

TOWN OF OAKLAND

STREETS, SIDEWALKS AND MUNICIPAL PARKING AREAS

As Amended 08/14/02	As Amended 12/14/05	As Amended 06/25/08
As Amended 09/10/08	As Amended 11/24/08	As Amended 08/16/11
As Amended 09/10/14	As Amended 11/18/15	As Amended 01/13/16

SECTION A. PARKING

1. No vehicle shall stop or stand within the intersection of any street or within (10) ten feet of a street corner or square within the town limits, nor within (7) feet of any hydrant wherever located.
2. No vehicle shall remain backed up to the curb except when actually loading or unloading and then only for a reasonable amount of time.
3. No vehicle shall stop in such a way as to obstruct any street or crosswalk for the purpose of taking on or setting down a passenger, for loading or unloading freight for a period of more than (5) five minutes, at any one time, or for any purpose except in a case of accident or when directed to do so by a police officer.
4. A person having charge of a vehicle will not stop the same abreast of another vehicle lengthwise of a street in any public street, except in the case of an accident or emergency, provided, however, that this section shall not apply to Police, Fire Department, United States vehicles and ambulances.
5. It is unlawful for the operator or the owner of the vehicle to be parked on any street or town road between the hours of (12) twelve midnight and (6) six o'clock am from the first day of November on any year to the first of April in the following year.

No vehicle shall be parked at any other time on any public street, municipal parking lot, or public way so as to interfere with or hinder the removal of snow from the street, municipal parking lot, or public way by the town, plowing, loading or hauling. The Chief of Police or his designee may cause any vehicle so parked on any street, municipal parking lot, or public way, so as to interfere with or hinder the removal of snow by the town by plowing, loading, or hauling, to be removed from that area at the expense of the owner of such vehicle and without the town being liable for any damage that may have been caused by such removal, according to the provisions of section F.

6. No person shall willfully park a vehicle on any portion of any sidewalk within the town, in such a manner as to obstruct or prevent the proper use of said sidewalks by pedestrians passing in either direction.
7. No person shall park a vehicle in such a manner as to obstruct the entrance to any public or private property.
8. No person shall park a vehicle with its driver's side to the curb.

9. When signs are erected giving notice thereof, no person shall park a vehicle at anytime upon any of the streets or parts of streets described in Section H.

10. There shall be a maximum of (1) one hour parking from 6 a.m. to 9 p.m., on both sides of Main Street from the intersection of Center Street to the north end of the property now known as Blake Hardware. Areas will be so designated by the posting of signs. There will be no overnight parking allowed in this area.

11. No vehicle without trailer attached shall be parked in any area, designated by a sign, as a vehicle and trailer parking area or any area designated as a no parking zone, at the public landing which is defined as part of map 14 lot 194.

No vehicle with a trailer attached shall park in any area designated by a sign as a single vehicle parking area at the public landing.

12. A person having charge of a vehicle shall not stop the same in a marked parking space in such a manner as to cause any portion of said vehicle to overlap with or obstruct access to any adjacent marked parking space.

13. No person shall park a vehicle upon any roadway for the principle purpose of: (1) advertising; (2) displaying such vehicle for sale; or (3) washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

14. No person shall park a vehicle in a parking space clearly marked as a handicapped parking space if said vehicle does not bear a special registration plate or placard issued under Title 29A Section 521, or a similar plate issued by another state. "clearly marked" includes painted signs on pavement and vertical standing signs which are visible in existing weather conditions.

15. When signs are erected giving notice thereof, vehicles parked overnight in a municipal parking area shall be removed by 7:00 AM the following day. Vehicles parked in violation of this section may be towed at the owner's expense without notice. (As amended 12/14/05)

SECTION B. STREETS AND SIDEWALKS

1. The use of bicycles on sidewalks in the town is prohibited.

2. Sliding on the streets or sidewalks in the town with a handsled, skateboard, or other vehicle is prohibited.

3. The racing of horses or other animals of any description, or bicycles on any of the streets in the town is prohibited.

