

Town of Limerick, Maine
Traffic and Road Safety Ordinance

REVISED June 20,2023

REVISED August 12,2024

ARTICLE I INTRODUCTION

Section 1. Authority

This Ordinance is adopted pursuant to the authority granted to the Town under 30-A M.R.S. §3009 and 29-A M.R.S. §§2075 and 2395.

Section 2. Purpose

The purpose of this Ordinance is to protect public health and welfare by regulating motor vehicle traffic and parking on certain town ways. Unrestricted parking on town ways creates traffic congestion, prevents the passage of fire and police equipment, impedes winter maintenance and is dangerous to pedestrians and motorists. Excessive vehicle weight can cause damage to roads and bridges increasing the public expense for maintenance and repair. Larger vehicles can also increase the safety hazards to pedestrians and the traveling public. This Ordinance seeks to reduce these dangers and to regulate parking, vehicle weight and winter road closures, as necessary to protect public health, safety and welfare.

ARTICLE II PARKING

Section 1. Definitions

Public Way – means any “town way” or “public easement,” as defined in 23 M.R.S. §3021, as amended, located within the Town, including those shoulders or other portions thereof located adjacent to but outside of the travelled way. Roads discontinued or abandoned, which remain subject to a public easement, are included.

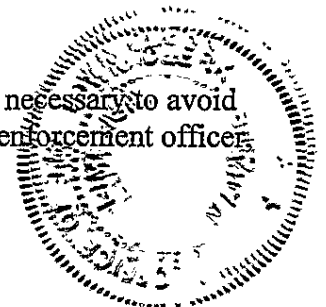
Motor Vehicle – means “motor vehicle,” as that term is defined in 29-A M.R.S. § 101(42), as may be amended.

Parking - when prohibited, means halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic, in compliance with the directions of a law enforcement officer or traffic control device, postal or parcel delivery services, and when dropping off or picking up passenger(s).

Section 2. Stopping, Standing, or Parking Prohibited in Specific Places

No person shall stop, stand or park a motor vehicle or motorcycle, except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a law enforcement officer or traffic control device, in any of the following places:

1. On any area designated as a fire access;
2. On a sidewalk;
3. In front of or within a public or private road, driveway, alleyway, fire lane, or loading zone;



4. Within an intersection;
5. Within ten feet of a fire hydrant;
6. On a crosswalk;
7. Within fifteen (15) feet of the rear corner of the curbs at an intersection, except where otherwise designated;
8. Within fifteen (15) feet upon the approach to any stop sign located at the side of a roadway;
9. On the roadway side of any vehicle stopped or parked at the edge of a curb or street;
10. Upon any bridge;
11. At any place where official signs, white or yellow painted curbs or other road painting or markings so prohibit;
12. In any other place or manner which obstructs vehicular or pedestrian traffic along a public or private way;
13. In the following specific sections of public ways:
 - (a) From 43 Main Street (Restaurant Parking lot) to Elm Street; and
 - (b) From 66 Main Street (Church) to 40 Main Street (North side of the entrance Jeremiah Mason House.
 - (c) Both sides of Washington Street from Main Street to Emery Corner Road.
 - (d) Right side of Park Street from Central Ave to the Ball Park parking lot.
 - (e) Right Side of Watson Hill Road from Emery Corner Rd. to the Sission's house (June 3, 2024 Select Board meeting).

Section 3. Obstruction of Free Passage

No person shall stop, stand, park or leave a motor vehicle or motorcycle on any street in such a manner or under such condition so as to obstruct the free passage of other vehicles or motorcycles in either direction, or so as to leave available less than fifteen (15) feet of the width of the roadway for free movement of vehicular traffic, unless specifically permitted by a law enforcement officer.

Section 4. Reverse Direction Parking Prohibited.

No person shall allow, permit or suffer any motor vehicle or motorcycle to stand or park on any public way facing oncoming traffic.

Section 5. Parking within Special Allowable Times.

The provisions of this Article prohibiting the standing or parking of a motor vehicle shall apply at all times or at those times herein specific or as indicated on official signs except when it is necessary to stop a vehicle or motorcycle to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or official traffic-control device.

Section 6. Snow Ban Parking Restrictions

Between November 1 and April 15 no motor vehicle or motorcycle shall be parked on any public way from 11:00 p.m. to 7 a.m., so as to interfere with or hinder the removal or snow from said street or way by the Town plowing or loading and hauling. Parking may be prohibited with notification to facilitate daytime snow removal.

Section 7. Overnight Parking Prohibited

No person shall park, leave or abandon any motor vehicle or motorcycle on public way between the hours of 1:00 a.m. and 5:00 a.m. This restriction specifically prohibits sleeping in parked motor vehicle on any street or public way between the hours of 1:00 a.m. and 5:00 a.m.

Section 8. Handicapped Parking

No person shall park any motor vehicle or motorcycle in any parking space designated as "handicapped" or "disabled" unless the motor vehicle or motorcycle bears a special registration plate or placard issued under 29-A M.R.S. § 521 or 523.

