

## Town of Liberty Parking Ordinance

**Authority:** This Town of Liberty Parking Ordinance (hereinafter "the Ordinance") is adopted pursuant to 30-A M.R.S.A. § 3009.

**Purpose:** This Ordinance is designed to protect public health and welfare by regulating the parking of motor vehicles on certain public ways. Unrestricted parking on public ways creates traffic hazards and is dangerous to pedestrians and motorists, and it is the purpose of this Ordinance to reduce this danger.

**Definitions:** For purposes of this Ordinance, the terms listed below are defined as follows; any other term used in this Ordinance shall have its common, ordinary meaning unless otherwise indicated.

"Public Way" means any town way or public easement as defined in 23 M.R.S.A. § 3021 and any portion of any State or State-aid highway located within the town. This term includes ways commonly designated as streets, lanes, roads and avenues and includes paved or unpaved shoulders of such ways.

"Motor Vehicle" is any vehicle defined in 29 M.R.S.A. § 1.

**Regulated areas:** When signs are erected giving notice thereof, no person shall park any motor vehicle at any time on the following public ways or specified portions thereof:

1. Main Street aka "The Village" starting at point 200 feet from the channel headed east to the Liberty Baptist church including all sidewalks.
2. Marshall Shores rd. starting at the beginning of the lake to the end of the lake on both side of road. This includes overnight camping at the public swimming area.
3. All Roads, No overnight parking in lots or in municipal rights of way.
4. All Roads in Town with temporary or permanent parking signs

**Exceptions:** This Ordinance does not apply to motor vehicles that are parked in prohibited areas for the following reasons:

Mechanical problems or breakdown; Emergency situations; or

Exceptions:

Maintenance, construction, repair or installation of utilities or the public way by any State or municipal agency or utility company. Penalties: Any person found in violation of this Ordinance by a Court of competent jurisdiction shall be subject to a fine of not more than \$200.00 nor less than \$40.00; all fines accrue to the municipality. Persons charged with violating this Ordinance may waive court action by payment of a fee of \$40.00 within 7 days after receiving notice of the violation. Any such waiver and payment of fee shall be processed through the Town Clerk.

**Enforcement:** This Ordinance shall be enforced by the Municipal Officers, Road Commissioner or their duly appointed designee. Violation of this Ordinance shall be a traffic infraction and shall be prosecuted, if necessary, in the appropriate District Court.

Severability: In the event that any portion of this Ordinance is found by a Court to be invalid, the remaining provisions shall continue in full force and effect.

Effective Date: This Ordinance shall become effective when adopted by a majority of the Municipal Officers.

Towing: Any motor vehicle parked upon a public street of the Town of Liberty in a place, manner or for a length of time prohibited by this Ordinance, or during any parking ban declared by the Municipal Officers/Town Manager/Road Commissioner, is hereby declared to be an obstruction in the public way and a menace to the safety of the traveling public. Any motor vehicle parked which constitutes an obstruction under this Section of this Ordinance may at the request and under the direction of the Municipal Officers/Town Manager/Road Commissioner be towed to a suitable garage or storage space and impounded thereon until all towing and storage fees are paid.

When any vehicle is towed pursuant to this Ordinance, the following procedure shall be followed:

1. Notice shall be sent to the registered owner of the vehicle by regular 1st-class mail, postage pre-paid, within 24 hours following the tow.
2. The Notice shall contain the following information: registration number and brief description of the vehicle; name and address of person or company who performed the tow; location where the vehicle is stored; the provisions of the Ordinance which were violated and led to the tow.

In witness whereof the parties, or their duly empowered representatives, have executed this Parking Ordinance on the 21st day of August, 2017.

MUNICIPAL OFFICERS OF THE TOWN OF Liberty, MAINE

<u>James J. [Signature]</u>	<u>Donald Harriman</u>	Witness to the Selectmen
<u>Melinda Steeves</u>		Melinda Steeves, Selectman
<u>Carrie Peavey</u>		Carrie Peavey, Selectman
<u>Henry Hall</u>		Henry Hall, Selectman