

# PARKING ORDINANCE

## TOWN OF DAYTON, MAINE

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**1. AUTHORITY AND PURPOSE:** This ordinance is adopted by the Municipal Officers (Selectmen) of the Town of 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:**

“Public Way” means any town way or public easement as defined in 23 M.R.S.A. Sec.3021 and any portion of any 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. Sec.1

Any other term used in this ordinance shall have its common, ordinary meaning unless otherwise indicated.

**3. RESTRICTIONS:** No person shall park a motor vehicle on the following public ways (see list attached as Exhibit A) or portions of public ways, where "No Parking / Tow Away Zone" signs or signs bearing similar language have been erected by the municipality.

**4. TOWING:** A motor vehicle parked in violation of this ordinance may be towed by a wrecker authorized by the municipality, at the request of and under the supervision of the town constable or other official duly authorized and appointed by 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 can be recovered.

**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 the Municipal Officers or their duly appointed designee. Violations of this ordinance shall be traffic infractions and shall be prosecuted, if necessary, in the appropriate District Court.

**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. This ordinance shall become effective when adopted by a majority of the Board of Selectmen.

**9. AMENDMENTS:** This ordinance may be amended as deemed necessary by a majority vote of the board of selectmen. The selectmen shall conduct a public hearing on any proposed amendment.

Date adopted: May 2003

## EXHIBIT A:

Enacted May 2003

Amended April 30, 2004

No Person shall park a motor vehicle on the following public ways or portions of public ways where No Parking/Tow Away Zone” signs or signs bearing the similar language have been erected by the municipality:

- (1) Company Road from the intersection of Union Falls Road to Red Brook, no parking on both side of street.
- (2) No Parking on Union Falls Road From intersection of Hollis Road to end of street, no parking both sides of street
- (3) Landing Road from intersection of Union Falls Road to Gate across road leading to Skelton Dam, no parking both sides of street
- (4) Route 35, between New County Road and the Lyman Town Line.