Section 9. Restricted Parking.

No person may park any motor vehicle or motorcycle such as to prohibit the access or egress of fire or rescue vehicles into or out of a fire station or at the scene of a fire or other emergency.

Section 10. Use of Sidewalks.

The use of bicycles, skateboards, roller skates and in line skates on any public sidewalks between June 15 and Labor Day is strictly prohibited, provided, however, that bicycles may be walked along sidewalks.

Section 11. Enforcement & Penalties

- a. This Article shall be enforced by the Municipal Officers or their designee. This Article may be enforced by law enforcement or constable authorized by law to enforce parking ordinances.
- b. Unless a greater penalty is expressly provided by State law, a violation of this Article is a civil violation punishable by a fine for the first offense a fine of \$50.00, and second or more offense(s) a fine of \$100.00 in accordance with 30-A M.R.S. § 3009(1)(C). Any person charged with a violation of this Article may waive their right to appear in court and defend that matter before any court of competition jurisdiction, by paying a fee for the first offense of \$25, or for the second and future offense(s) \$50.00 to the Town Clerk within 14 days of the violation. All fines and waiver fees shall accrue to the benefit of the Town.
- c. No person shall cause, allow or permit a motor vehicle registered in his or her name to park in violation of this Article. 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.

Section 12. Towing

- a. Any motor vehicle parked within a public way in a place or manner prohibited by this Article, for a period of more than twenty-four (24) hours, or during any temporary parking

ban declared by the Municipal Officers, is hereby declared to be an obstruction in the public way.

b. Any motor vehicle which constitutes an obstruction under this Article may, at the request of the Municipal Officers, law enforcement officer, or their designee, be towed to a suitable garage or storage space and impounded thereon.

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

(i) Notice shall be sent to the registered owner of the vehicle by regular first-class mail, postage pre-paid, within 24 hours following the tow and may also be communicated to the register owner by phone or in person when practicable.

(ii) The notice shall contain the Maine or other state vehicle registration number; a brief description of the vehicle; name and address of the person or company who performed the tow; location where the vehicle is stored; the provisions of the ordinance which were violated; and the fees for the violation, towing, and storage.

(iii) The registered owner of the towed vehicle shall be responsible for all charged assessed by a third-party towing company that tows the motor vehicle, including, but not limited to, towing costs and impound and storage costs, as well as any parking penalty assessed by the Town. All costs shall be due and payable to the third-party towing company effectuating the towing of the motor vehicle, subject to any terms and conditions required by said company.

Section 13. Signs.

The Road Commissioner, or their designee, with the approval of the Municipal Officers, shall place and maintain traffic-control signs, signals, and devices when and as required.

Section 14. Speed Limits

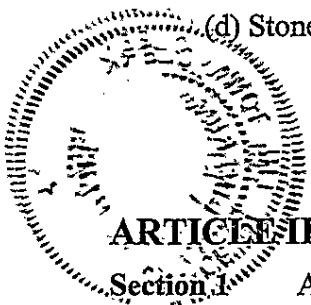
The following streets have a restricted and posted speed limit.

(a) Foss Road the entire length is 35 MPH.

(b) Quarry Road from Emery Corner Road to the town Line is 35 MPH.

(c) Range E Road from the town line to Sokokis Trail South is 35 MPH.

(d) Stone Hill Road from Elm Street to Town Line is 35 MPH



ARTICLE III VEHICLE WEIGHT RESTRICTIONS

Section 1 Authority

This Article is enacted pursuant to the Town's authority under 30-A M.R.S. § 3009 and 29-A M.R.S. §§ 2388 and 2395.

Section 2 Definitions

Except as otherwise provided herein, the definitions contained in 29-A M.R.S. § 101 shall govern the construction of words contained in this Article. Any words not defined therein shall be given their common and ordinary meaning.

Section 3 Restrictions and Notices

The Municipal Officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of motor vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Subject to all applicable exemptions in this Article, or the issuance of a permit by the Municipal Officers or their designee, the operation of any motor vehicle with a gross registered weight in excess of 23,000 pounds, inclusive of a towed unit or units, shall be prohibited on a particular town way or portion of a town way, effective upon the posting of such restrictions at both ends of said town way or portion of said town way.

Pursuant to 29-A M.R.S. § 2395, the notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the Municipal Officers.

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section 4 Exemptions

The following vehicles are exempt from all gross weight restrictions imposed by this Article:

- a. Any motor vehicle or combination of motor vehicles, inclusive of a towed unit or units, registered for a gross weight of 23,000 pounds or less;
- b. Any motor vehicle transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes, provided that such motor vehicles comply with all conditions stated in 29-A M.R.S. § 2395(4-A) (A) – (C), as amended;
- c. MaineDOT motor vehicles or other motor vehicles authorized by MaineDOT, a municipality or county to maintain the roads under their authority;
- d. "Authorized emergency vehicles" as defined in 29-A M.R.S. § 2054(B), as amended, including but not limited to, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and motor vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair;
- e. Any two-axle motor vehicles registered for a gross weight in excess of 23,000 pounds that is carrying any of the following:

- i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36" in length, propane and wood pellets);
- ii. Petroleum products;
- iii. Groceries;
- iv. Bulk milk;
- v. Bulk feed;
- vi. Solid waste;
- vii. Organic animal bedding;
- viii. Returnable beverage containers;
- ix. Sewage from private septic tanks or porta-potties; or
- x. Medical gases;

f. Motor vehicles owned or operated by parties living on, and/or operating a business on a specific road or road segment listed in this Article; or

g. Motor vehicles accessing properties or businesses located on a specific road or road segment listed in this Article, for the purpose of making deliveries or otherwise performing activities related to the vehicle owner's business.

