

# PARKING ORDINANCE

## TOWN OF LIBERTY

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**1. AUTHORITY AND PURPOSE:** This ordinance is adopted by the Municipal Officers (Board of Selectmen) of the Town of Liberty in accordance with 30-A MRSA § 3009. The Selectmen find that unrestricted parking of motor vehicles on certain portions of public ways in Town creates a traffic hazard and is dangerous to motorists and pedestrians alike. Unrestricted parking causes traffic congestion, reduces sight distances for motorists, impedes winter maintenance, and causes motorists to drive outside the designated travel lane and into oncoming traffic. The purpose of this ordinance is to regulate parking as necessary to protect the public health, safety and welfare.

**2. DEFINITIONS:** Words used in this ordinance shall be defined in accordance with 29-A MRSA §101; any undefined word shall have its common, ordinary meaning.

**3. RESTRICTIONS:** No person shall park a motor vehicle on portions of public ways, where "No Parking/Tow Away Zone" signs or signs bearing similar language have been erected or written on the pavement by the Town.

**4. TOWING:** A motor vehicle parked in violation of this ordinance may be towed by a wrecker authorized by the Town, at the request of the Selectmen. Towing under this section shall not be allowed unless, at the time of the tow, there is at least 1 sign stating that violators may be towed and indicating the telephone number and address of the place at which a towed car may be recovered. Within 5 days of the tow the Town official who supervised the tow shall send to the registered owner a notice stating the date and time of the tow, the location where the motor vehicle is impounded, and the requirements for release of the motor vehicle.

**5. RELEASE OF TOWED VEHICLE:** Any person seeking release of a motor vehicle towed pursuant to this ordinance must first (a) pay all towing charges and storage charges and (b) present satisfactory evidence of his or her right to possession and sign a receipt for the vehicle.

**6. PRIMA FACIE EVIDENCE OF OPERATION:** No person shall cause, allow or permit a motor vehicle registered in his or her name to park in violation of this ordinance. The fact that a motor vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered.

**7. ENFORCEMENT AND PENALTIES:** This ordinance shall be enforced by an appropriate law enforcement agency. A violation of this ordinance is a civil violation punishable by a fine of \$50.00. Any person charged with a violation of this ordinance may waive court action by paying a fee of \$25.00 to the Town Clerk within 30 days of the violation.

**8. SEVERABILITY AND EFFECTIVE DATE:** In the event that any provision of this ordinance is declared by a court to be unenforceable, the remaining provisions continue in full force and effect.