4. Playing ball or similar games is hereby prohibited on the streets or highways of the town.

5. The use of any vehicle other than a baby carriage on any sidewalk so as to discommode any person is prohibited.
6. It is unlawful for any person to place or keep any box, barrel, bale goods, wood, or other cumbersome article on street or sidewalk except for immediate conveyance across the same.
7. It is unlawful to drive, ride, or lead any animal, with the exception of a domestic animal while on a leash, on any sidewalk in the town.
8. Intermittent display of lighted messages will be permitted on signs, and display of messages may change after four (4) seconds.

SECTION C. CONSTRUCTION OR EXCAVATION

1. It shall be prohibited for any person, firm or corporation to dig up the street or sidewalk for any purpose without written permission from the road commissioner. The requirements for restoration of the disturbed street or sidewalk area shall be as provided for in a policy adopted by the Town Council.
2. It shall be prohibited for anyone to place any obstruction in a ditch or other course by the side of a street or highway in the Town without providing a sufficient culvert for the passage of water, to the acceptance of the Road Commissioner.

SECTION D. GENERAL

1. Any person, firm, or corporation who shall encumber the street or passageway of any private residence, cross-walk, or business block with snow or other obstruction must remove the same to the satisfaction of the Police Chief or his designee.

This subsection shall not apply to municipal vehicles in their performance of plowing streets and sidewalks.

SECTION E. TOWING

1. Emergency towing of vehicles left unattended in a public street or parking lot may be towed without giving prior notice upon order of the Police Chief or his designee to an appropriate towing firm when such vehicles interfere with the town's ability to deal with emergency situations, including but not limited to the following:

- A. snow removal operations
- B. fire fighting operations
- C. police activity, including maintaining civil order
- D. highway services
- E. sewer services
- F. ambulance or medical service
- G. traffic control or flow

However, notice and an opportunity for a hearing is given immediately after the tow in accordance with sections F-3 and F-4.

For Non-emergency towing - the Police Chief or his designee may not authorize a vehicle to be towed without first giving notice of the proposed tow to the persons and in the form provided in section F-3 and an opportunity for a hearing prior to the tow as provided in section F-4.

2. OWNER RESPONSIBILITY

The owner of a vehicle towed in compliance with section F-1 shall be responsible for paying towing and storage costs to the towing firm and otherwise be responsible for recovering the vehicle from the place of impoundment except as otherwise provided in section F-4.

3. NOTICE

Notice to owner - the owner of a vehicle towed under authority of section F-1 shall be notified in writing by the Police Department immediately following the tow. Notice shall be either by personal delivery in hand by a police officer or by certified mail, return receipt requested, depending on which method will provide the earliest notice in the departments judgment. In either instance, the owner must acknowledge receipt of the notice in writing.

Contents - the notice shall indicate the exact vehicle towed, make, model, year, license plate number, color, the date and time on which it was towed, the location from which it was towed, the condition of the vehicle when it was towed, the reason for the towing, the name and address of the towing firm, the location to which the vehicle was towed (if this information is available), and the signature of the police officer who ordered the towing.

The notice shall be addressed to the vehicle owner and shall obtain the following statement: "You are hereby notified that the above-described vehicle was ordered towed by the Oakland Police Department. You may recover the vehicle from its place of storage upon payment to the towing firm of the towing and storage charges. If you wish to contest the towing of your vehicle or payment of the charges, you may request a hearing to be conducted by the Chief or Captain of Police. Your written request must be made to the Oakland Police Department at P.O. Box 187, Oakland, Maine 04963 within 72 hours of actual receipt of this notice."

Notice to secured party or by publication - if after a diligent search, the police department cannot determine the owner of the vehicle, the department may notify in the same manner the holder (s) of a security interest in the vehicle. If after a diligent search neither the owner nor a secured party (ies) can be determined, the Police Department may give notice by publication in a newspaper of general circulation in the town at least once a week for two consecutive weeks.