Section 5 Permits

The owner or operator of any motor vehicle not otherwise exempt under this Article may apply in writing to the Municipal Officers for a permit to operate on a posted way or bridge notwithstanding the restriction established under this Article. The Municipal Officers may issue a permit only upon all of the following findings:

- a) no other route is reasonably available to the applicant;
- b) it is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and
- c) the applicant has tendered cash, a bond, or other suitable security benefitting 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.

Even if the Municipal Officers make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the Town. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.

In determining whether to issue a permit, the Municipal Officers shall consider the following factors:

- a) the gross registered weight of the motor vehicle;
- b) the current and anticipated condition of the way or bridge;
- c) the number and frequency of vehicle trips proposed;
- d) the cost and availability of materials and equipment for repairs;

- e) the extent of use by other exempt motor vehicles; and
- f) such other circumstances as may, in their judgment, be relevant.

The Municipal Officers may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

Section 6 Specific Roads Where Excessive Weight Is Prohibited

The operation of any vehicle with a gross registered weight in excess of 23,000 pounds, which (1) does not fall under any exemption listed in this Article, and (2) has not received a permit from the Town of Limerick under this Article, is prohibited on the following town ways:

- a. Coffin Hill Rd
- b. Lombard Hill Rd
- c. Norton Rd
- d. Range E Rd
- e. Staples Rd

Section 7 Penalties

Any violation of this Article shall be a civil violation subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the Town may seek restitution for the cost of repairs to any damaged way or bridge and its costs of enforcement, including its reasonable attorney's fees. Prosecution shall be in the name of the Town and shall be brought in the Maine District Court.

ARTICLE IV WINTER ROAD CLOSURES

Section 1 Designated Roads

The Municipal Officers may, pursuant to 23 M.R.S. §2953, designate that any town way, or portion thereof, located in the Town may not be maintained or open for travel during the months of November, December, January, February, March and April or any part of these months. This designation shall be based on resident population and frequency of travel during those months.

Section 2 Public Hearing

Prior to any designation for closure per Article IV, Section 1, the Municipal Officers shall hold a public hearing. The Municipal Officers shall place a written notice of the hearing in some conspicuous public place in the Town at least 7 days before the hearing.

Section 3 Order of Closing

After a hearing under Article IV Section 2, by approval of a majority of the Municipal Officers at a public meeting, the designated public ways shall be ordered closed and notice of such given to the Town Clerk. This order shall only apply to the upcoming winter or spring season. The Municipal Officers may annul, alter or modify the original order after notice and public hearing as required above.

Section 4 Ways Closed to Winter Maintenance

Consistent with the provisions of this Article, the following town ways are closed to winter maintenance:

- a. Ed Hasty Rd Known as Win Griffith Rd from Limerick-Cornish town line to Quarry Rd.
- b. Shire Rd from the Limerick Sanitation Recycling Facility to the junction of Blackberry Ln
- c. Staples Rd from Limington to Limerick town line to 10 Staples Hill Rd
- d. Coffin Hill Rd from Prokey Rd to 8 Coffin Hill Rd
- e. Watson Hill Rd from 297 Watson Hill Rd to the Limerick-Cornish town line
- f. Nason Rd formerly Allen Hill Rd from Quarry Rd 157 Nason Rd

ARTICLE V MISCELLANEOUS

Section 1 Enforcement

Unless otherwise provided for herein, this ordinance shall be enforced by the Municipal Officers, a law enforcement officer, or their duly appointed designee. Violation of this ordinance shall be a civil violation pursuant to 30-A M.R.S. § 3009 and shall be prosecuted, if necessary, in the appropriate District Court in the name of the Town and subject to the penalties and other provisions established herein.

Section 2 Effective Date

This ordinance and amendments thereto shall become effective immediately upon enactment by a majority of the Municipal Officers.

Section 3 Severability

In the event any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

Section 4 Amendment

This Ordinance may only be amended upon a majority vote of the Municipal Officers.

Katie Proctor

Gilbert Harris

Wade Andrews

John Medici

Brady Connors

August 12, 2024
Date Approved:



I hereby certify that the foregoing is a true abstract or copy of a record which is in my official custody.

Date Accepted: August 12, 2024

Attest: DeeDee Tibbets,

Municipal Clerk, Town of Limerick, Maine

Date Attest: August 13, 2024

