Main Street within the Compact Zone (Health Center to Church Street). The only exception to this, are trucks delivering goods within this area.

ARTICLE 6. THROUGH WAYS

Section 1. Non-through Ways: It shall be unlawful and prohibited for vehicles licensed for 28,000 lbs. or more gross weight (as defined in Title 29-A, M.R.S.A, Section 101, as amended) to use the following streets;

- Franklin Street,
- St. Francis Street, *known as Franklin Street (East Side only)*,
- Lafayette Street from Main Street to Washington Street,
- Coolidge Street, *known as Lafayette (East Side only)*,
- Pine Street,
- McKinley Street,
- High Street,
- Poplar Street,
- Fulton Street,
- Lynn Street,
- Monroe Street,
- Wilson Street,
- Hillside Street, and
- Church Street,
- Old Mill Street, known as Church Street (East Side),
- Lake Road (60,000 lbs.)

for any purpose other than to service any building or property on said streets, or to make a pick up or delivery from such building or be allowed access by the most direct route to conduct necessary business activity. Residents of said streets shall also be allowed direct access to their residences. *School buses, Federal, State, Municipal or quasi-government owned and operated vehicles are exempt from these restrictions for the purpose other than to service any building or proper – on said-streets, or to make a pick up or delivery from such building or property as defined in the Town of Van Buren Zoning Ordinance Article.*

Section 2. ATV Travel Ways: ATV's may travel on all Town streets and roads. ATV's must travel to the extreme right yield to pedestrians and motor vehicles. While traveling designated ways the speed shall not exceed 10 miles per hour unless otherwise posted.

Section 3. Snowmobiles may be operated on the extreme right of a public way on streets that *are* designated, approved, and posted according to state law. Snowmobiles riders will use these roads for the sole purpose of refueling, meals, or lodging. While traveling designated streets the speed shall not exceed 10 miles per hour unless otherwise posted. The following roads have been designated for snowmobile use.

Franklin Street
McKinley Street

High Street
Hillside Street

ARTICLE 7. SIDEWALKS

Section 1. No person may ride a bicycle on any sidewalks in the Town of Van Buren. Penalty: Any person, who violates the provisions of this section, shall be punished by a fine \$25.00 dollars for each offense and \$50.00 for each subsequent offence.

Section 2. No person shall skate with roller blades, ice skates, skates boards, and or snow· boards

slide or skate upon any sidewalks in the Town of Van Buren. Penalty: Any person, who violates the provisions of this section, shall be punished by a fine \$25.00 dollars for each offense and \$50.00 for each subsequent offence.

Section 3. No person, association or organization shall in any manner obstruct or encumber any of the sidewalks in the Town of Van Buren.

ARTICLE 8. SNOW REMOVAL & STREET CLEANING

Section 1. All Night Parking: From November 1st through may 31st of each calendar year, vehicles will not be parked at any time on any public street or highway in the Town of Van Buren from the hours of 12 a.m. and 6 a.m. as to interfere with or hinder the removal, plowing of snow or cleaning/washing of streets by the highway department.

Section 2. Snow: No Person or business shall be permitted to push, shovel otherwise place snow into the streets and allow to remain on a public way snow or slush that has not accumulated there naturally, as it causes an obstruction on a public way as defined in the *Maine Motor Vehicle Statues, Title 29-A, Section 2396 Sub. 4 "Certain Substance On Public Ways,"* Whoever violates this section will constitute a violation of Title 29-A Section 2396.

Section 3. Snow Removal for Business: Businesses of the Town of Van Buren or person performing a snow removal service will be allowed to push snow on the edge of the roadway prior to the cleaning of Main Street by the Highway Department.