4. HEARING AUTHORITY

Designation; scheduling hearing - the Hearing Authority shall be the Chief or Captain of Police, who shall receive a request for a hearing and establish a time, date and place for the hearing to be held within 72 hours of receipt of the request. The hearing authority shall establish written rules of procedure to govern the conduct of such hearings.

The petitioner shall be given notice of the time and location of the hearing and shall be allowed to present any evidence, testimony or documentation in support of his or her position and shall have the right to question any witnesses appearing in opposition to his or her position. The hearing shall be conducted as informally as possible consistent with due process.

The Chief or Captain of Police shall consider any relevant evidence or testimony and may uphold the validity of the towing if the town is not upheld, the city shall pay the full cost of the tow and any accrued storage charges assessed by the tow operator up to and including the day upon which the hearing is held.

APPEAL - any person aggrieved by a decision of the Chief or Captain of Police may appeal to the Town Manager in writing within ten (10) days of receipt of that decision in writing. The Town Manager may uphold or reverse the decision of the Chief or Captain of Police. If the decision is reversed, the town shall pay the full towing fee and any accrued storage charges up to and including the day upon which the hearing before the Chief or Captain of Police was held.

SECTION F. FINES AND PENALTIES

Any owner or operator who violates the provisions of the town ordinance pertaining to motor vehicle parking shall be subject to a fine according to the following schedule:

1. FINES FOR PARKING VIOLATIONS:

VIOLATION	FINE
Parking w/in 7' of hydrant	30.00
Parking w/in 10' of intersection	15.00
Backed up to curb	15.00
Parking in crosswalk	15.00
Obstructing a street	15.00
Double parking	15.00
Overnight parking	30.00
Blocking sidewalk	15.00
Blocking/obstructing entrance to public/private way	15.00
Left side to curb	15.00
Parking in prohibited area	15.00
Overtime parking	15.00
Parking in restricted area	15.00
Parking over lines	15.00
Unlawfully parked	15.00
Handicap parking violation	50.00

2. If fines are not paid within (14) fourteen days of the issuance of a citation, the amount due for the violations will be twice that of the fine specified for that violation in the schedule above.
3. If fines are not paid within (30) thirty days of violation, the legally listed owner of the motor vehicle that was noted as being illegally parked shall be summonsed to appear in court to answer to a complaint of violation of this ordinance. There shall be a fine, of not less than \$25.00 nor more than \$75.00 for any violation of this subsection. A separate offense shall be deemed to have been committed for each and every day a violation of this ordinance continues after notice of the violation has been given.
4. All fines under sections F and G are returnable to the Town of Oakland. (As amended 01/13/16)

5. Offenders who have three or more unpaid parking tickets issued by the Oakland Police Department under this ordinance shall be considered scofflaws. Any vehicle of a scofflaw found to be in violation shall be removed and stored at the owners expense until all fines, penalties, storage, and towing charges are paid. In the event that such vehicle has not been redeemed in (6) six months, it shall be deemed to have been abandoned by its owner. Disposal of abandoned property will be governed by Title 29 A Section 1852.

SECTION G. NO THRU TRUCKS

1. There shall be no through trucks on the Town Farm Road from the Belgrade Road to Route 137 (Holmes Road included) and on the portion of Summer Street from the Gage Road to the bridge on the Belgrade Road.
2. This ordinance shall not pertain to pickups or 4 wheel vans.
3. All State and Oakland municipal vehicles shall be exempt from this ordinance.
4. Location: Rice Rips Road, Oakland Maine.
Weight Limit: No Through Trucks over 26,000 lbs GVW. (As amended 01/13/16)

Exemptions:

1. Any two-axle vehicle while delivering home heating fuel.
2. Any vehicle while engaged in highway maintenance or repair under the direction of the State or Town.
3. Any emergency vehicle (such as firefighting apparatus or ambulances) while responding to an emergency.
4. Any School transportation vehicle.
5. Any public utility vehicle while providing emergency service or repairs.
6. Vehicles engaged in farming or agricultural work.
7. Any vehicle whose owner or operator holds a valid permit from the Town of Oakland.

