

**TOWN OF NAPLES
TRAFFIC ORDINANCE
Approved July 15, 1996 by the Board of Selectpersons
Effective July 15, 1996
Amended December 22, 1997
Amended June 30, 2003
Amended and Approved on October 8, 2007**

AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE TOWN OF NAPLES AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT HEREWITH.

Be it enacted by the Board of Selectmen for the Town of Naples as follows:

SECTION I--Stopping, Standing or Parking Prohibited in Specified Places

No person shall stop, stand or park a 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 controlled 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 on 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 15 feet of the near corner of the curbs at an intersection, except where otherwise designated;
8. Within 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.

SECTION II--Obstruction of Free Passage

No person shall stop, stand, park or leave a 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 feet of the width of the roadway for free movement of vehicular traffic, unless specifically permitted by a law enforcement officer.

A person is guilty of obstructing public ways if the person unreasonably obstructs the free passage of foot or vehicular traffic on any public way, and refuses to cease or remove the obstruction upon a lawful order to do so given to them.

As used in this section, “public way” means any public highway or sidewalk, private way laid out under authority of statute, way dedicated to public use, way upon which the public has a right of access or has access as invitees or licensees, or way under the control of park commissioners or a body having like powers.

SECTION III--Reverse Direction Parking Prohibited

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

SECTION IV--Parking within Specified Allowable Times

The provisions of this Ordinance prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified 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 V--Snow Ban Parking Restrictions

Between November 1 and April 15 no vehicle or motorcycle shall be parked on any public street or way from 11:00 p.m. to 7:00 a.m., so as to interfere with or hinder the removal of 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 VI--Removal of Vehicles at Owner's Expense

The Town Manager or Road Commissioner or Their Authorized Designee(s) may cause any vehicle or motorcycle parked in violation of Section V, or any other provision of this Ordinance, to be moved and placed in a suitable parking space off of the street, at the expense of the owner of such vehicle or motorcycle, and without the Town being liable for any damage that may be caused by such removal.

SECTION VIIA—Sales/Advertising

No selling or sales or advertising of any items in/on public parking spaces without the Town Managers and/or Selectpersons approval.

SECTION VIIIB—No Parking (Route 114 – Trickey Pond/Sebago Inlet Areas and in the area near State Park Road and Thompson Point Road)

There shall be no parking within 10 feet of the paved road on Route 114 in the Trickey Pond and Sebago Inlet areas; more specifically, there shall be no parking from a point

1/10 of a mile east of the Lake Sebago Estates main entrance westerly to the Camp Mataponi entrance, said distance being 1.1 mile.

There shall be no parking within 20 feet of the paved road on State Park Road from the State Park entrance to the Songo Lock Bridge. There shall be no parking within 20 feet of the paved road on Thompson Point Road within 1,500 feet of State Park Road Intersection. There shall be absolutely no parking in the island at the intersection of State Park Road and Thompson Point Road

SECTION VIII—*Disability Parking*

No person shall park any vehicle or motorcycle in any parking space designated as “Handicapped” or “Disabled” parking unless the vehicle or motorcycle bears a special registration plate or placard issued under M.R.S.A. Title 29-A, section 521 or 523, or a similar plate.

SECTION IX--*Restricted Parking*

No person shall park any vehicle or motorcycle in the two parking spaces lying northerly of and adjacent to the Naples’ Bay Bridge designated as “Reserved” or “RES” unless authorized to do so by the Maine Department of Transportation, Bridge Division.

SECTION X--*Use of Sidewalks*

The use of bicycles, skateboards, roller-skates, scooters and in-line skates on any public sidewalks is strictly prohibited. Bicycles may be “walked” along sidewalks.

SECTION XI--*Notice*

It shall be the duty of the Town Manager or his/her designee to erect appropriate signs giving notice of any parking time limit imposed or parking prohibition and no such regulations shall be effective unless said signs are erected and in place at the time of the alleged offense.

SECTION XII--*Maintenance*

The Town Manager with the approval of the Board of Selectmen shall place and maintain, or cause to be placed and maintained, traffic-control signs, signals and devices when and as required or authorized under this Ordinance, and may place and maintain such additional traffic-control devices as s/he may deem necessary to regulate traffic under this Ordinance or under State Law, or to guide or warn traffic, including angle parking signs, and markings, turning markers, and signs prohibiting left, right or U-turns, the location of which he is authorized to determine. All traffic-control devices so erected and not inconsistent with the provisions of the State Law or this Ordinance shall be official traffic control devices.

SECTION XIII--GENERAL PENALTY

Unless another penalty is expressly provided by State Law, any person found to have violated of any provisions of this Ordinance shall assessed a civil penalty of not more than \$100.00 for each offense, plus attorney fees and costs, except as otherwise provided in the following subsections of this section; and any civil penalty shall accrue to the Town.

Such payment shall in no event be construed as an enforced imposition of a fine or penalty, but on the other hand shall be construed to be an amount, which an offender may voluntarily contribute towards the cost and expense of furnishing to the public a less expensive alternative method of regulating and administering traffic law violations. Any person violating any parking provisions of this Ordinance shall be subject to the general penalty imposed for violation of this Ordinance; however, such person may elect, in lieu of such penalty, to pay the sum of \$10.00 for the first offense of such violation, and \$25.00 for the second and subsequent offenses except for disability parking violations, the penalty for such disability parking violations to be set in accordance with 30-A M.R.S.A. Section 3009 Subsection 1 D (3). If, however, such payment is not made at the Municipal Office within 72 hours after notice of such violation is served, by traffic ticket or otherwise, this alternative method is not available or applicable, and the penalty provided by this Ordinance shall be imposed.

SECTION XIV--Subsequent Penalty (ies)

After one hour if a vehicle or motorcycle is still parked in violation after being cited for a first offense, the second offense penalty will apply and the vehicle or motorcycle may be subject to being towed at the owner's expense and the owner may be required to pay the "second offense" payment to avoid prosecution in Court.

SECTION XV--Validity

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION XVI--Authority

This ordinance shall be created and enacted by the Town of Naples municipal officers and shall be amended from time to time as deemed appropriate by the municipal officers under the authority of 30-A M.R.S.A. Section 3009.

SECTION XVII—Enforcement

The Town of Naples and/or its designees shall enforce the Traffic Ordinances, except that enforcement of disability parking restrictions shall be in accordance with 29-A M.R.S.A. Section 521 (9-A).

SECTION XVIII--Former Traffic Ordinances Repealed

All former traffic ordinances of this Town are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed prior to the enactment of this Ordinance.

SECTION XVIII--Certification and Public Notice

The Town Clerk shall certify to the passage of this Ordinance and cause notice of same to be published in the *Bridgton News*.

SECTION XX--Ordinance Title

This Ordinance may be known and cited as the Town of Naples Traffic Ordinance.