- (a) Any accumulation of snow onto any businesses or resident's property will be disposed of by the owner at *his* or her own expense. Any person who pushes snow across any roadway or public way in the rural and urban sectors of the Town of Van Buren will immediately make all reasonable efforts to clear the way of that substance or snow for public safety. Penalty fine is defined in the *Maine Motor Vehicle Statues, Title 29-A Section 2396 Sub. 4 "Certain Substance On Public Ways,"*

Section 4. Interfering With Snow Removal: No person shall knowingly, intentionally and deliberately interfere with the removal of snow by the highway department on any public street of the Town of Van Buren.

- (a) No person shall knowingly, intentionally, and deliberately operate a vehicle in and out of the right, left, or center lane of any public way where the snow is *of Van Buren by the Highway Department for snow removal.* A violation of this section will constitute a minimum penalty of \$25.00 dollars and not exceeding \$100.00 dollars, said fine to inure to the benefit of the Town.

Section 5. Sidewalks: Sidewalks will be cleared of any open awnings or portable signs for the purpose of removal or clearing of snow by machinery. Sidewalks will be cleared of snow and slush per the discretion of the Director or Assistant Director of Public Works.

- (a) Business Hours: Sidewalks will be cleared during regular business hours ONLY when there is

3 inches or more accumulation of snow or at the discretion of the Highway Director or Highway Assistant Director.

ARTICLE 9. PENALTY

Section 1. Whoever violates any of the provisions of the ordinance, except for Article 6 & 7 shall be punished by a fine not exceeding \$200 dollars for each offense, said fine to inure to the benefit of the Town.

Section 2. Late Fines: If such fine is not paid within the 48 hour period, the Chief of Police shall cause a written notice of such violation to be mailed to the registered owner or operator of said vehicle notifying he/she that if the fine amount, together with the sum of \$4.50 for mailing such notice making the total amount is not paid to the Town of Van Buren Police Department within 7 days of the postmark of such written notice, the fine will increase to \$10.00 if not stipulated in that section for each such violation. If the increased fine is not paid to the Town within 10 days following the expiration of said 7 days, such failure to pay shall constitute a violation of this ordinance, and upon conviction thereof shall subject the violator to the penalties as provided.

Section 3. Fine Amounts: Any violations set above not having a set fine amount will be subject to a \$25.00 fines for the first offense, \$50.00 for second offence and \$100.00 for each subsequent offence and is subject to Article 9, Section 2 "Late Fines".

Section 4. Ownership of an automobile parked in violation of any provision of this ordinance, shall be prima facie evidence that it was so parked by the registered owner.

Section 5. The ordinances hereby repealed remain in force for the trial and punishment of all past violations of them and for the recovery of penalties and forfeitures already incurred, and for the preservation of all rights and remedies existing by them and so far as they apply to any office, officer, trust, proceeding, right, contract or event already affected by them.

Section 6. This ordinance *shall not apply* to police, fire department, ambulance service, and emergency vehicles including fuel oil trucks, when any of these are operated in response to calls.

Section 7. Civil Penalties: Any violations of the Town of Van Buren "*Municipal Traffic and Parking Ordinance*" are not "*Traffic Infractions*" and are considered "*Civil Violations*" with violation penalties payable to the Town of Van Buren.

Section 8. Traffic Infractions: Any part thereof of this traffic ordinance that is considered a "*Motor Vehicle Offense*" and identified as a "*Traffic Infraction of Title 29-A MRS.A., of the Maine Motor Vehicle Statutes*". The Title 29-A or any other Maine State Statutes penalties will "*supersede*" the traffic ordinance penalties. If an officer charges a person for a traffic infraction that appears in this ordinance the officer shall issue a violation summons and complaint to be filed with the "Violation Bureau" with the Bureau Original Copy of the infraction and fine amount within five (5) days according to Title 29-A or any other Maine State Statutes. Should any section, paragraph, sentence, clause or phrases of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

ARTICLE 10. SUNSET PROVISION

This ordinance shall be in force on this date September 3, 2003 and will remain in effect until changed by a majority of the Town Council.

Ordinance was reviewed and changed by Council on March 26, 2012.

Council Chairman

Council Secretary

Councilman

Councilman

Councilman