Permits:

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Municipal Officers and/or Road Commissioner for a permit to operate on a posted way or bridge notwithstanding the restriction. The Municipal Officers or Road Commissioner may issue a permit only upon all of the following findings:

1. No other route is reasonably available to the applicant.
2. It is a matter of economic necessity and not mere convenience that the applicants use the way or bridge.

3. The applicant, if required, has tendered cash, a bond or other suitable security running to the Town in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.

Summary:

The purpose of this weight restriction on the Rice Rips Road is to prevent damage which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to passenger cars, runners and walkers, to extend the life expectancy and to reduce the public expense of maintenance and repair.

Fines for "No Thru Truck" violations: A fine of \$250.00 shall be issued to the driver or owner of the vehicle that violates the "No Thru Truck Ordinance" for both the Town Farm Road and the Rice Rips Road. This fine shall be issued for each time a violation occurs. (As amended 01/13/16)

SECTION H. SCHEDULES

PARKING IS PROHIBITED AT ALL TIMES UPON THE FOLLOWING STREETS OR PARTS THEREOF:

<u>STREET</u>	<u>AREA AFFECTED</u>
1. AYER	On both sides of Ayer Street from 1:00 AM until 7:00 AM from Pleasant Street to the terminus of Ayer Street. (As amended 06/25/08 and 11/24/08)
2. BELGRADE	On both sides of the Belgrade Road (formerly Summer Street) section of State Route 11 from Old Belgrade Avenue east to the junction of Church Street and no parking on Church Street as follows: *On the west side from the corner junction with Belgrade Road to the common property line between lots 169 & 170 of tax Map #14. *On the east side from the corner junction with Belgrade Road to the junction of Rutter Avenue and Church Street. (As amended 07/10/96)
3. GOODWIN	Both sides of Goodwin Street from the intersection of Water Street to the river.
4. GREELEY	On both sides of Greeley Street from 1:00 AM until 7:00 AM from Fairfield Street to Ayer Street. . (As amended 06/25/08 and 11/24/08)
5. HEATH	North side between the easterly and westerly boundaries of the Atwood and Tapley school property between the hours of 6:00 am to 5:00 pm. (As amended 09/10/14)

6. MCGRATH
POND

On the west side of McGrath Pond Road a distance of 1,000 feet from the intersection of Camp Tracy Meadows northerly toward Smithfield Road.

On the west side of McGrath Pond Road a distance of 1,000 feet from the intersection of Pleasant Point Meadows northerly toward Smithfield Road.
(As amended 06/25/08)

7. OAK

The East side of Oak Street for 200 feet north and 200 feet South of the main entrance to Messalonskee High School. The West side of Oak Street 50 feet North and 50 feet South of CMP pole #15, South of the driveway of lot 171, located on map 15. The west side of Oak Street from a point 200 feet North of the Messalonskee High School entrance where the pavement narrows to the intersection of Oak Street and Oak Hill Drive. (As amended 12/16/91)

8. OLD BELGRADE
AVENUE

Both sides from the intersection of Route 11 Avenue to the Libby Tomb.

9. WATER

Both sides of Water Street from the intersection of School Street and Water Street, northerly to the Small Stream that goes under Water Street.
(230 feet more or less)

10. WEST
PLEASANT

On the east side of West Pleasant Street from the intersection of Main Street a distance of approximately 50 feet. (As amended 10/13/98)

11. WEST
SCHOOL

On West School Street on the Northerly side from the intersection of Church Street and School Street, easterly beyond the second driveway of the funeral home, or approximately seventy-five (75) feet.